
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

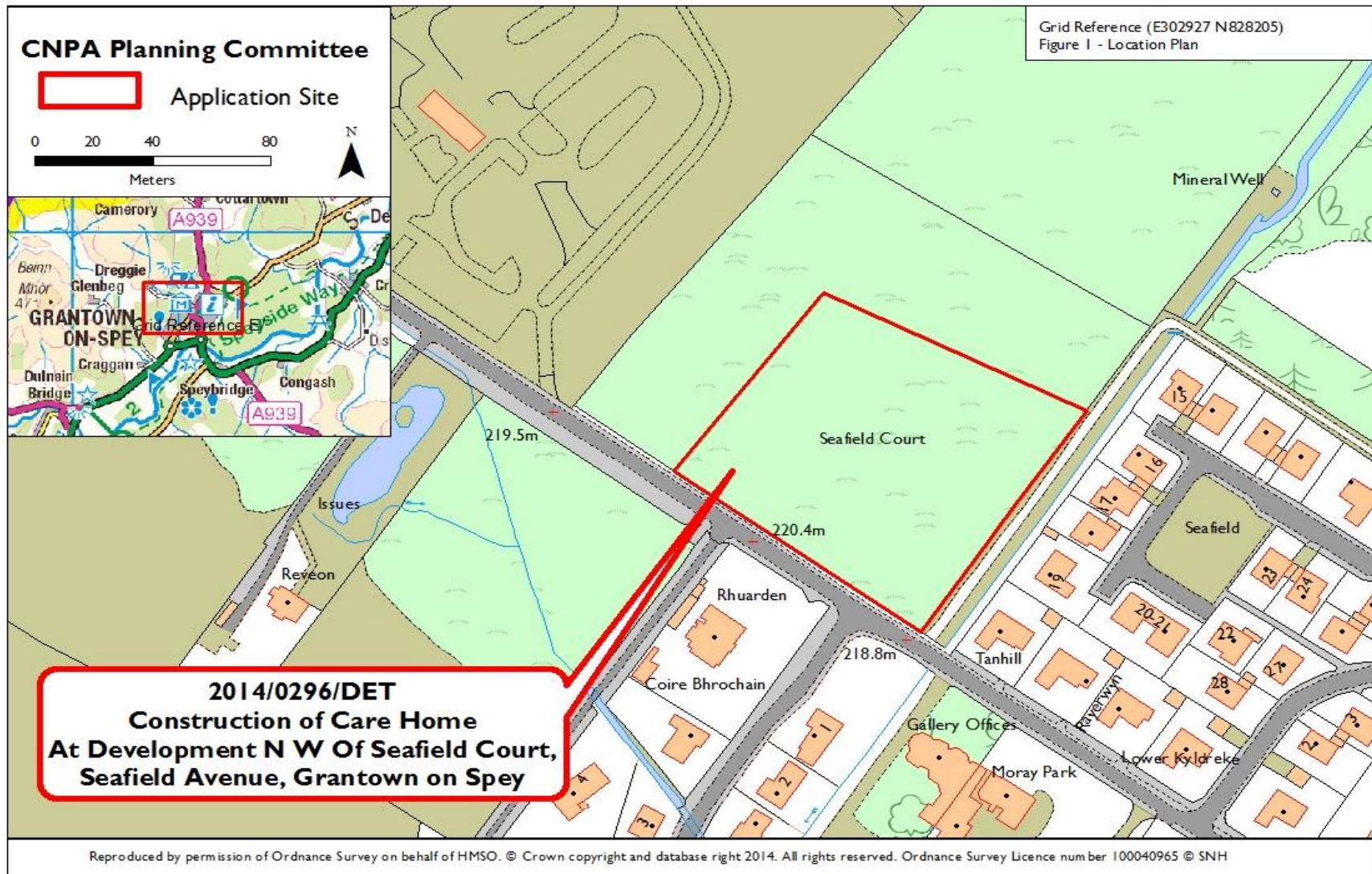
DEVELOPMENT PROPOSED: Construction of Care Home (Class 8) with associated External Areas, Gardens, Car Parking, Bin Stores, Cycle Stores, Vehicle and Pedestrian Access and Boundary Treatments at Development North-West of Seafield Court, Seafield Avenue, Grantown-on-Spey.

REFERENCE: 2014/0296/DET

APPLICANT: Parklands Developments Ltd

DATE CALLED-IN: 29/09/14

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



SITE DESCRIPTION AND PROPOSAL

- I. The plans and documents submitted by the applicant and under consideration for this application are identified in the table below.

Title	Drawing Number	Date on Plan	Date Received
Site Plan as Existing	SI3_092_PL_100	Sept 14	30 Sept 2014
Locality Plan	SI3_092_PL_100	Sept 14	30 Sept 2014
Site Plan as Proposed	SI3_092_PL_220	Sept 14	30 Sept 2014
Presentation Floor Plan	SI3_092_PL_320	Sept 14	30 Sept 2014
Proposed Elevations	SI3_092_PL_510	Sept 14	30 Sept 2014
2014 Site Walkover Survey Location Key Plan	SK-002	16/09/14	30 Sept 2014
Photographs 1 - 22			30 Sept 2014
Site Location Plan	SK-003	19/09/14	29 Oct 2014
Ground Investigation Percolation Testing Plan	002	23 Oct 2014	29 Oct 2014
Pre-Development Impermeable Area	SK-005	20/10/14	29 Oct 2014
Post-Development Impermeable Area	SK-006	20/10/14	29 Oct 2014
Proposed Drainage Design, Including SUDS Scheme	W-01 Rev P2	16/09/14	29 Oct 2014
Proposed Drainage Construction Details	W-02 Rev P1	16/09/14	29 Oct 2014
Site Layout, Landscape Proposals	Gr-Sp 01	25/09/14	30 Sept 2014
West Courtyard, Landscaping Proposals	Gr-Sp 02	25/09/14	30 Sept 2014
East Courtyard, Landscaping Proposals	Gr-Sp 03	25/09/14	30 Sept 2014
Planning Statement in Support of Application		September 2014	30 Sept 2014
Design Statement		September 2014	30 Sept 2014
Sustainability Statement		September 2014	30 Sept 2014

Transport Statement		September 2014	30 Sept 2014
Flood Risk Assessment		17 September 2014	30 Sept 2014
Hydraulic Modelling Report		September 2014	30 Sept 2014
Hydraulic Modelling Report	Appendix A – Location Plan and Aerial Image		30 Sept 2014
Drainage Impact Assessment		October 2014	30 Sept 2014
Breeding Birds Survey Report		August 2014	30 Sept 2014
Survey for Scabious Mining-bee			30 Sept 2014

Table 1: List of Drawings and Documents Accompanying the Application

2. The development site is located on the north-east side of Seafield Avenue, on the open grassland/field to the north-west of the existing housing at Seafield Court. The site is approximately 2.33 acres in area. To the south-west of the site on Seafield Avenue is the modern housing development at Rhuarden Court. Seafield Court is also a modern housing development. To the north-west of the site there is a 40 metre wide strip of grassland, with the Caravan site beyond this. To the rear of the site (north-east) is the area of grassland known as The Mossie.



Figure 2: Location Plan (Extract from Drawing No S13_092_S100 – Locality Plan – for information only)

Development Proposal

3. The proposal is to develop a 40 bedroom Care Home over a single storey comprising four living wings, each with a day room, dining room and 10 en-suite bedrooms. The home will provide assisted living, short term respite, post operative and convalescence care, as well as day care. It will also feature a cafe, family room, hairdressing salon and secure garden. A landscaped car park will provide 25 off-street parking spaces with vehicular and pedestrian access from Seafield Avenue.

4. The Design Statement identifies seven principles for the site development strategy in response the analysis of the site context, as follows:-
 - a) Tree Planting - Provide new tree planting along the frontage of the development site to continue the line of trees to the north side of Seafield Avenue.
 - b) Frontage - The proposed care home is orientated within the site so that it addresses the street. The main entrance to the home faces Seafield Avenue.
 - c) Building Line - The care home is set back from the street frontage, following the set back of the properties in Seafield Avenue, which becomes greater away from the town centre.
 - d) Vehicle and Pedestrian Access - An in-out one-way system that provides a drop-off point at the main entrance reflects the road configuration at the Square and the Craiglynne Hotel.
 - e) Parking and Service Yard - These are hidden from view from Seafield Avenue by positioning them to the side and rear of the site behind the set back building line, with planting to hide the car parking from view from Seafield Avenue and Seafield Court.
 - f) Grassland Context - Allow the grassland to visually flow into the site by identifying the boundaries of the site simply with a 900mm high post and wire fence.
 - g) Biodiversity - Plant out the grounds of the care home grounds with plants that encourage wildlife and biodiversity.

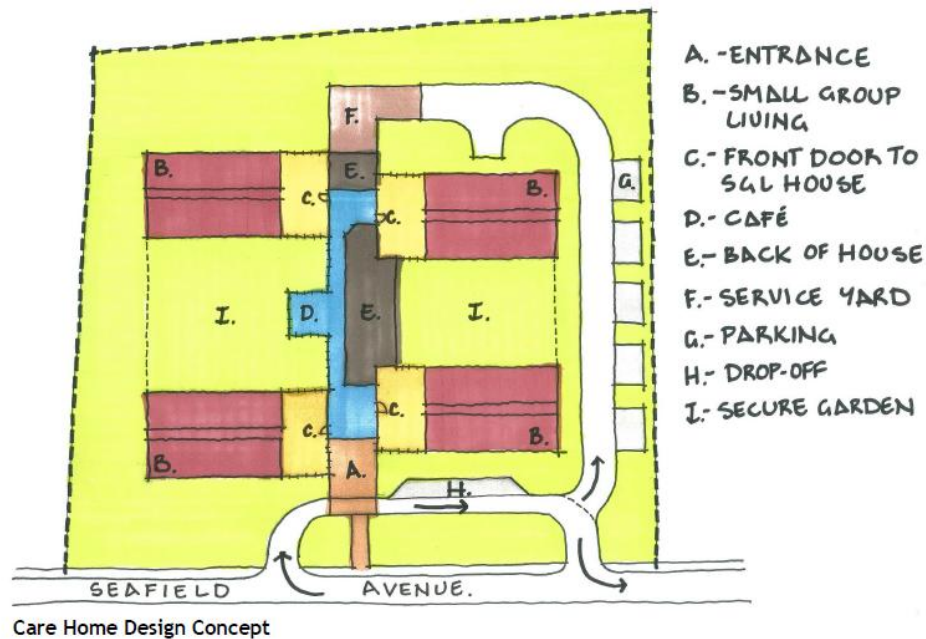


Figure 3: Care Home Design Concept (Extract from Design Statement – for information only)

5. The site development strategy led to an H shape plan configuration for the care home. This H-shape plan is made up of four 10 bed Small Group Living Units, one at each leg of the H shape. Small Group Living of approximately 10 residents is seen as an ideal way to provide a “homely” environment for the elderly and particularly for those suffering from dementia. Ten residents is seen as a “family” sized living unit where everyone knows, and is known by, others and where residents can feel “ownership” of their living accommodation. Having four distinct Small Group Living units within the facility will allow for maximum flexibility of use. Distinct user-groups can be catered for including the frail elderly, those suffering from dementia, respite care and intermediate care.
6. These four distinct homes are linked together by a central concourse which provides access to a café on one side and back of house facilities on the other. Two secure courtyard gardens are formed by the H-shaped layout for use by residents.



Figure 4: Site Layout (Extract from Drawing No S13_092_320 – Presentation Floor Plan - For information only).

7. The service yard is to the rear of the building to hide bin stores and service deliveries and back of house access. This allows the frontage to Seafield Avenue to be used for the main visitors' entrance and for drop-off car parking and ornamental planting. The home is single storey, which allows direct access for all residents to secure garden areas and the main entrance area. A single storey care home also ties into the scale of the housing development at Seafield Court next door to the south east.
8. Although the care home proposed is characterised by large areas of glazing typical of a modern facility it is intended to interpret the form of the building in a manner that takes cues from the traditional architecture in the area. Granttown on Spey is characterised by traditional gable walls with raking parapets, chimney breasts with pots, dressed stone bay windows and dormer windows. All these features are brought into the design proposals for the care home as a modern interpretation of traditional features.
9. The proposed materials are:-
 - a) Smooth face cast stone around the windows.
 - b) Locally sourced timber cladding to the courtyards.
 - c) Riven faced cast stone on the gables.
 - d) Fibre cement slates on the roofs.
 - e) Timber windows throughout.
 - f) Traditional wet dash render on the set back walls of the principal elevations.



Sketch View of Proposed Care Home

Figure 5: Sketch View of Proposed Care Home (Extract from Design Statement – for information only)

10. Separate vehicle and pedestrian access will be provided to the main entrance from Seafield Avenue. Cycle spaces will be provided for staff and visitors. Twenty-five parking spaces have been shown in total, calculated based on car usage for similar care homes in Muir of Ord and Tain. Disabled parking spaces are provided adjacent to the main entrance.

Sustainability

11. The design proposals intend to make optimum use of the site whilst leaving it as open as possible. The development site is located within walking distance of Grantown of Spey Town Centre. The creation of sheltered secure courtyard garden areas will help to improve the micro climate. The following issues have been considered in the design proposals:
 - a) High levels of thermal insulation to window areas will minimise heat losses.
 - b) The proposals will incorporate sustainable urban drainage to minimise surface water run-off.
 - c) The development will connect to existing utilities and foul drainage infrastructure.
 - d) The use of LED lighting throughout the home will significantly reduce energy usage.
 - e) The building is designed to maximise the benefits of natural daylight and ventilation. This will improve the quality of life for residents and maximise the benefits of energy consumption/whole life costs.
 - f) The proposed site levels have been established to minimise the need to remove spoil off site.
 - g) Timber frame construction shall be utilized to enhance sustainable construction.
 - h) A landscape architect specializing in design for dementia shall design the grounds of the care home to ensure that they are entirely suitable for the elderly and for those suffering from dementia.

- i) Residents will be encouraged, where possible, to take an active part in the maintenance of the garden areas. Planting beds will be provided to encourage residents to participate in planting and weeding etc.

Planning Statement

12. The Planning Statement reviews the planning policies relating to the site and the development of a care home. It notes that other sites in Grantown have been assessed but have not been considered suitable for a care home, namely H1 – North of Beachen Court, H2 – Castle Road, C1 – Mossie Road and Mount Barker – former Parklands Care Home. It notes that H1 and H2 are required for general needs housing, land for which is in short supply, and are unsuitable for various reasons. They have been supported by the Reporter in relation to the proposed LDP. The Mossie Road site is too small. The property at Mount Barker had a limited number of rooms and, even if combined with the adjoining property, would not meet modern requirements.
13. The Planning Statement notes that the applicant has a proven track record of delivering award winning, high quality care for the elderly over 20 years. Several of its properties have been graded 5 (very good) by the Care Inspectorate. It notes that the planned closure of Ian Charles Hospital makes the need for this new care home more urgent as this will result in the loss of convalescence beds in the town.
14. The proposed care home will support a large number of jobs in the construction phase and is expected to create around 50 full-time equivalent jobs in the town.

Supporting Documents

15. In the light of the previous refusal for planning permission on the wider 'Mossie' site, the application was accompanied by a Breeding Birds Survey and a Scabious Mining Bee Survey.
16. In view of the site having a medium probability of surface flooding, the application was accompanied by Flood Risk Assessment and a Drainage Impact Analysis, which have been the subject of detailed work with the Scottish Environmental Protection Agency (SEPA) and the Highland Council Flood Team throughout the course of processing the application.
17. The applicant has also provided a Traffic Impact Analysis to support the application.

Site History

18. The current application site was included as part of the much larger site that was the subject of Application 06/320/CP by Muir Homes to erect housing, associated road construction, drainage and landscaping on land between

Seafield Avenue and Castle Road East. Planning permission was refused for the development on the grounds that:-

1. The development was on land which is potentially liable to flooding.
2. The proposed development would result in the net loss of habitat for breeding wading birds and a range of other species.
3. The proposed design concept failed to adequately respond to the characteristics of the site and fails to respect its unique setting on the periphery of a traditional planned Highland village.

Pre-Application Enquiry

19. The current application was subject to a detailed pre-application process, whereby first of all the applicant reviewed the reasons for refusal on this previous application, before deciding to proceed.

DEVELOPMENT PLAN CONTEXT

National policy

20. **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.
21. Under the heading 'A Connected Place', the SPP promotes sustainable transport and active travel. Paragraph 270 (Policy Principles) states that the planning system should support patterns of development which optimise the use of existing infrastructure and facilitate travel by public transport.
22. 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.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

23. 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.
24. 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 Plan (2010)

25. The Cairngorms National Park Local Plan was formally adopted on 29 October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
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 4: Protected Species – This policy ensures that the effects of development proposals on protected species including any cumulative impacts are fully considered by the planning authority.
29. Policy 5: Biodiversity – This policy is intended to ensure that development does not weaken the overall integrity and connectivity of the ecosystems of the National Park.
30. Policy 6: Landscape – This policy states that there will be a presumption against any development that does not complement and enhance the landscape character of the Cairngorms National Park, and in particular the setting of the proposed development.
31. Policy 25: Business Development – Proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses, supports or extends existing business, is located within an allocated site identified on the proposals maps, or where the following criteria are met in relation to identified settlements – is located within an existing settlement boundary and supports the economic vitality and viability of that centre.
32. Policy 16: Design Standards for Development sets out the design standards to be met with new development, including:
 - Minimise the effect of the development on climate change
 - Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials
 - Use materials and landscaping that will complement the setting of the development
 - Protect the amenity enjoyed by neighbouring properties
33. Policy 12 (Water Resources): Includes Section B – Flooding – which states that there will be a presumption against development which does not meet all of the following criteria in relation to flooding:-
 1. Be free from significant risk of flooding
 2. Does not increase the risk of flooding elsewhere
 3. Does not add to the area of land that requires flood prevention measures
 4. Does not affect the ability of the functional floodplain to store or move flood waters.
34. Policy 18 (Developer Contributions) – specifies that development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will normally require the developer to contribute towards the additional costs or requirements.

35. The site is located within the settlement boundary of Grantown-on-Spey but is not specifically allocated for development. It is identified as having a medium probability of surface flooding.

Supplementary Planning Guidance

36. In addition to the Cairngorms National Park Local Plan (2010), a number of Supplementary Planning Guidance documents were also adopted, including the Sustainable Design Guide, which is relevant to the current application.
37. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has, at its core, the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
38. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

Proposed Cairngorms National Park Local Development Plan

39. 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.
40. The Proposed LDP includes the following policies:-
- a) Policy 2.3 Supporting Economic Growth – Other economic development – Proposals which support or extend the economy or which enhance the range and quality of economic opportunities or facilities will be considered favourably where a) it is compatible/complementary with existing business activity in the area and b) it supports the vitality and viability of the local economy and the broader economy of the Park;
 - b) Policy 3: Sustainable Design;
 - c) Policy 4: Natural Heritage;
 - d) Policy 5: Landscape; and

- e) Policy 10.2 Resources – Flooding. All development should a) be free from significant risk of flooding and b) not increase the risk of flooding elsewhere and c) not add to the area of land that requires flood prevention measures and d) not affect the ability of the functional floodplain to store or move flood waters;
 - f) Policy 12: Developer Contributions
41. The policies in the LDP have been reviewed and they raise no new issues that are not already considered in this report. However, whilst the site is not allocated for development in either the Local Plan or the proposed LDP, the settlement boundary has changed between the two plans. Thus whilst the site is within the settlement boundary in the Local Plan, it is not included within the settlement boundary in the Local Development Plan.

CONSULTATIONS

42. **The Scottish Environmental Protection Agency (SEPA)** initially objected to the planning application on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy and PAN 69 (letter dated 15 October 2014). However, following review of additional information in the form of the Flood Risk Assessment (FRA) hydraulic modelling report, FRA appendices A-E and Drainage Impact Assessment and appendices, SEPA has removed the objection on flood risk grounds by letter dated 10 November 2014.
43. In summary, SEPA accepts that the site is outwith the 1 in 1000 year (0.1% AEP) functional flood plain of the Kylintra Burn and associated tributaries. SEPA also accepts that due to the topography of the site and surrounding area, surface water flooding is unlikely to pond at the site. SEPA notes continuing concerns regarding surface water flooding affecting areas of ground surrounding the site and the proposed access and egress routes but notes that these aspects are largely the remit of local authorities and recommends that the Council Flood Prevention Team and/or Road and Transport Department are consulted on all aspects of the proposal, particularly surface water drainage and access and egress to the site. SEPA further advise that prior to the grant of planning permission, the CNPA should particularly ensure that it is satisfied with surface water drainage and access and egress issues (See response from the Highland Council Flood Team in Paragraph 47 below).
44. **Scottish Water** has not responded at the time of writing.
45. **The Highland Council Roads** responded on the 7 October that SEPA should be consulted on the flooding issue and that a Road Opening Permit would be required for any work on or adjacent to a public road. On the 28 October 2014, the Road Engineer advised that Roads had reviewed the Transport Statement and were satisfied that no transport issues have arisen as a result of this development that require to be resolved.

46. In a further response on the 3 December, the Roads Engineer commented:-
- a) Flooding – refer to Flood Risk Team and SEPA
 - b) Transport Statement – Roads recognise that there will be a slight increase in traffic volumes along Seafield Avenue as a result of this development. However, the increase in traffic will not have a significant impact on the local roads network
 - c) Parking – the parking standard for this type of development has been assessed on the basis of ‘Residential Homes for the Elderly’ as being 0.3 spaces per bed plus 1 space per staff (Table 6.1 of the Council’s Roads and Transport Guidelines for New Developments). The parking standards required for the 40 bed care home is 12 spaces plus staff provision. Staffing levels have not been provided, however based on the proposed parking provision of 25 spaces, 13 spaces are available for staff. The applicant has indicated that if the proposed parking provision proves to be inadequate additional curtilage parking will be created. Roads is satisfied with the proposed level of parking provision given the applicant will provide additional parking if necessary.
47. **The Highland Council Flood Team** initially objected to the development but withdrew their objection on the 28 November, following the review of additional information provided by the applicant. The Flood Team have no objection subject to the conditions below:-
- i) The Flood Risk Assessment for the Kylintra Burn shows that the site is not at risk from this source in a 1 in 1000 year flood event.
 - ii) The contour map shows that the tributary of the Kylintra Burn that runs parallel to Seafield Avenue, opposite the caravan site, would not pose a flood risk to the site or contribute to the flood depths on the access/egress route. It confirms that the SEPA flood outline is reasonably accurate for this location.
 - iii) The main access/egress route along Seafield Avenue is shown to be flooded to 0-300mm during a 1 in 200 year plus climate change event and it is stated that ‘appropriately equipped emergency vehicles will be able to navigate the flooded road’. This is acceptable given the low probability of the flood event.
 - iv) Having reviewed the Drainage Impact Assessment (October 2014) the Flood Team welcomes the intention to retain all surface water, for events up to the 1 in 200 year plus climate change event, on site. This would constitute betterment of the current situation and given the flooding problems around the site this should be made a condition.
 - v) We recognise that the current drainage design is conceptual and we would require the final design to be submitted for consultation/approval. This should be a condition.
48. The **Highland Council Environmental Health** – no response to date.
49. The **Highland Council Social Work** - no response to date.
50. **Grantown-on-Spey Community Council** – no response to date.

51. **Inclusive Cairngorms** have commented that the plans show 3 disabled car parking spaces at the front of the building. Given that this is a care home for elderly people, and that visiting friends and spouses will also be elderly, it is felt that 3 disabled parking spaces may not be sufficient.
52. The **CNPA Landscape Adviser** concludes that given careful attention to the detail of building finishes, boundaries and external landscaping this proposal has the potential to complement the landscape character of the area and contribute positively to the character and amenity of the settlement in the long term, and meet Policy 6 (Landscape). To achieve this end it is crucial that the right species are used, that the stonework is in the local vernacular and that the objectives for long term maintenance and management are clear.
53. The **CNPA Natural Heritage Officer** advises that the development would have a negligible impact on ecology and that, in the event of planning permission being granted, conditions are required to address potential impacts and provide ecological enhancement, as follows:-
- i. The development could impact on wading birds in neighbouring fields through direct disturbance during construction. Construction outside of the breeding bird season (start of April – end of July) to avoid disturbance to wading birds
 - ii. Bird boxes must be provided – 1x sparrow type box plus 3x other bird boxes (suitable for garden birds)
 - iii. Bat bricks to be incorporated into the proposal – 2x bat bricks are required
54. The **CNPA Economic Development Manager** concludes that there will be three benefits to the economy:-
1. Benefits to local contractors during the construction phase of the development. This benefit tends to be short to mid-term.
 2. Benefits to the local economy through the creation of 50FTE's which is very significant in a community the size of Grantown on Spey.
 3. Benefits to local businesses through an increase in demand for goods and therefore an increase in spend in the local economy.

REPRESENTATIONS

55. Five representations have been received in respect of this application, all objecting to different aspects of the development. Copies are attached as **Appendix I** to this report. The representations may be summarised as follows:-
- a) Flooding – concerns about the level of Kylintra Burn increasing, about the existing flood risk to some properties in Seafield Avenue, management of runoff during extreme weather conditions, flooding from snowmelt, concerns about the Flood Risk Assessment.
 - b) Parking – insufficient parking due to assumptions of car sharing and use of public transport, insufficient numbers based on experience at Grant House, needs at least 35 spaces. If cars have to park in

Seafield Avenue, they will obstruct the sizeable vehicles that access the caravan site and local residential driveways.

- c) Transport statement – insufficient quality to support the application, poor assumptions about staff trips and availability of public transport, does not recognise impact of caravan site traffic.
- d) Traffic congestion – at the junction of Seafield Avenue and Grantown High Street, difficulties of caravans and large vehicles passing each other on Seafield Avenue, restricted visibility at crossroads of Seafield Avenue and Grant Road.
- e) Noise/pollution – especially early morning and late at night when staff shifts change.
- f) Mains water capacity – water pressure already low in area , no evidence that sufficient spare capacity exists.
- g) Tree planting – one party is concerned about tree planting in the car park causing shading to nearby houses, impacting on quality of life and carbon footprint.
- h) Four out of the five parties start their comments about the Care Home in a positive vein, generally accepting the principle and commending the effort that has been put into the application.

56. Dr Gordon Bulloch has requested to address the committee.

APPRAISAL

57. The first issue to consider is the principle of development on the application site. Under the adopted Local Plan, the site is not allocated for development but it lies within the settlement boundary. This means that any development must be considered on its merits against the relevant Local Plan policies. Under the proposed Local Development Plan the site lies outwith the settlement boundary and is not allocated for development. This means that any development must be considered on its merits against the relevant Local Development Plan policies.
58. In terms of land use, neither the Local Plan nor the proposed LDP has a specific policy relating the care homes and similar facilities. The use may, however, be classified as a business development. Policy 25 (Business Development) of the Local Plan specifies that proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses, supports or extends existing business, is located within an allocated site identified on the proposals maps, or where the following criteria are met in relation to identified settlements – is located within an existing settlement boundary and supports the economic vitality and viability of that centre. As the proposed development would support the economic vitality and viability of Grantown, by virtue of the jobs created and service provided, and the site is located within the settlement boundary, it is considered that the proposed development meets with the requirements of this policy in the adopted Local Plan.
59. The situation is slightly different in relation to the proposed LDP, insofar as Policy 2.3 Supporting Economic Growth does not refer to whether or not a

site is located within a settlement boundary, requiring instead that the development is compatible/complementary with existing business activity in the area in addition to supporting the vitality and viability of the local economy and the broader economy of the Park. As the proposed development would support the economic vitality and viability of Grantown, by virtue of the jobs created and service provided, it is considered that the proposed development meets with the requirements of this policy in the proposed LDP.

60. In terms of Policy 4 (Protected Species) and Policy 5 (Biodiversity), the applicant has provided the requested surveys and the CNPA Natural Heritage Officer has advised that the development will have a negligible impact on ecology. The same may be said in relation to Policy 4 (Natural Heritage) in the proposed LDP. It may be noted that no representations have been made seeking to retain the site in its current condition.
61. The CNPA Landscape Adviser has concluded that the proposal has the potential to complement the landscape character of the area and contribute positively to the character and amenity of the settlement in the long term, and meet Policy 6 (Landscape). The same may be said in relation to Policy 5 (Landscape) in the proposed LDP.
62. It is considered that the design of the care home reflects and reinforces the traditional pattern and character of the surrounding area and reinforces the local vernacular and local distinctiveness, whilst creating a unique, modern, purpose-designed building. This meets with the requirements of Policy 16 (Design Standards) in the Local Plan and Policy 3 (Sustainable Design) in the proposed LDP.
63. The applicant has undertaken a considerable amount of work to address the issue of flooding on the site and demonstrated to the satisfaction of both the Scottish Environmental Protection Agency and the Highland Council's Flood Team that this issue has been satisfactorily addressed. This therefore meets with the requirements of Policy 12 (Water Resources) in the Local Plan and Policy 10.2 (Resources – Flooding) in the proposed LDP.
64. It is considered that the proposed development will in itself improve services and facilities for the elderly in the area and will not require significant new infrastructure beyond the site boundaries to accommodate the development. No developer contributions are therefore required under Policy 18 in the Local Plan, nor would they be required under Policy 12 in the LDP.
65. In terms of technical issues, the Highland Council's Roads Service is satisfied on roads issues.
66. The comment by Inclusive Cairngorms has been given due consideration and the applicant has advised that it would be possible to add further spaces at the front of the building if the number of disabled parking spaces, which meet with the Highland Council's standards, prove to be inadequate. The applicant

has also advised that there will be open visiting rather than set visiting hours at the care home, which will help spread the demand for parking spaces.

67. In relation to noise, there has been one objection and no response from the Highland Council's Environmental Health Officer. The objection relates to the noise of staff arriving and leaving in the early morning and late at night. This will depend on shift patterns and numbers but it is contended that the level of noise is unlikely to be greater than that typically associated with a residential area.
68. In relation to the objections from local residents, those relating to roads and parking are not supported by the Highland Council Roads Engineer and those relating to flooding are not supported by either SEPA or the Highland Council's Flood Team. The capacity of the water supply has been addressed by Scottish Water in a letter dated 18 November 2014 to the applicant, which may be viewed on the CNPA website. This confirms that in terms of both water and wastewater, there is sufficient capacity in the Water Treatment Works to service the demands of the development.
69. The issue of overshadowing by trees raised by one resident has been considered by the CNPA Landscape Adviser, who has taken into account the path of the sun and the location and growth patterns of the proposed trees and advised that there will not be a significant impact on houses in Seafield Court.
70. The planning history of the site is a material consideration but through the course of the current application it has been established that the issues which gave rise to the refusal of the housing development for the larger Mossie site have been addressed and overcome in relation to the much smaller care home site.

CONCLUSION

71. In conclusion, the current development proposals have raised issues relating to location, flooding and parking/traffic in particular but these have been addressed through the course of processing the planning application. As a result, it is considered that the proposals comply with the policies in the Cairngorms National Park Local Plan and the Cairngorms National Park Local Development Plan.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

72. The proposed development will result in the loss of an area of grassland but the development will incorporate ecological enhancements and the landscaping has been carefully designed to suit the location.

Promote Sustainable Use of Natural Resources

73. The applicant has included a number of measures that will minimise the use of resources on site and make the development more sustainable. It is therefore considered that the development meets this aim.

Promote Understanding and Enjoyment of the Area

74. The development will not contribute directly to this aim, although it will create an attractive environment for residents.

Promote Sustainable Economic and Social Development of the Area

75. The development will help promote sustainable economic and social development of the area by providing care facilities for elderly people and by providing a significant level of employment. The development will also support employment in the building trades whilst it is under construction.

RECOMMENDATION

That Members of the Committee support a recommendation to: GRANT PLANNING PERMISSION for the Construction of a Care Home (Class 8) with associated External Areas, Gardens, Car Parking, Bin Stores, Cycle Stores, Vehicle and Pedestrian Access and Boundary Treatments at Development North-West of Seafield Court, Seafield Avenue, Grantown-on-Spey, subject to the following conditions:-

Conditions:-

1. No development shall commence until samples of the proposed external materials have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that the materials are suitable in terms of nature, size and colour in the interests of visual amenity.

2. No development shall commence until a construction detail of the riven stone facing on the gables has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that stonework is in the local vernacular in the interests of visual amenity.

3. No development shall commence until detailed proposals to retain all surface water on site have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in conjunction with the Highland Council's Flood Team.

Reason: To ensure that the site can accommodate events up to the 1 in 200 year flood plus climate change event flooding thereby reducing flooding problems around the site.

4. No development shall commence a detailed drainage design has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in conjunction with the Highland Council's Flood Team.

Reason: As the current drainage design is conceptual and in the interests of securing the proper drainage of the site.

5. No development shall commence until a revised landscape plan has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan shall include the following:-
 - a) A full list of species
 - b) A maintenance and long term management plan for the site
 - c) A construction detail for the stone walls on the Seafield Avenue frontage
 - d) A method statement for soils management on and off-site

Reason: To ensure that the landscaping will be implemented and managed in accordance with best practice in the interests of visual amenity.

6. Prior to the occupation of the care home, four bird boxes shall be provided at locations to be agreed beforehand with the Cairngorms National Park Authority acting as Planning Authority. These shall comprise one sparrow type box plus three other bird boxes (suitable for garden birds).

Reason: To enhance the biodiversity of the site.

7. Prior to the occupation of the care home, two bat bricks shall be provided at locations to be agreed beforehand with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To enhance the biodiversity of the site.

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. All construction works (including deliveries of materials) shall take place within the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and there shall be no work or deliveries of materials on Sundays and Public Holidays. Steps should be taken to minimise disturbance to the breeding waders on the adjacent site.

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Date: 5 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.