
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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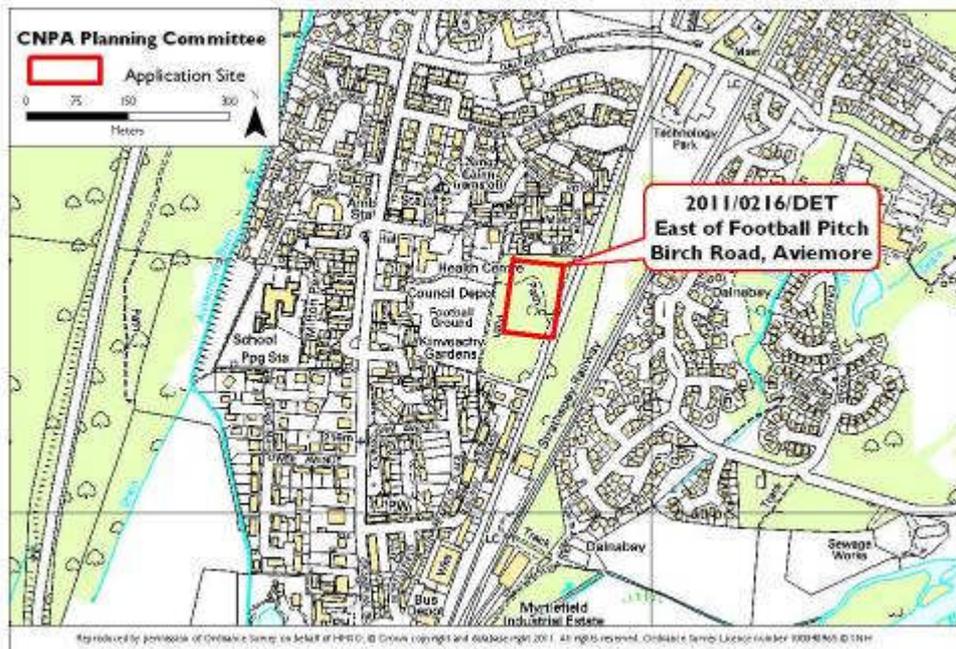
DEVELOPMENT PROPOSED: CONSTRUCTION OF A SYNTHETIC PITCH, ERECTION OF 5M BOUNDARY FENCE, 8X16M FLOODLIGHTING COLUMNS AND SITING OF METAL STORAGE CONTAINER AT NEW COMMUNITY SCHOOL, BIRCHROAD, AVIEMORE

REFERENCE: 2011/0216/DET

APPLICANT: HIGHLAND COUNCIL HOUSING AND PROPERTY

DATE CALLED-IN: 22 JULY 2011

RECOMMENDATION: APPROVE WITH CONDITIONS



(Grid Ref: 813921 298817)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought to install an 'all weather' synthetic pitch, along with security fencing, floodlights and a storage container at the new Community Primary School, currently being constructed at Birch Road, Aviemore. This would be in lieu of a proposed grass pitch (see 08/433/CP and 10/153/CP latterly approved 10 August 2010 – **Appendix I** approved site plan). Work is well underway on the building, associated access roads and its car park with completion expected in May 2012. An area of birch semi-natural woodland has been clear-felled in preparation for the formation of the pitch to the north east and is currently being utilised as a contractor's compound and car park. (N.B. it should be noted that a greater area has been felled than planning permission had been granted for).



Fig. 2 & 3 – Synthetic pitch location and layouts (66m x 106m)

2. The adjacent area is predominately residential in nature, interspersed with areas of woodland and trees, notably to the east beyond the railway line. The closest dwellings are located at Birch Road directly to the north (see fig. 2). A small number are 10m away, but do not face toward the site (gable end only). A total of 9no. properties face directly toward the proposed pitch area, with the closest being 40m away. A 15m birch tree buffer partially screens the site (see figures 8&9).



Fig. 4 – Site area

3. The proposed synthetic pitch would be a multi-use games area measuring 66m x 106m and be formed on an engineered base of crushed stone, with a manufacturer specific shock pad, and rubber synthetic grass surface. Included within this extent, is a soak-away drainage area which could also accommodate some spectator standing room. It should be noted that this is a larger area than that approved under 10/153/CP (N.B. this pitch was to be a smaller pitch than that stipulated by Scottish Football Association (SFA) requirements). The grass pitch originally approved measured 57m x 63m and allowed for the retention of a 15m tree buffer along the eastern edge of the site. At the time of a site visit undertaken by CNPA officers many of those trees were discovered to have been removed to accommodate the greater area; (identified as having being further felled in May 2011). Replacement tree planting on site and at another area to be identified is proposed to compensate for those trees lost. Access to the existing path has been retained.
4. A 5m high fence formed in plastic coated galvanised mesh (colour green) would enclose the pitch for safety and security purposes, alongside preventing dog fouling and accumulation of debris (see more about controlled access elsewhere in this report). The existing permission also proposed a fence; however this would have been only 4.0m high. The fencing would be supplemented by ivy and holly hedging planted to grow over the mesh in sensitive areas, to the residential properties at Birch Road to the north (see fig. 10) and alongside the woodland path, to the east, to provide screening.



Fig. 5, 6 & 7– Lighting columns, pitch surface and hedging examples

5. A series of 16m high lighting columns (8no.) would be located around the pitch and be positioned to minimise glare and light pollution. A Lighting Impact Assessment has been provided to demonstrate the likely impact. The hours of operation would also be closely controlled and agreed by a community management committee. Finally, a steel storage container would also be located to the side of the pitch to house maintenance and sports equipment. Amendments have been agreed to clad this with timber linings to soften its appearance and be more in keeping with the new school.



Fig. 8 & 9 – Birch Road (showing current relationship and outlook to site)



Fig. 10 – Birch Road (showing hedging in place)

Background

6. Sports Scotland grant assistance has been made available to provide part of the funding for the synthetic field and pitch, in place of the smaller grass sports field. The minimum size for the pitch to be eligible for funding is 66 x100m including a 3m run off all round. It is stated that 'this is the only size that Sports Scotland will consider for this site. Anything smaller would not be seen as an improvement.' The applicants suggest that 'this year round, all weather multi-purpose community facility affords greater and more intensive usage' (with unlimited restriction versus 8 hour use typically for grass pitches per week – Sports Scotland, they also quote primary school use alone to be 9.6 hours per week). It is suggested that a synthetic surface has several advantages over traditional grass in that it is less affected by severe weather, requires less maintenance and allows for significantly higher levels of use – both by the school and the community. Football, hockey and other activities would be accommodated, and it could also serve as a practice area for shinty and other grass-related sports. The pitch would be to SFA league requirements. It should also be noted that the games hall in the school building would provide alternative facilities for other sports such as netball and basketball. **See Appendix 2 for further justification.**
7. The pitch area would be gated and fenced for controlled use but would be available for use by the school and community via a booking system in the community office located within the school (this arrangement is unchanged from the regime as per the grass pitch). It is stated that some scope for ad hoc use by individuals may be permitted.

DEVELOPMENT PLAN CONTEXT

8. Part 2, Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by 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 Structure Plan 2001 and the Cairngorms National Park Local Plan 2010.

National policy

9. **Scottish Planning Policy¹ (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
- The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
10. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government's central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
11. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
12. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include Open Space and Physical Activity, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.

¹ February 2010

13. *Open space and physical activity*: Para. 148 of the **SPP** states that access to opportunities for recreation make important contributions to a healthier Scotland. The planning system has a role in helping to create an environment where physical wellbeing is improved and activity made easier.
14. *Playing fields*: Within this section para 156 refers to the need for the loss of any playing field to be replaced by a new field or facility of a better quality which maintains or improves the overall playing capacity of the area.
15. *Landscape and natural heritage*: The **SPP** document recognises the value and importance of Scotland's landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
16. **Scottish Planning Policy** concludes with a section entitled 'Outcomes' in which it is stated that the "planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets." Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.² Finally it is stated that the planning system should be "judged by the extent to which it maintains and creates places where people want to live, work and spend time."

Strategic Plan **Cairngorms National Park Plan (2007)**

17. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include maintaining and enhancing the distinctive landscapes of the Park and also ensuring that development compliments the landscape character of the Park. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset and a place of recreation and enjoyment.

² Para. 256.

18. Under the final theme of **Enjoying and Understanding the Park** there is recognition that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities. The vision for the Park involves developing a world class destination and this requires a sustainable approach to developing tourism, and an excellent quality provision of outdoor access and recreation opportunities.

Structure Plan Highland Council Structure Plan 2001

19. The **Highland Structure Plan 2001** includes several policies that are broadly applicable to the type of development proposed, including policies on sport and recreation, tourism and the environment. The benefits of sport and recreation facilities are highlighted in section 2.5.1 of the Plan, where they are attributed to making an important contribution to sustainable development and enhancing the health and quality of life of the residents of the Highlands.
20. 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.
21. **Policy SR2 (Sports facilities and open space)** states that the 'Council will seek to protect sports facilities and amenity open space unless replacement facilities of an equivalent standard are available.
22. **Policy G2 (Design for sustainability)** states that developments will be assessed on the extent to which they meet a range of sustainability criteria.
23. **Policy G3 (Impact assessments)** states that where environmental and/or socio-economic impacts are likely to be significant by virtue of the nature, size or location of developments then the appropriate impact assessments will be required from developers.
24. **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.

Local Plan Policy Cairngorms National Park Local Plan (2010)

25. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at:
<http://www.cairngorms.co.uk/planning/localplan/pdf/19-Aug-10-Local-Plan-with-PIMs-included-for-web-23-Aug.pdf>

26. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.
27. 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 paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
28. Policy 3 - Other Important Natural and Earth Heritage Sites and Interests: Development that would adversely affect an ancient woodland site, semi-natural ancient woodland site, Geological Conservation Review site, or other nationally, regionally or locally important site recognised by the planning authority will only be permitted where it has been demonstrated that:
- a) the objectives of the identified site and overall integrity of the identified area would not be compromised; or
 - b) any significant adverse effects on the qualities for which the area or site has been identified are mitigated by the provision of features of commensurate or greater importance to those that are lost.
29. Policy 5 - Biodiversity: Development that would have an adverse effect on habitats or species identified in the Cairngorms Local Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, including any cumulative impact will only be permitted where:
- a) the developer can demonstrate to the satisfaction of the planning authority, that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or populations of species; and
 - b) significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and/or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site. Where there is evidence to indicate that a habitat or species may be present on, or adjacent to, a site, or could be adversely affected by the development, the developer will be required to undertake a comprehensive survey of the area's natural environment to assess the effect of the development on it.

30. Policy 6 – Landscape: there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
31. Policy 16 - Design Standards for Development: requires that all development minimises the effects of climate change, reflects the local vernacular and uses materials and landscaping that compliments its setting.
32. Policy 34 – Outdoor Access: the policy encourages development which improves opportunities for responsible outdoor access and adheres to the Cairngorms Outdoor Access Strategy. Development proposals which would result in a reduction of public access rights, or loss of linear access (such as core paths, rights of way, or other paths and informal recreation areas) will only be permitted where an appropriate or improved alternative access solution can be secured.
33. Policy 35 - Sport and Recreation Facilities: developments of formal sport and recreation facilities, diversification of, or extensions to existing sport and recreation-related business activities, or for the enhancement of existing facilities in terms of quality and design will be supported where:
- a) they demonstrate best practice in terms of sustainable design and future maintenance, and where there are no adverse environmental impacts on the site or neighbouring areas; and
 - b) they will meet an identified community or visitor need.
34. Policy 36 – Other open space provision: developments will be supported which improve or add to current levels of public and amenity space. The community sites identified will be required to make a contribution towards overall open space provision.
35. The site is allocated for various community uses, including a school within the Cairngorms National Park Local Plan.

Supplementary Planning Guidance

36. 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. The Open Space and Natural Heritage SPG's are the most relevant to the current proposal.
37. Open Space: provides guidance on the types of open space in the Cairngorms National Park, these include amenity greenspace, parks and sports areas among others. It suggests that compensatory open space could be provided offsite if required. It also highlights that designated sports facilities are recognised as open space provision.

38. *Natural Heritage*: requires any proposal to consider the effects of their development on any aspect of natural heritage. Six key principles are set out that requires no net loss, minimisation, mitigation to compensation. Surveys are required to establish when and where European Protected or other species may be present.

CONSULTATIONS

39. **Aviemore & Vicinity Community Council (see Appendix 3)** object to this application and note that a synthetic pitch is only suitable for ball games and prohibits other uses. They also highlight that the site could no longer be used as a helicopter landing site during emergencies for access to the medical centre or ambulance station. Lastly, it is considered that community needs or wants were not considered, for a development that would affect the character and nature of the site and the area.
40. **NHS Highland – Aviemore Medical Practice** highlights that the site has rarely been used for landing helicopters in the past. Further to their response on this issue, they also objected to any development that limited or restricted the access to the only football pitch in town.
41. **Scottish Air Ambulance / RAF Search & Rescue** both confirm that the site is not a formally recognised landing site and its use has only been confined to 1 or 2 occasions. This is in part due to noise/disturbance issues.
42. **Network Rail** confirms that they have no objection but recommends conditions to ensure the safety and integrity of the adjacent railway line.
43. **Highland Council (TEC) Roads** has no objection.
44. **Highland Council (TEC) Environmental Health** has no objections providing the development adheres to the Scottish Government Best Practice Guidance on Sports Facility Lighting controls including that lights should be switched off after 22.00 hrs, lighting to be as directional as possible and should use the minimum number of lights required to minimise light pollution.
45. **Highland Council (TEC) Lighting Engineer** has no objection. In general terms the proposals meet Highland Council requirements for the floodlighting of Sports Areas. In view of the assessment being of the “desk top variety” it is recommended that a site validation is carried prior to the system being commissioned to confirm lighting levels.
46. **Sports Scotland** support the application. The provision of this pitch is considered to enhance the level of facilities in the wider area in that it would provide a playing surface with greater playing capacity than a grass pitch.

47. The **CNPA Ecologist** has no objections to the scheme as submitted. Through the remaining area of woodland and the parcel of land adjacent to the railway line, there is a continuous corridor to allow flora and fauna to move, so the reduction in tree density around the pitch will not impact upon the habitat corridor. Semi-mature trees should be replanted around the school site to compensate for loss.
48. The **CNPA Landscape Advisor** has no objections to the scheme as submitted. A Lighting Impact Assessment was requested. Subsequently this was provided and confirms that the lighting scheme would eliminate the potential for upward leakage that artificially brightens or obscures the night sky.
49. The **CNPA Access Officer** has no objection and advises that the proposed development would not affect current access to paths around the woodland.

REPRESENTATIONS

50. The application was advertised in the Badenoch & Strathspey Herald on 13 July 2011. 8no. representations (see **Appendix 4**) have been received in respect of this application including objections from the Rothiemurchus and Glenmore Community Association and several neighbouring properties at Birch Road. Aviemore Primary School Parent & Teacher Association voices their support for the application stating that the benefits of the greater use of synthetic surfaces would be an asset to the school. The objections cite various issues, including:
 - loss of public access to the grass pitch, further adding to the dearth of facilities in Aviemore;
 - Unsuitability of synthetic pitches for any activities other than football;
 - Concern at the impact on the character, residential and visual amenity of the area is also raised including the impact of the lighting and fencing;
 - Light pollution to properties and Aviemore in general, visual disturbance and possible incidences of anti-social behaviour and noise;
 - Impact on the remaining woodland, further eroding its value.
51. A Community Open Day was held by Highland Council on 29 September 2011 where the public were invited to provide their thoughts on the development in general and the respective merits of grass and synthetic surfaces. It was estimated that 45 people attended. Council Officials ran the event to answer queries and gauge opinion. CNPA Officers, community councillors and Elected Members were also present.
52. A number of 'Community Feedback Forms' were completed and returned either at the event or in the following days. These posed a series of questions about the preference of grass or synthetic surfaces, floodlighting and any other additional points. Highland Council state that the outcome of this event and questionnaire demonstrated that respondents generally felt that a grass pitch would be better if this was the only option available, however many felt

that an additional informal grass area in addition to the synthetic pitch would be beneficial to the school and the community in general. The tone of the meeting suggested that there was a level of consensus about introducing this area of informal grass in addition to the synthetic pitch. A summary of the returned forms is available at **Appendix 5**.

APPRAISAL

53. 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.
54. There are a number of issues to consider in the determination of this application, including the nature of the proposal, its principle, design, and operation along with any associated implications, particularly on residential and visual amenity and also consideration of its contribution towards sports and recreational facilities, open space and access in the area. Another issue to be considered is the use of the site as a dedicated sports venue and its use for other occasional community needs.
55. As a result of feedback from the recent Community Event, it has emerged that alternative proposals to include a small grass area over and above the synthetic pitch are favoured by Highland Council and some elements of the community. These are discussed latterly in this appraisal section.

Principle of development and loss of grass pitch

56. The proposed synthetic pitch would be located in the vicinity of a former playing field recently cleared from the site, and substitute a traditional grass field that has planning permission. The site is allocated for community uses in the Cairngorms National Park Local Plan 2010. There is also general support in planning policy contained within the Development Plan. The policies which have been detailed in paragraphs 8 to 36 of this report all generally encourage increased sports and recreational opportunities and facilities in the National Park. It is particularly supportive of increased and enhanced sports facilities as seen in Policy SR2 of the Structure Plan and Policy 35 of the CNP Local Plan. Policy 35 Sports and Recreation Facilities specifically goes on to state that the development of new, or enhanced existing formal sport and recreation facilities, will be supported where best practice is demonstrated in terms of sustainable design and maintenance, and where there are no adverse environmental impacts on the site or neighbouring areas; and they meet an identified community need. The SPP also specifically mentions playing fields stating that the loss of any playing field should be offset and replaced by a new field or facility of a better quality which maintains or improves the overall playing capacity of the area. Overall, the principle of the synthetic pitch is acceptable in policy terms in this location, dependant on design and impacts. It is highlighted at this point that both Sports Scotland and the School Parent Teacher Association support the application. The provision of this surface is considered to enhance the level of facilities in the wider area in that it would provide a pitch with greater playing capacity than grass.

57. Again it should be recognised that the entire site formerly featured a large expanse of open space, along with grass playing field and football pitches. In part this was noted to be recreation ground that contained a neglected pavilion building and in the main was utilised for football, nonetheless it could accommodate large scale community events or activities such as fetes, fairs or games (as noted by CNPA Officers during visits to site prior to development). The issue of the loss of the football pitches and playing field was previously considered in the applications for the school itself. It was stated that the loss of the recreation ground would be offset, in part by their direct replacement on site including the formation of a new sports facility with pitch providing an enhanced, modern facility of comparable or greater benefit. The approval of the development of the school determined the loss of the recreational ground overall was acceptable given the community benefit brought about by a new school and community facilities.
58. In terms of how the proposal fits with Policy 36 – Other open space provision and its accompanying SPG, it is considered that the development would not decrease current levels of public and amenity space. It is highlighted that the approved grass pitch was to have been enclosed by a ball control fence for security and safety purposes. Access proposals to the area are therefore unchanged from the scheme that has planning permission. It could be suggested that as a result of altering the surface, it is an alternative type of open space – however as defined by the Open Space SPG *specifically designed surfaces, used primarily for designated sports and are generally bookable, can be considered as open space*. The compensatory woodland to be planted (presently suggested at nearby Dalfaber Drive but to be confirmed) and any possible grass area on site would also contribute towards overall open space provision in the area by providing a more usable space than is currently available on that site (overgrown scrub).

Contribution to sports facilities

59. Policy 36 of the Local Plan also requires that development should meet an identified community need. The introduction of a synthetic surface would provide a dedicated, high quality and modern sports facility that would bring further significant community benefits for Aviemore and Strathspey. Highland Council has suggested that there is a strategic need for such a facility in the area. It isn't appropriate in planning terms to become embroiled in a detailed technical debate about the respective benefits of synthetic surfaces over traditional grass. A pitch is proposed, that is unchanged from the consented scheme, the type of surface and its functional flexibility are the only factors that have been altered. The benefits of a synthetic surface would be in the form of increased usability in terms of physical use, the ability to continue to be used in worse weather conditions and later into the evening (whilst recognising neighbouring amenity concerns) and throughout the winter months and other seasons – it is highlighted that severe adverse conditions would still render the surface unplayable but its use would overall be much greater than that of grass. It has been highlighted that laying a grass pitch would take approximately 18 months, sometime after the school is expected to be open; a synthetic surface ensures that installation could coincide with the completion of the school. The limited use of a traditional grass field, especially during the winter months is also a noticeable constraint – the use

of grass overall is estimated at 8 hours per week, while synthetic alternatives can have unlimited use. Nonetheless it is recognised that grass can provide a more flexible and adaptable surface in that it could host a greater level of alternative activities rather than a specialist sports surface. Overall, it is considered that the proposed synthetic pitch, which is to SFA standards, would greatly increase the amount of time that sports activities could take place, in Aviemore, it seems reasonable to suggest that it would be more beneficial. Given the increasing encouragement for involvement in sports and recreation nationally, it should be recognised that the proposed synthetic surface would be an invaluable asset.

60. The concerns raised by the community council and other objectors about the lack of flexibility in the sports and activities which can be hosted and other constraints placed on this type of surface, compared to a grass pitch, are acknowledged. However, it is not necessarily a planning issue, but it is considered that the benefits of the synthetic pitch could outweigh those of a grass equivalent. It was also highlighted at the time of considering the Planning Permission in Principle and Matters Specified in Conditions applications for the school that new grass football 'kick-about' pitches are to be located at the Lochan Mor and High Burnside residential developments within Aviemore. Along with other areas of informal greenspace in place or to be created, it is considered that adequate provision could be available in the area to offset the loss of the grass pitch for sports purposes.
61. In terms of use, the pitch would be available for the school, community groups and other informal parties (such as sports teams or individuals). It would be carefully managed, via a booking system done through the community office located within the new school building, alongside the changing rooms and showers. The possibility of informal use by children and locals when the facility is open but not booked is something to be encouraged and a planning condition is recommended to explore this further. From the information provided it is noted that sports including football, hockey and other sports would be accommodated, and it could also serve as a practice area for shinty and other grass-related sports. The games hall in the school building would also provide alternative facilities for other sports such as netball and basketball.
62. In terms of the need for an area for other community uses, this was an issue highlighted as particular concern by the community council. It should be recognised that the larger site itself was previously utilised for various community events and uses. Admittedly such a large area, of sufficient space as the previous recreation field but with similar convenient access and facilities does not currently exist in Aviemore. The Community Council stress that a grass surface (either on site or elsewhere) would allow for the area to be continued to be used for these events, with the added benefit of the schools community facilities. Contrasting with that, it is recognised that a synthetic surface is susceptible to damage by point loads or other heavy impact activities, so tent pegs or any form of inserted supports are to be avoided, therefore synthetic surfaces could not be utilised for events without considerable protection measures such as matting or boardwalks. When this issue was discussed with the applicants it was highlighted that any event with

requirement for tents, foods or activities such as Highland Games could not be accommodated on the surface and would require to be located onto alternative grass park areas – these can be found at Lochan Mor, High Burnside or possibly within Aviemore Highland Resort.

63. The need for a larger scale facility could be addressed in the medium to long term with the prospective development of a community parkland by the River Spey or at An Camas Mor. This lack of grassed area provision is a concern however it is considered not of a significant level to warrant a recommendation of refusal. Ultimately, the choice is between a dedicated and high performance sports facility versus a grass pitch which would be a relative compromise in terms of use for sports but would also be available for use for intermittent and occasional community events. The concerns of the community council and some local residents about this is recognised but on balance it is considered in planning terms that the relative merits of the synthetic surface over the potential need for the grass outweigh these concerns.
64. Access to the facility itself is addressed in other sections. Access provision to the woodland and immediate area around the site would be unchanged from the consented scheme. The path around the woodland and to the east of the pitch would be unaffected. It is currently unclear how access arrangements would affect any proposed additional grass area.
65. The issue of landing helicopters in the area has also been highlighted as a concern. Discussions with both the Scottish Air Ambulance Service and RAF Search and Rescue confirm that the area is not a formally recognised landing site and has only been used on one or two occasions historically due to noise and amenity concerns. A site at Glenmore is utilised normally.

Design and appearance

66. The design and appearance of the proposed field and pitch is considered to be typical of modern synthetic sports facility, with its green coloured mesh fencing and with the existing tree and other landscaping cover afforded by its siting and additional planting, it would be unobtrusive and sensitively positioned. This landscaping would soften the 5.0m high ball control fencing, container and lower parts of the lighting columns – it is recognised that these are necessary and functional components of this type of facility. The lighting columns to be installed are fairly slender pole mounted units that, would in part be screened by the existing trees located to the north, these should not create any significant adverse visual impacts (amenity is considered elsewhere). It should be noted that any shields or screens would add to their bulk and would only be used in the event that overspill was identified as an issue by Environmental Health Officers. The scale of the field and pitch is acceptable and it would be screened from the residential properties at Birch Road to the north by the existing trees, hedging and other planting so its impact upon the residential streetscene would be limited. It should again be stressed that the approved grass pitch was also to have been enclosed by fencing for safety and security reasons. It is considered appropriate that the steel container be clad in timber to provide a more inkeeping structure – a planning condition is recommended.

Residential and visual amenity

67. The proposed synthetic pitch along with its lighting would be located sensitively, utilising control measures and management practices to protect the residential areas around the site. Appropriate lighting is also a prerequisite for these types of facilities. A Lighting Impact Assessment has been submitted to accompany the application; this states that significant measures have been employed to mitigate the overall light pollution levels. This is to be done by using suitable lighting units properly positioned and directed. Management of the system would allow lighting levels that respond to the activity being undertaken (ie different lighting levels for different activities such as lower lighting for football over hockey). The assessment also confirms that no overspill should affect any residential buildings. It is also considered in the assessment that light pollution or overspill should not be an issue and any subsequent (if any) can be addressed. Planning conditions are recommended to ensure that the detailing of the lights and their hours of operation are controlled. The Environmental Health Officer has recommended that the lighting shall be restricted from 0800 to 2200 hours daily and that they should only be used when the field and pitch is in use. In terms of noise or the possibility of anti-social behaviour, the management of the facility through a booking system ensures that the school site and the synthetic field/pitch will be closely supervised during opening hours. The facility would then be locked and the security measures employed around the site should deter its unauthorised use.
68. It is recognised that the outlook of the neighbouring properties at Birch Road to the north, face toward the site, and there is an element of intervisibility between the dwellings and the area of the pitch at present, as can be seen in figures 8&9. The existing birch trees are in leaf during the summer months but would shed this coverage during the autumn and winter months. Therefore landscaping screening in the form of ivy or other planting would be provided alongside the fencing to provide effective screening to this sensitive northern boundary – see fig. 10. It is considered that this addresses visual amenity and that there should be no issues.

Woodland

69. It is regrettable that a larger extent of the woodland is required to be removed than was indicated for the original grass pitch – 106 x 66 m compared with 57 x 63 m and that this work was done prior to the submission of this application. A number of options were assessed to maintain as much woodland as possible, particularly the woodland corridor, these included reducing the number of car parking spaces or a smaller pitch area. Both of these were discounted as car parking thresholds had already been set, while the size of field and pitch proposed is the size stipulated by SFA standards and eligible for grant funding. It should be highlighted that the consented field is of a smaller size than that required for SFA standards as it was the intention to maintain a high level of the birch woodland.
70. Overall, the loss of the additional trees along the eastern edge of the site as currently proposed does not undermine the woodland setting of the site, or the viability of the corridor which would allow the movement of animal and plant species to continue, bringing wildlife into more developed areas of

Aviemore. The CNPA Ecologist has no objections to the current proposals stating that the loss of the additional trees has little impact on the woodland (50% retained approximately) and any natural heritage within it. It is suggested that compensatory planting should be introduced where practical along the eastern edge of the site and elsewhere in Aviemore as is required by conditions imposed on the school development in general. In doing so, this recognises the importance of this area in natural heritage and landscape terms, aiming to retain a strong element of the woodland setting of the site, while trying to accommodate the school and the pitch appropriately. In landscape terms it is considered that the positioning of the pitch on the site should not impact upon the continuing regeneration of the remaining woodland. The lighting should not have a significant visual impact or unduly impact on dark skies. This would accord with Policy 3 Other Interests, Policy 5 Biodiversity and Policy 6 Landscapes.

Additional prospective grass area

71. As a result of the Community Event and ongoing discussions between the community and Highland Council, it has become apparent that an additional and complimentary grass area may be introduced into the proposal by the applicant. It appears that there is sufficient support for this to be at least considered as a further option as it may overcome some of the objections and issues to a synthetic surface. This would also address any concerns over the shortage of grass amenity areas at the school itself and in Aviemore. Any such area would require to be located to the south of the pitch and within the existing retained woodland (at present at 50% of previous levels). This woodland is not designated but is noted to contain some natural heritage interests and local value (which is identified to contain a wood ant nest, a badger sett, is used by breeding birds and has some aspen and juniper as per an Ecological Assessment dated July 2009 which accompanied the initial application for the school itself). These ecology interests could be a significant constraint on the extent of any prospective grass area and further studies for this and in landscape terms would be required to allow for an informed assessment of the impacts. In recognition of the importance of this community project it is suggested that a suspensive condition is attached to any grant of planning permission that affords an opportunity to evaluate the options for an additional grass area.

Conclusion

72. The proposed synthetic pitch would introduce a dedicated, high quality and formal sports facility into the area. This would greatly increase the amount of time that sports activities could take place, whilst providing an important focus for education and sports facilities for the village. Given the increasing encouragement for involvement in sports and recreation nationally, it should be recognised that the proposed synthetic field and pitch would be an invaluable asset, not just to Aviemore but to Strathspey as a whole.
73. The lighting can be controlled to ensure residential amenity is not affected and a series of planning conditions are recommended to control this. Overall, it is considered that the proposal is acceptable in terms of planning policy, design and impact on amenity, and its immediate surroundings. Further consideration should also be given to the option of a further grass area to

compliment the synthetic pitch. Accordingly the application is recommended for approval subject to conditions.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

74. The development is considered to have no significant implications for this aim; the proposal in its current form has raised no real landscape and natural heritage concerns from consultees. The planting or compensatory trees and woodland management should enhance the area.

Promote Sustainable Use of Natural Resources

75. 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

76. The proposed development would result in improvements to the education and sports facilities available to the area and would indirectly assist in promoting the understanding and enjoyment of the area by encouraging increased recreation. This facility would provide essential recreational provision for the area.

Promote Sustainable Economic and Social Development of the Area

77. The development would result in improved sports facilities for locals and visitors and enhance the level of provision in the area.

RECOMMENDATION

78. **That Members of the Committee GRANT Planning Permission for the Construction of a synthetic pitch, erection of 5m boundary fence, 8x16m floodlighting columns and siting of metal storage container at Birch Road, Aviemore subject to:**

A. the following conditions:

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

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

2. The lighting hereby approved shall be controlled so that it adheres to the Scottish Government Best Practice Guidance on Sports Facility Lighting controls and there is no direct illumination of neighbouring land, and so that any light spillage onto neighbouring land shall not exceed 250 - 300 lux. The lights should only be on when the facility is in use. The hours of operation of the lighting system shall be restricted from 0800 hours to 2200 hours daily.

Reason: in the interests of safeguarding residential amenity and reducing light pollution.

3. Prior to the commencement of any development, a scheme for protecting neighbouring properties from excessive illumination and/or glare shall be submitted and approved by the CNPA acting as planning authority. The scheme should show that the design, installation and operation of the lighting system shall be such that no lighting affects any residential premises. The design of the lighting is to be as directional as possible, using the minimum number of lights required to minimise light pollution. The colour of lighting poles shall be suitably painted to ensure that they are generally seen not against the sky. Zero upward light should be achieved by using double asymmetric full horizontal cut-off luminaires. Any additional shielding, suitably painted black, should provide further mitigation if required. All works which form part of the approved scheme shall be completed to the satisfaction of the CNPA acting as planning authority prior to the floodlighting system coming into full use.

Reason: in the interests of safeguarding residential amenity and reducing light pollution.

4. Prior to commencement of any development, any changes in site levels, foundations and mechanical plant in proximity to the railway line shall be submitted to and agreed by the CNPA acting as Planning Authority in consultation with Network Rail. Construction and lighting should not interfere with railway operations. Fencing proposals should also be included as per the requirements of Network Rail. All works should be carried out in accordance with those agreed with the CNPA.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development and to ensure the integrity of the railway line.

5. Prior to commencement of any development, comprehensive details of all landscaping including:
 - indications of all existing and proposed trees;
 - hedging and landscaped areas (with compensatory tree plantings, alongside ivy or other suitable climbing plants particularly placed along the northern and eastern boundaries and on an area to be utilised for compensatory planting) (including a method statement for ground preparation and planting measures showing locations, species, size at planting and total numbers alongside a planting schedule);

- a tree protection plan showing trees marked for retention and having been protected around the extremities of the crowns in accordance with BS5837:2005, Trees in Relation to Construction;

All shall be submitted and agreed with the CNPA acting as Planning Authority. Further compensatory planting should be introduced at an area to be identified as per the requirements of the terms of the permission 10/153/CP.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.

6. Notwithstanding the drawings hereby approved, the steel storage container shall be clad in vertical timber boarding. Details should be submitted and approved by the CNPA acting as planning authority.

Reason: To ensure the implementation of satisfactory development.

7. Prior to the commencement of development, options for the use of the pitch hereby approved, for informal use by children and locals when the facility is open but not booked should be investigated and further information set out in a report to be submitted and agreed with the CNPA acting as Planning Authority.

Reason: To ensure the facility is as inclusive and beneficial to the local community as possible.

8. Prior to the commencement of development, a detailed scheme and further studies are required setting out possible options for a prospective additional grassed area within the site. This should provide information including an updated ecological report and landscape considerations and allow for the retention of much woodland as possible. This should be submitted and agreed by the CNPA acting as planning authority and the approved option implemented within a timescale to be agreed.

Reason: To ensure that the feasibility of introducing an additional grass area is fully investigated and options fully considered.

And;

- B. That a letter be sent to the applicant's indicating the Planning Committee's disappointment at the partly retrospective nature of this application.**

Robert Grant 06 October 2011
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