
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(PLANNING OFFICER,
DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: Affordable house type substitutions to plots 12 – 15 at Land South East Of Millside House Milton Aviemore

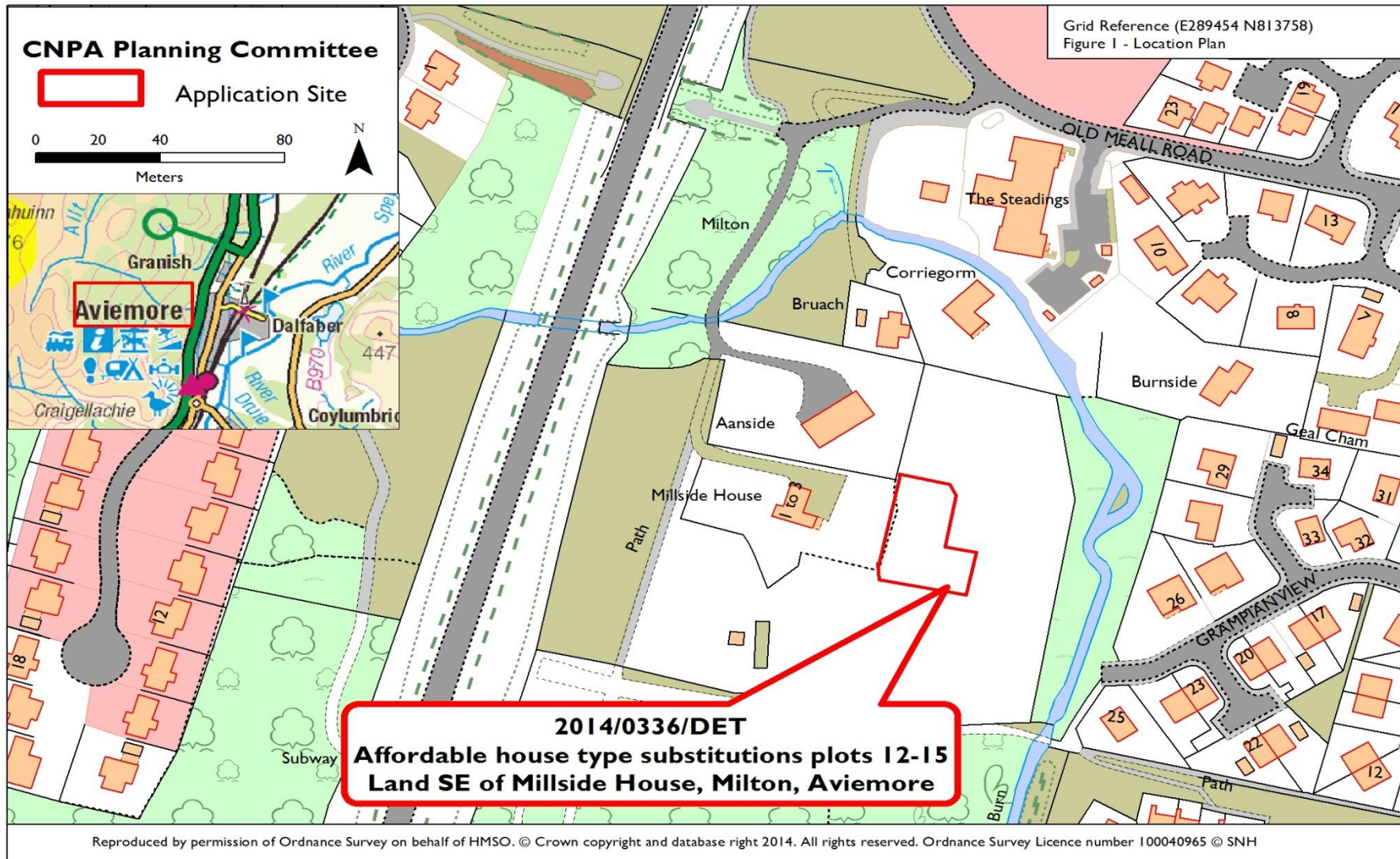
REFERENCE: 2014/0336/DET

APPLICANT: ALLAN MUNRO CONSTRUCTION LTD

DATE CALLED-IN: 10 November 2014

REASON FOR CALL IN: The proposed development is directly related to applications previously determined by the Cairngorms National Park Authority and it therefore considered to be of significance to the collective aims of the National Park

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



SITE DESCRIPTION AND PROPOSAL

Plans and Documents

1. The plans and documents submitted by the applicant and under consideration for this application are identified in the table below and are available on the Cairngorms National Park Authority website at:

<http://www.eplanningcnpa.co.uk/online-applications/#searchApplications>

| Title | Drawing Number | Date on Plan | Date Received |
|---|---------------------------|---------------------|----------------------|
| Site Layout as Proposed | 3918/02/030 Revision C | Oct 14 | 19 Dec 2014 |
| Affordable House 2 Bedroom Plans | 3918/01/050 Revision A | 11.06.14 | |
| Location Plan | 3918/02/001 | Aug 13 | |
| House Type A Consented –plots 12-15 | 3918/03/016 | 18.12.14 | |
| House Type D Affordable- Plots 14 and 15 | 3918/03/ 180 | 18.12.14 | |
| House Type E Affordable – Plots 12 and 13 | 3918/03/ 170 | 18.12.14 | |
| External Materials Schedule | Job No.3918 Issue 2 | 18.12.14 | |
| Affordable House 3 Bedroom Plans | 3918/01/055 Revision A | 11.06.14 | |

2. Further supporting information has been submitted regarding the future use of the proposed housing – this includes a heads of terms agreement with the Highland Small Communities Housing Trust (HSCHT).

Development Proposal

3. This application seeks full planning permission for revised house types on four plots (12, 13, 14 and 15) within an existing approved housing development at Milton, Aviemore. The overall housing site is under construction and is located to the east of the A9 towards the northern end of Aviemore. The wider housing site is bounded to the east by the Milton Burn, to the south by the Aviemore orbital path, and to the west by a sloping site containing two houses (Millside and Aanside) and the remains of a former mill. The area to the north rises gently towards two further detached dwellings and further housing lies to the east at Grampian View. Access to the site is via Grampian View through an established residential area and across the Milton Burn.
4. The part of the site under consideration with this application is located in the north west part of the site as shown in **Figure 2** below. This plan shows the

position of the originally approved units highlighted in red to assist comparison.



Figure 2: Layout Plan (extract from applicant's drawing 3918/02/030 Revision C for information only)

5. On plots 12 and 13 a pair of 3-bedroom two storey houses are proposed, with rear wing features, and on plots 14 and 15 another pair of 2-bedroom two storey houses are proposed. The proposed house types are shown in **Figures 3 (a) and (b)**. Proposed finishes are white "sto" render walls to match the houses in rest of scheme, grey roof tiles and timber detailing and window/door frames.

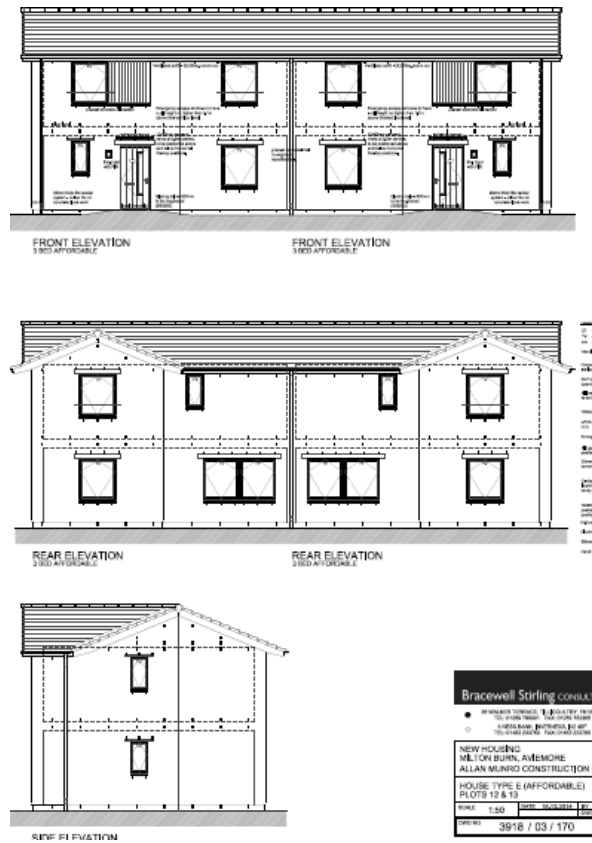


Figure 3(a): Proposed House Type on plots 12 and 13 (Extract from Applicant's drawing 3918/03/170 for information only)



Figure 3(b): Proposed House Type on plots 14 and 15 (Extract from Applicant's drawing 3918/03/ 180 for information only)

- The previous house types (for comparison) were two pairs of two bedroom, two storey houses and integral garages as shown in **Figure 4** below:

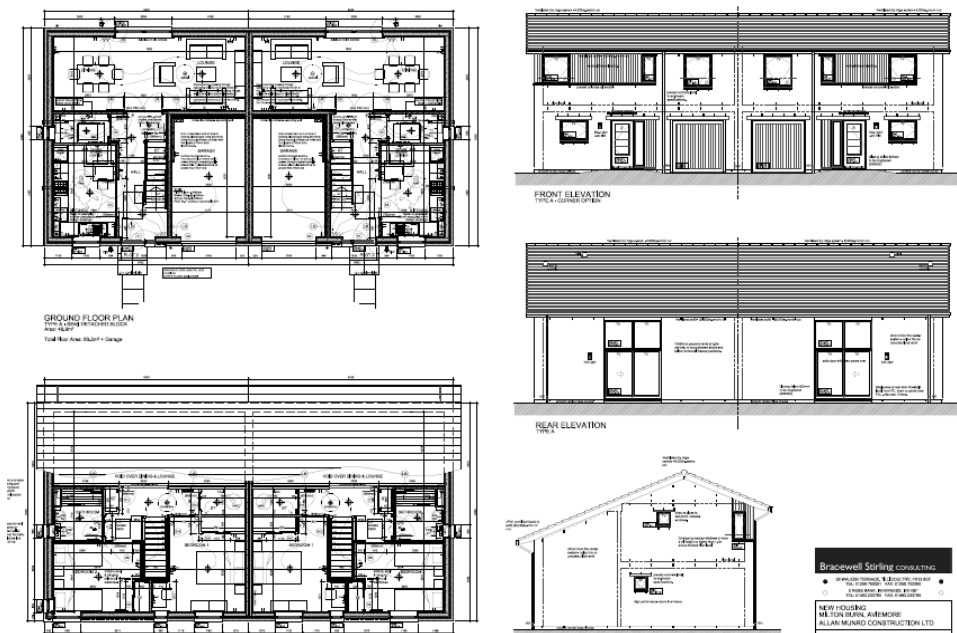


Figure 4: Existing Consented House Type (Extract from Applicant's drawing 3918/03/016 for information only)

7. The key difference with the proposed new designs is the loss of garage space to allow for three bedroom units together with narrower gable ends, different roof pitch and the new rear wing features proposed on plots 12 and 13.
8. Sections have been submitted to show how the houses will sit in the completed streetscape and also to illustrate how this compares with the approved layout. These are illustrated in **Figures 5 (a) and (b)** below. With Figure 5 (a) the top visual shows the approved layout and the second visual showing the originally layout overmarked in red.



Figure 5 (a): Proposed site sections from east (Extract from Applicant's drawing 3918/02/030 Revision C for information only)

9. **Figure 5(b)** below shows the side visual section of the proposed layout in two different places across the site and this illustrates the narrower gables. The originally approved house types are overmarked in red.

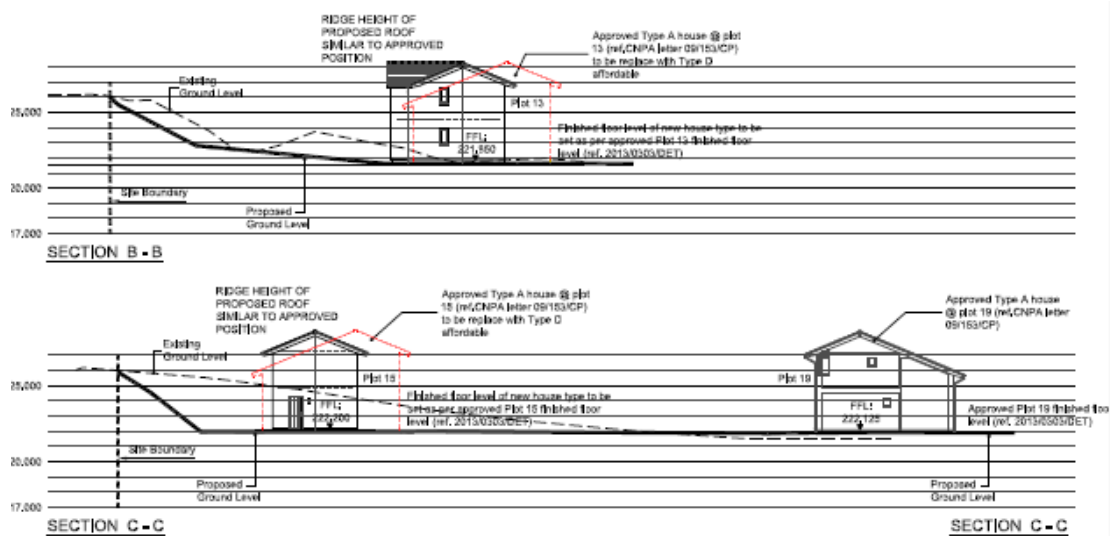


Figure 5 (b): Proposed site sections from south (Extract from Applicant's drawing 3918/02/030 Revision C for information only)

10. The units are proposed as affordable housing to be provided by the HSCHT who are acquiring the site as noted earlier. They have confirmed that the works are in their timetable for delivery in spring 2015, with start on site hoped to be during February 2015. The units will be designed for low cost home ownership and a rural housing burden will be attached to ensure that this remains the case. The model used will be the same as at their Ardgeal project at Kinncraig, namely with a Rural Housing Burden attached to the title of the homes to protect the initial discount for any future sales.

Site History

11. There have been a number of planning applications on this site, the key ones can be summarised as follows:
- a) 09/0153/CP - planning permission was refused by the CNPA planning committee for the erection of 25 houses and formation of access road at this site. This decision was successfully appealed to the Scottish Government's Directorate of Environmental and Planning Appeals and full planning permission was granted subject to conditions in September 2010. (Prior to this decision there had been a number of previous applications for housing.) This consent remains live and the ongoing housing development relates to this consent. One of the conditions of this consent required provision of 15% of units to be affordable – i.e. 4 units - or for an equivalent financial value to be discharged. The scheme set out the method of procurement, affordable housing provider, location of the housing and delivery timetable.
 - b) 2013/0303/DET - an application under section 42 of the planning act to amend a planning condition in order to revise the finished floor levels of the houses on the approved scheme was approved at the November 2013 meeting of the CNPA Planning Committee.
 - c) 2013/0302/DET – an application for a boiler house unit in the south west corner of the overall housing site was approved at the June 2014 meeting of the CNPA Planning Committee
 - d) 2014/0322/DET – application pending for second boiler house unit on north east part of the site. This application is the subject of another item on this agenda.
12. Subsequent to these decisions work has been ongoing on the construction of the houses within the overall development scheme.

DEVELOPMENT PLAN CONTEXT

National policy

13. **Scottish Planning Policy** (SPP, revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.
14. The SPP sits alongside four other Scottish Government planning policy documents:
 - The **National Planning Framework** (NPF) which provides the statutory framework for Scotland's long term spatial development. The NPF sets out the Scottish Government's spatial development policies for the next 20 to 30 years;
 - **Creating Places**, the policy statement on architecture and place, containing the Scottish Government's policies and guidance on the importance of architecture and design;
 - **Designing Streets**, a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
 - **Circulars**, which contain policy on the implementation of legislation or procedures.
15. SPP sets out that the planning system should enable provision of attractive, well designed, energy efficient, good quality housing. Affordable housing is defined as housing of reasonable quality that is affordable to people on modest incomes and SPP highlights that this may be provided in a range of forms, including low cost housing without subsidy, shared equity and housing sold at discount.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

16. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.

17. Three long term outcomes for the Park are set out as follows:
- a) A sustainable economy supporting thriving businesses and communities;
 - b) A special place for people and nature with natural and cultural heritage enhanced; and
 - c) People enjoying the park through outstanding visitor and learning experiences.

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

18. Specific policy priorities are set out to help deliver the long term outcomes of the Partnership Plan. Of particular relevance to this application is Policy 2.8 which seeks to enhance the design and sense of place in new development and existing settlements by amongst other matters promoting a high standard of sustainable design, energy efficiency, sustainability sourced materials and construction in new development.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

19. 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/parkauthority/publications/results.php?publicationID=265>
20. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.

Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The site lies within the Aviemore settlement boundary as designated in the Local Plan, and the following paragraphs list a range of

policies that are appropriate to consider in the assessment of the current development proposal.

21. Policy 20: Housing Development within Settlements supports proposals within settlement areas where the development is compatible with existing and adjacent land uses and comprises infill development, conversion, small scale development, and use of derelict or underused land or the redevelopment of land. Proposals should reinforce and enhance the character of the settlement and accommodate within the site appropriate amenity space parking and access arrangements.
22. Policy 16: Design Standards for Development which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of the sustainable design guide.
23. Policy 6: Landscape which sets out that there will be a presumption against development which does not conserve and enhance the landscape character of the National Park unless any significant adverse effects are outweighed by social or economic benefits of national importance and all adverse effects can be mitigated.
24. Policy 19 Contributions to Affordable Housing which seeks to ensure the delivery of a wide range of housing options to a wide range of households in the Park. Policy 19 requires that developments of three or more dwellings will be required to incorporate a proportion of the total number of units as affordable.
25. Policy 12: Water Resources which seeks to ensure that resources are used sustainably, with a presumption against development which does not meet various criteria relating to flooding.
26. Policy 29 – Integrated and Sustainable Transportation Network which seeks to ensure that adequate consideration has been given to maintaining or improving the sustainable transport network with the Park.

Supplementary Planning Guidance

27. 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. With this application the key document is the Sustainable Design Guide which sets out the principles to be considered when planning new development in the Park along with guidance on affordable housing delivery.

Proposed Cairngorms National Park Local Development Plan (LDP)

28. The Department of Planning and Environmental Appeals (DPEA) carried out an Examination of the proposed Cairngorms National Park Local Development Plan (LDP) over Spring and Summer 2014. The CNPA received

the Report of the Examination on 8 September 2014. The CNPA Planning Committee approved post-examination modifications to the Proposed Cairngorms National Park Local Development Plan (Proposed LDP) on 21 November 2014. The CNPA has published notice of its intention to adopt the Plan and expects to adopt in February 2015. The Proposed LDP (as modified) is a material consideration and carries significant weight in planning decisions though it does not replace the adopted Local Plan until it is formally adopted.

29. Within the Proposed LDP the site is identified as a site with planning consent for 25 units and as part of the housing supply which is expected to provide for housing demand in the next five years.
30. There are no significant differences between the policies contained in the Proposed LDP (as modified) relating to the current application as compared to the 2010 Local Plan policies as noted above.

CONSULTATIONS

31. **CNPA Housing Officer** has been consulted and considers the approach outlined for delivery of affordable housing to be satisfactory.
32. **Scottish Environment Protection Agency (SEPA)** has no objections to the proposed house type changes, noting that these particular house plots are located on a higher part of the site and are at sufficient level to be unlikely to be at risk of flooding.
33. **Aviemore and Vicinity Community Council** has been consulted but have not responded to date.

REPRESENTATIONS

34. No representations have been received.

APPRAISAL

Principle

35. The principle of housing on this site is well established, with no changes in servicing proposed or overall site layout to that previously approved. Full consideration was given by the Reporter to transportation, sustainable design, flood risk, landscape, environmental issues and affordable housing, when he decided to approve the overall redevelopment for the wider site. The overall site is currently under construction. This application is solely seeking to revise the design of the house types from that previously approved and therefore consideration should only reasonably be given to the changes sought together with any consultation responses received. Previous applications have addressed ground levels at the site and flooding issues and the application accords with these approved levels. SEPA have confirmed that the scheme remains acceptable. As such, the proposals comply with

Local Plan Policies 12, 20 and 29 (Water Resources, Housing Development within Settlements, and Integrated and Sustainable Transportation Network, respectively)

Affordable Housing

36. This area of the wider development site was previously indicated for affordable housing when the applicant was seeking to discharge conditions of the original consent. The level of provision accords with the terms of the planning consent conditions applied by the Directorate of Planning and Environmental Appeals. An affordable housing delivery agency will be taking on the site, (Highland Small Communities Housing Trust-HSCHT) who, as noted earlier will be providing housing for low cost home ownership with future use controlled by rural housing burden. The proposals therefore continue to comply with Policy 19 on affordable housing.

Design

37. The design of the proposed units is satisfactory with a narrower gable end profile and smaller footprint than previously approved. Supporting information illustrates that the new houses will fit in well with the remainder of the scheme with no detriment to amenity or neighbours. Although integral garages will be lost as a result of the development there will still be parking spaces within the plots. A condition is recommended to ensure this is implemented and retained. Proposed finishes will match the rest of the housing development here which is currently under construction and fits in well to the area. The proposals therefore comply with Local Plan Policies 6 and 16 (Landscape and Design, respectively)

CONCLUSION

38. This application is considered to be satisfactory and in line with Local Plan policies on the design of new development. It will enable the provision of a wider affordable housing choice by including three bedroom units and the units will be fit in well with the rest of the site. Approval is therefore recommended subject to appropriate planning conditions.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

39. The proposed development does not affect any areas of natural or cultural interest, being part of an ongoing housing development. However the design and layout fits in well with the area and will not therefore detract from this aim.

Promote Sustainable Use of Natural Resources

40. It is proposed to incorporate timber detailing into the development and also to serve the development by biomass heating whereby the proposal generally supports this aim.

Promote Understanding and Enjoyment of the Area

41. The proposed development does not relate directly to this aim other than by providing a wider housing choice to enable people to stay in the area.

Promote Sustainable Economic and Social Development of the Area

42. The proposed development will support ongoing employment of local construction workers as such it would make a positive contribution to the economic development of the area during ongoing construction. In addition it will provide for low cost home ownership within Aviemore on a site well located to services and amenities. As such it fully support this aim.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT FULL PLANNING PERMISSION FOR Affordable house type substitutions to plots 12 - 15 at Land South East Of Millside House Milton Aviemore subject to the following planning conditions:

1. The houses hereby approved shall be retained as low cost affordable housing in accordance with the supporting information provided by the developer and the Highland Small Communities Housing Trust

Reason: To ensure that adequate affordable housing provision is made, in accordance with Local Plan policy 19.

2. The houses hereby approved shall be constructed in full accordance with the approved sections, plans and elevations (including the finished floor levels)

Reason: In the interests of visual and residential amenity and to ensure that there is no risk of flooding in accordance with Local Plan policies 6, 12 and 16 on landscape, water resources and design.

3. All external finishes shall be in accordance with the approved schedule of finishes unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority

Reason: In the interests of visual and residential amenity, and in accordance with Local Plan Policies 6 and 16 on landscape and design.

4. Prior to the occupation of any house on the site:
 - a) SUDS measures shall be in place and operational for the completed dwelling(s)
 - b) Any connections to the surrounding footpath and road network shall be implemented
 - c) The vehicular access is surfaced for a distance of at least 6 metres from the nearest edge of the carriageway or from the rear edge of any adjacent footway, where one is present
 - d) Car parking is provided in accordance with the approved site layout plan and retained free from obstruction thereafter for this purpose

Reason: To ensure that the development is satisfactorily serviced in accordance with Local Plan policies.

5. No development shall commence on the houses hereby approved until a detailed landscape scheme to include all hard and soft features, walls, fences, hedges, trees and other land forms, and tree protection measures with the site has been submitted to and approved by the Planning Authority. The landscape scheme shall be implemented within the first planting season after completion of the final house within the site.

Reason: To safeguard the character and appearance of the surrounding area.

Informatives:

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place outwith the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.

Officer Name: Katherine Donnachie

planning@cairngorms.co.uk

Date: 22 December 2014

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.