
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Case Officer: DAVID ALLAN
(PLANNING TECHNICIAN,
DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: Advertisement of the following types:
Hoarding and illuminated advertisement sign, at land 115m SE of Four Seasons Hotel, MacDonald Aviemore, The Aviemore Centre, Grampian Road, Aviemore

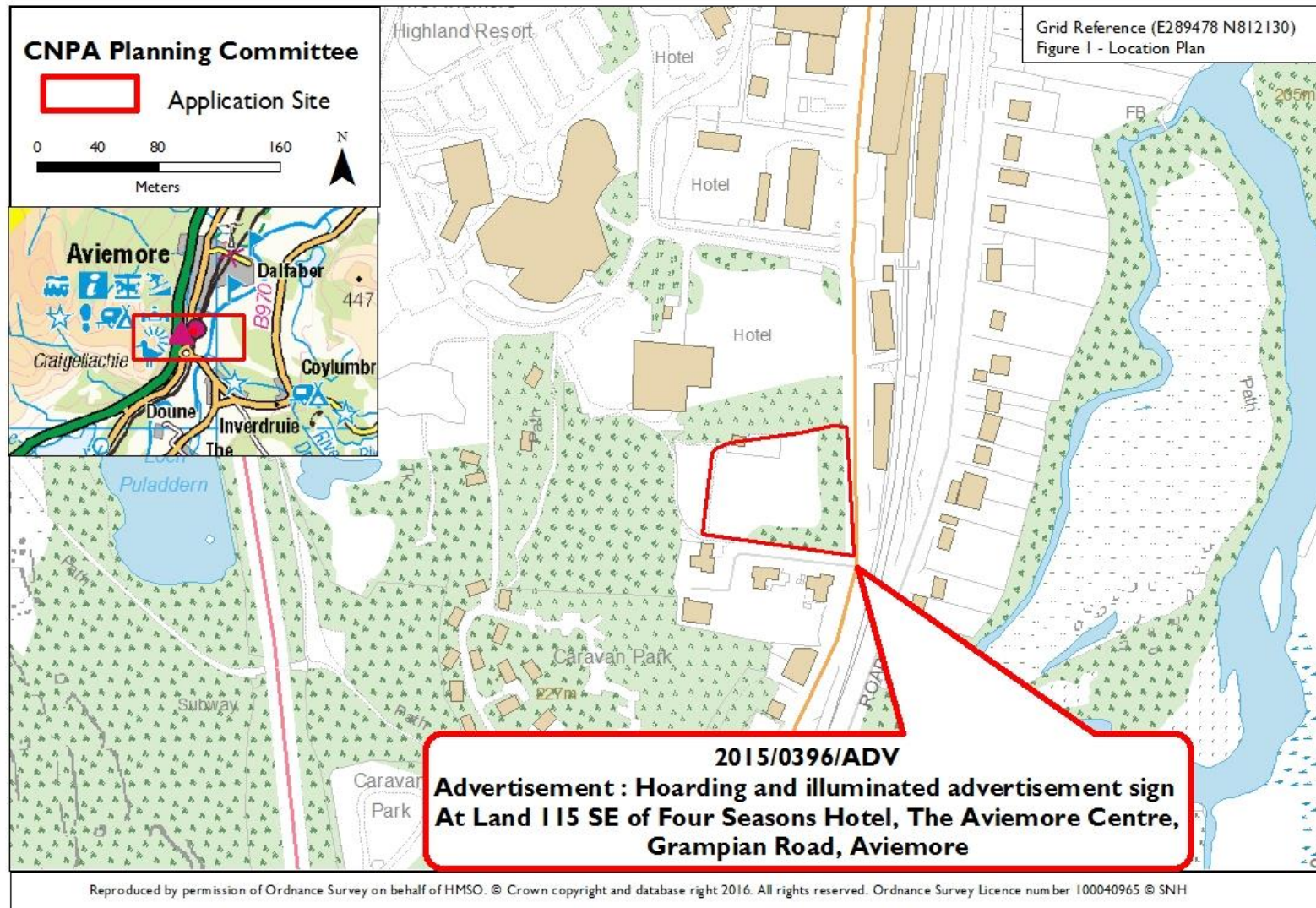
REFERENCE: 2015/0396/ADV

APPLICANT: Mr Steven Wiseman

DATE CALLED-IN: 21st DECEMBER 2015

REASON FOR CALL IN: The application is directly related to an application currently being considered by CNPA for the erection of 35 Retirement Homes which was considered to be of significance to the collective aims of the National Park. As the development is only required in association with that development it is considered to be necessary to consider both applications together.

RECOMMENDATION: REFUSAL



SITE DESCRIPTION, PROPOSAL AND HISTORY

1. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

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

Title	Drawing Number	Date on Plan	Date Received
Location Plan	SC-2097-03-AC-100	22/05/2015	23/12/2015
Temporary Signage Boards and Hoarding Location Plan	SC-2097-03-AC-200	Nov 2015	23/12/2015
Temporary Signage Hoarding	SC-2097-03-AC-201	Sept 2015	23/12/2015
Temporary Signage Boards	SC-2097-03-AC-202	Sept 2015	23/12/2015

Site Description

2. The application site is situated on land SE of the Four Seasons Hotel, Aviemore, and forms part of the wider MacDonald Aviemore Highland Resort. The site comprises an area of established open, landscaped green space, and is part of the gardens originally laid out as the grounds of the Aviemore Hotel.
3. The site is bound to the South by Grampian Court and to the East by Grampian Road, a principle corridor through the village of Aviemore. The site is set down from the level of Grampian Road and the perimeter features a mixture of broadleaf and conifer trees and shrubs.
4. The site is identified in the Cairngorms National Park Local Development Plan 2015 as an area to be retained as open space, enhanced with landscaping and tree planting as required by the expired planning consent for the development of the adjacent land on the MacDonald Highland Resort site.

Development Proposal

5. The proposal is for the erection of advertisement hoarding panels and an illuminated sign and flagpole, in conjunction with a recently called-in application for the erection of thirty five retirement homes on the same site which is on the Agenda as item 6. The advertisement display is for a temporary period of three years. Plans of their location and elevations are included in **Appendix I**.
6. Hoarding panels, incorporating graphics and lettering (details of which examples but not actual), are to measure 1.2m x 2.4m and drawing number SC-2097-03-

AC-200 is indicative of continuous hoarding along the full extent of the application site at Grampian Road and the majority Grampian Court.

7. The illuminated V board sign, each side being approximately 2.1m x 3.3m to a maximum height of 6.85m, and flagpole measuring 9.0m in height are to be located at an existing access point at the junction between Grampian Court and Grampian Road. Details of examples of, but not actual, graphics and lettering have been submitted for the V board but no details have been submitted indicating the nature of advertisement to be used on the flag.
8. The V board is made of GRP (plastic) but no details have been submitted stating the form of the advertisement hoardings. These may therefore be metal or wood.

Site History

9. There is no recent planning history recorded on the site. However, the application directly relates to a separate application (2015/0373/DET) at the same location, and item 6 on this Agenda, which is for the erection of thirty five retirement homes and is deemed to be of significance to the collective aims of the National Park. As noted in paragraph two the site forms part of the wider Aviemore Highland resort which has an extensive and varied planning history.

DEVELOPMENT PLAN CONTEXT

National policy

10. **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.
11. The SPP sits alongside four other Scottish Government planning policy documents:
 - a. 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;
 - b. **Creating Places**, the policy statement on architecture and place, containing the Scottish Government's policies and guidance on the importance of architecture and design;
 - c. **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

- d. **Circulars**, which contain policy on the implementation of legislation or procedures.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

12. 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.
13. 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.

Local Plan Policy

Cairngorms National Park Local Development Plan (2015)

14. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

15. Key policies relevant to the proposed development are summarised below:
16. **Policy 3: Sustainable Design** seeks to ensure that all development delivers high standards of design, including; siting and design, use of materials, impact on the environment, and accessibility, whilst contributing to the conservation and enhancement of the distinctive characteristics of the Park.
17. **Policy 5: Landscape** states that there will be a presumption against any development that does not conserve and enhance the character and special qualities of the Cairngorms National Park, and that any adverse effects on the

setting of the proposed development are minimised and mitigated through appropriate siting, layout, scale, design and construction.

18. **Policy 8: Sport and Recreation**, seeks to ensure that the needs of local communities and visitors for recreational space and facilities are accommodated and that existing facilities are protected.
19. **Policy 9: Cultural Heritage**, seeks to ensure that development affecting sites or features of local or wider cultural historic significance will protect, conserve and enhance the feature and its setting, or minimise and mitigate any adverse effects.
20. Reference is also made in the LDP within Chapter 16: Aviemore and Vicinity to the contribution of open spaces to the setting of Aviemore and that they will be protected from development. This site is referenced as being a key area of open space in Aviemore.

Supplementary Guidance

21. The CNPA has prepared a suite of Supplementary Guidance (SG) which is part of the Local Development Plan and provides more detail about how to comply with the policies. There is also non-statutory Planning Guidance to help support the delivery of the Plan. Key topics in this case are guidance on Landscape, Sustainable Design, Natural Heritage and Cultural Heritage.

CONSULTATIONS

22. **The Highland Council (Roads Authority)** object to the proposal in its current form on grounds of road safety and public access. They note that the proposed hoardings are located within Grampian Road and Grampian Court footways and lies outwith the site red line boundary. This would require permission from the Council as the Roads Authority under Section 59 of the Roads (Scotland) Act 1984. The erection of hoardings on the footway would result in a reduced available width causing obstruction to able and non-abled bodied pedestrians, and as such the required permission would not be granted.
23. It has not been demonstrated that the hoarding, signage and flag pole at the junction between Grampian Road and Grampian Court is outwith the required visibility splay.
24. They further object to the use of an illuminated sign as this may be a distraction to road users.
25. **CNPA Landscape Adviser** notes that the application site provides an area of open and accessible green space which is well used by the residents of Aviemore. They advise that this proposal will both limit access into, and enjoyment of this greenspace, which is of local cultural and historical significance.

26. They further note that the area is characterised by an absence of built structures and lighting, and are of the opinion that the proposed hoardings would be very prominent in the streetscape context. It is also advised that trees along the site perimeter which contribute to the character and quality of the immediate setting may be damaged.
27. Currently views from Grampian Road look down into and across the site and views from the Four Seasons Hotel look directly on to the site. The proposed hoardings will obstruct views into the site from both Grampian Road and Grampian Court
28. **CNPA Access Officer** notes that application site is contiguous with the adjacent grassed area situated in front of the MacDonald Four Season Hotel; the entire site is open to exercise of access rights and is used for various forms of informal recreation. Entry to the site can be gained directly from Grampian Road footway and from a number of locations along and adjacent to Grampian Court; some of which have become defined through their regular use, in particular the entry point at the junction of Grampian Road and Grampian Court.
29. They note that the identifiable main access points, along with the southern and eastern boundaries of the site will be obstructed resulting in the loss of access from these locations. An unmitigated obstruction to existing access conditions on the scale proposed would be unlawful and in contravention of the Land Reform (Scotland) Act 2003.
30. They further suggest that the extent and position of the hoardings will dominate within the local context, significantly diminishing existing visual amenity and impacting on the conveyed sense of open accessibility which promotes pedestrian movement onto and across the site.
31. They recommend the application be refused until suitable mitigation measures can be agreed and the scale of installation reviewed.

REPRESENTATIONS

32. **Aviemore and Vicinity Community Council** (attached as **Appendix 2**) object to the application on the grounds of amenity and public safety and have provided comments summarised as follows.
33. This area of land is identified within CNPA LDP as land to be retained as open space, and the enclosure of this land will have an adverse effect on the quality of and access to this open space. By screening this area of open space, the proposed advertisement hoardings may provide opportunity for criminal or anti-social behaviour, thereby negatively impacting upon the public safety of site users. They also suggest that the solid nature of the structure may pose a threat to public safety when exposed to strong winds.

34. The scale and form of the proposed advertisement hoardings and signage are not in keeping with the existing wider community open space use and will neither conserve nor enhance the natural and cultural heritage of the area.
35. They further state that this proposal is inexorably linked and secondary to the proposed retirement flats and premature of any forthcoming decision in that case.
36. An objection has been received on the grounds that the hoardings are not in-line with other adverts in the area, will be an eyesore to residents and visitors, and will disturb the area of land proposed.

APPRAISAL

37. Applications for advertisement consent must be considered on grounds of amenity and public safety.

Amenity

38. The scale and form of the proposed hoardings, which are deemed to be excessive in height and unbroken in their length along Grampian Road and Grampian Court, would in effect amount to the screening off of an open, accessible green space in the centre of Aviemore which has been identified for protection from development. This does not satisfy Local Development Plan Policy 3: Sustainable Design.
39. Further by restricting access along both public footways and obstructing recognised access points, there will be significant detrimental impact on the availability of this space as a place for informal recreation. This is in conflict with Local Development Plan Policy 8: Sport and Recreation.
40. In the wider local context, this proposal comprising the hoarding, sign and flagpole would be a dominant feature in the immediate streetscape, including during the evening hours due to the use of illumination. The construction of the hoardings is also likely to have an impact upon the existing trees; their damage/loss would also impact upon the streetscape and character of the area. If the hoardings are metal then this would potentially have a greater impact than wooden boards. As such the proposals would not in keeping with the existing character of the settlement. This is in conflict with Local Development Plan Policies 5: Landscape and 9: Cultural Heritage.

Public Safety

41. There remain potential issues of road safety, highlighted by the Council as Roads Authority, due to the siting of structures within the required visibility splays and the use of illuminated signage; no further supporting information has been submitted to address these points.

42. Finally, no further supporting information has been submitted to demonstrate that the proposed structure would be erected within the red line boundary and not impact upon the available width of the public footways.

CONCLUSION

43. The proposed development would result in a significant and unacceptable diminishment to the amenity value and accessibility of a valuable open space in a key part of Aviemore. It would dominate within the streetscape adversely impacting on the character of the area. The proposal is also unacceptable on grounds of road safety and potential loss of public footways.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

44. This application does not support this aim as the scale and form of the proposed hoarding and signage would dominate the existing streetscape is not in keeping with the existing character of Aviemore.

Promote Sustainable Use of Natural Resources

45. This proposal is not considered to have any significant impact on this aim.

Promote Understanding and Enjoyment of the Area

46. This application does not support this aim as it will limit access to, and adversely impact upon the enjoyment of, an established open green space in the centre of Aviemore.

Promote Sustainable Economic and Social Development of the Area

47. This proposal is not considered to have any significant impact on this aim.

RECOMMENDATION

That Members of the Committee support a recommendation to: REFUSE advertisement consent for advertisement of the following types: Hoarding and illuminated advertisement sign, at land 115m SE of Four Seasons Hotel, MacDonald Aviemore, The Aviemore Centre, Grampian Road, Aviemore, for the following reasons:

1. The proposed hoardings, due their continuous unbroken form and siting along Grampian Road and Grampian Court would result in the obstruction of and diminished access to a valued open green space, contrary to Local Development Plan Policy 3: Sustainable Design.
2. The proposed hoardings, due to their siting, scale and form would result in a screening off of a valuable open green space and would adversely impact the

opportunity for informal recreation, contrary to Local Development Plan Policy 8: Sport and Recreation.

3. The proposed hoardings, V sign and flagpole due to their prematurity, siting, scale, design and illumination would result in advertisement clutter and the potential damage/loss of trees, which would have an unacceptable adverse impact on the landscape and character setting of Aviemore, contrary to Local Development Plan Policies 5: Landscape and 8: Cultural Heritage.
4. It is not demonstrated that the proposed hoardings and signage are outwith the required visibility splay at the junction of Grampian Court and Grampian Road and therefore raise an issue of road safety.
5. It has not been demonstrated that the proposed hoardings would not result in a reduced available width of public footway, contrary to the access requirements of Local Development Plan Policy 3: Sustainable Design.

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