
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of three blocks of flats (27 units) with associated parking and access at Development Site On Former Filling Station Grampian Road Aviemore Highland

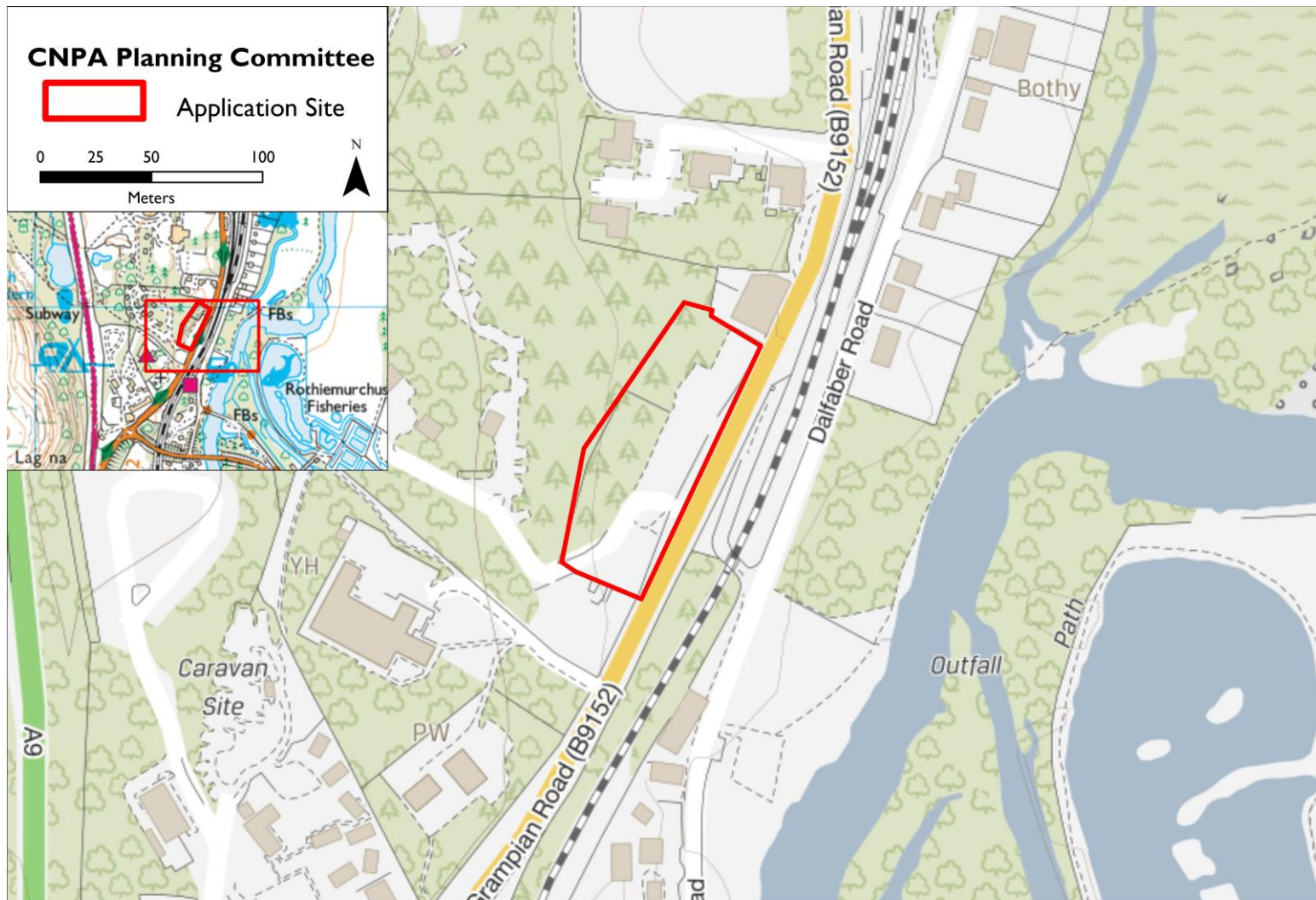
REFERENCE: 2019/0363/DET

APPLICANT: Cairngorm Residential Ltd

DATE CALLED-IN: 21 November 2019

RECOMMENDATION: Approve subject to conditions and developer contribution

CASE OFFICER: Stephanie Wade, Planning Officer



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The proposed site is located to the west of Grampian Road in the Southern part of Aviemore and on the main approach into the settlement from the south. To the south west is the Youth Hostel, set back from the public road and to the west is the grounds of the Aviemore Highland Resort, with woodland within that complex separating the site from the holiday lodges of the wider resort.
2. On the opposite (east) side of the public road is the Perth-Inverness main railway line and immediately to the north of the site is a single storey building currently with a restaurant/ hot food take-away use. The residential housing at Grampian Court can be found beyond this to the north and includes a mix of 2 ½ storey and 3 storey buildings.
3. In the wider area, to the south is the main roundabout entrance to Aviemore with the B970 road branching off south east to Coylumbridge and Rothiemurchus. A recently approved hotel is under construction at this corner entrance on the east side of Grampian Road to the north of the roundabout. The existing High Range motel is located to the south set back from the public road.
4. The site was previously occupied by a filling station until the 1990s, along with an outdoor shop/café building in the northern part of the site, which was recently demolished. There are two access points to the site at present. The northern entrance provided access and parking to the former café/shop business and the southern entrance serves access to informal parking areas and to the southern end of the Highland Resort to the west.
5. The site is level at the front beside Grampian Road, with a wooded embankment to the rear (west), separating the site from the Aviemore Highland Resort landholding. The woodland on the banking is listed in the Ancient Woodland Inventory, though much of the embankment appears to have been re-graded in the past with natural regeneration seeded from the Highland Resort site establishing much of the tree cover on the application site. The trees within the Highland Resort land holding are covered by a Tree Protection Order. There is a small island of trees in the middle of the proposed site on the level part fronting Grampian Road.

Proposal

6. 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/applicationDetails.do?activeTab=summary&keyVal=Q0SY08SI0CH00>

CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Item 5 21/02/2020

Title	Drawing Number	Date on Plan*	Date Received
Plans			
Location Plan	0602016/A019 A	19 September 2019	21 November 2019
Street Elevations and Site Plan	0602016/A020 C	03 February 2020	03 February 2020
Comparison Site Plan and Street Elevation	0602016/A022 A	19 September 2019	21 November 2019
Site Levels	909 Rev.4	11 December 2019	11 December 2019
Elevations	A210 Rev.B	10 December 2019	11 December 2019
Floor Plan	A110 Rev.A	05 November 2019	21 November 2019
Section 1	A310 Rev.A	05 November 2019	21 November 2019
Section 2	A311 Rev.A	05 November 2019	21 November 2019
Detail Stone Wall Plan	0602016/A500	01 December 2019	11 December 2019
Landscape Proposals	GR 100.19 SL-01 Rev.A	20 August 2019	21 November 2019
Road Layout	902 Rev.4	19 September 2019	21 November 2019
Road Construction Details (Sheet 1)	906 Rev.2	06 December 2019	06 December 2019
Road Construction Details (Sheet 2)	907 Rev.2	19 September 2019	21 November 2019
Kerbing Layout	903 Rev.4	19 September 2019	21 November 2019
Swept Path Analysis	904 Rev.1	19 September 2019	21 November 2019
Foundation Zoning Plan	910 Rev.2	11 December 2019	11 December 2019
Site Sections	912	11 December 2019	11 December 2019
Site Sections Sheet 1	0602016/A021 A	05 November 2019	21 November 2019
Site Sections Sheet 2	0602016/A023 A	05 November 2019	21 November 2019

Sections through Car Port Retaining Wall	911 Rev.2	23 September 2019	21 November 2019
Geotechnical Layout	908	04 July 2018	21 November 2019
Drainage Layout	905 Rev.4	06 December 2019	06 December 2019
Tree Protection Plan	1099-TPP-B	27 September 2019	21 November 2019
Proposed Site for Compensatory Planting	0602016/024 A	16 January 2020	17 January 2020
Car Port Section	0602016/A312	01 August 2016	03 February 2020
Supporting Documentation			
Tree Survey Schedule	RR.Cb.TA.18 FinalV.3	01 September 2019	21 November 2019
Transport Statement			21 November 2019
Red Squirrel Survey	RR.CbGrampianR d.RedS.04.17 FinalV.1.0	07 April 2017	21 November 2019
Soil Gas Survey Report	CT220	01 December 1994	21 November 2019
Soft Landscaping Management Regime		01 November 2018	21 November 2019
Affordable Housing Allocation			21 November 2019
Extended Phase I Habitat Survey Report		10 March 2017	21 November 2019
Design Statement		01 February 2020	03 February 2020
Arboricultural Impact Assessment and Method Statement	1099	30 September 2019	21 November 2019
3D Visualisation Images			21 November 2019
Response from Engineer to Flood Team		06 December 2019	06 December 2019
Letter from Scottish Water	755549	20 April 2018	06 December 2019
Quantitative Environmental Risk Assessment Report		01 September 2018	17 December 2019

Drainage Statement	A/170084	06 December 2019	06 December 2019
Replanting Proposal Grampian Road	1099	16 January 2020	17 January 2020
Update from Applicant's Road Engineers		28 January 2020	03 February 2020
Letter from Agent	0602016/SD/CM	03 February 2020	03 February 2020
Update from Applicant-Surface Water Drainage		31 January 2020	03 February 2020

*Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.

7. The application seeks planning permission for the erection of twenty seven residential units arranged in three separate blocks as shown on the site plan attached at **Appendix I- Plans**. All three blocks are proposed of identical design and contain 9 units of accommodation each arranged over four floors. The three blocks are located adjacent to the road extending in a north-east/south-westerly direction with the associated parking to the rear of the site along the north-western site boundary. Block A and B are separated by areas of soft landscaping and blocks B and C are separated by the internal access road. Block C is set back from the north-eastern site boundary by 6 metres. A new vehicle access point from Grampian Road replaces the existing, two vehicles access points on site with the internal access road running along the rear of the accommodation blocks to the 41 onsite parking spaces. Twelve parking spaces are proposed adjacent to the accommodation blocks and the remaining 21 parking spaces are proposed within a covered parking area to be constructed into the base of the north western bank with a sedum roof. It is intended that this grassed area will provide a visual transition to the woodland behind. The car port is proposed to be 7m deep with an external storage area for the residents at the rear of the parking spaces for private cycle storage. Three D loops are also proposed to be installed adjacent to the rear of the accommodation blocks for visitor cycle parking. Covered bin storage is also proposed within the covered parking area and bin collection will be privately factored.

8. The overall building mass has been broken down using a combination of design elements as described in the supporting Design Statement, this states:
 - a. *“The fore most front wall (the middle apartment on each floor) is only three storeys high 9m and 13.5m wide. The 2no side flats are recessed from the front building line by 900mm with this wall only 2 storeys high before the wall further steps back another 1.5m. The topmost floor then steps back a further 2m from the front building line, a total set back of 4.5m. Each of the flats on the ground and first floors has a large balcony feature set into the front walls. The second and third floor apartments have set back external balcony/decked areas. These features further reduce the mass of the street elevation. The roof is a shallow, mono pitched sloping to the rear elevation. The leading projection is 12m above ground level. This is 1m lower than the height of the hotel currently under construction on an adjacent site. This roof level is also 4m lower than the previous scheme for this site.”*

9. All units will be accessed from the rear (north-west) where entrance doors will be located. Proposed finishes are: painted white rendered elevations with elements of fibre-cement weatherboarding coloured “iron grey” and “sail cloth”; merlin grey coloured metal sheet roofing with metal rain water goods; alu-clad external windows and doors and external glass balustrading to apartment block balconies with metal hand railings. The units of accommodation are proposed to be heated by electrical storage heaters and passive solar gain from the south facing elevations together with the use of modern, energy efficient building materials for the construction.
10. Surface water will be disposed of through a system of soakaways under roads and under open space within the site. Connection is proposed to public water and drainage supplies and the applicants have had initial discussions with Scottish Water in this regard.
11. A stone wall with natural stone coping is proposed to be erected behind the visibility splays, on the south-eastern site boundary. The wall will have a height of 0.8 metres and the existing pavement along Grampian road and adjacent to the site is proposed to be relocated to join the carriageway edge for the length of the development. Regarding soft landscaping, the ground surrounding the accommodation blocks is proposed to be laid to grass with feature areas of planting of shrubs and trees. Replacement tree planting on the bank includes: mature pine trees, birch and rowan trees and native shrubs. An area of compensatory planting to mitigate against the tree loss on site is proposed at Kingussie. The location Plan of this is attached at **Appendix I - Plans**.
12. The application is supported documents include the following documentation:
 - a. **Design Statement:** Overall planning statement explain the planning history of the site and how the development has evolved in response to issues raised by the Planning Authority from previous submissions.
 - b. **Tree Protection Plan:** outlining that of the 370 trees surveyed on the site, 179 will be retained and 191 removed. A tree constraints plan detailing the quality of trees has also been submitted, together with a Tree Survey and Arboricultural Implications Assessment.
 - c. **Developer Contributions Affordable Housing Allocation statement.**
 - d. **Replanting Proposal:** details the location of a 14.75 hectare site to the north of Kingussie for the compensatory planting of 200 native trees. The site is managed by a Community Woodland Group and the proposal is to plant 40 Scots pine, 50 rowan, 40 hazel, 20 sessile oak, 15 gean, 15 bird cherry, 15 crab apple and 15 grey willow.
13. Plans of the proposal are included within **Appendix I**.

History

14. Planning history for the site includes:
 - a) The excavation and regrading of bank slope (withdrawn) 97/00048/FULBS.
 - b) Outline application for ‘drive through’ fast-food retail, refused by Local Authority (98/00117/OUTBS) on the basis that it represented unacceptable

overdevelopment, in particular the earthworks to the slope which would have resulted in the loss of mature and regenerating trees with inadequate space left for replacement tree planting.

- c) Outline planning permission granted (04/414/CP) the erection of a retail unit and 8 flats on the central part of the current application site in January 2006 by the CNPA followings revisions to address parking concerns and to address how to minimise impacts on the slope and trees.
- d) Erection of 8 flats and retail development- approval of reserved matters approved by CNPA (06/086/CP) in June 2006 for development of timber clad stepped buildings on the site.
- e) Application under section 42 to vary condition 1 of planning permission reference number 06/0062/FULBS (CNPA approval 06/086/CP) to extend the above approval by 15 months (10/413/CP). Consent was granted by the CNPA and a further application to extend the time period by three more years was granted in May 2012 (2012/00050/DET).
- f) Erection of 32 No. Apartments arranged in 4 four storey blocks with associated parking, community heating and power unit including new access onto Grampian Road. This application was withdrawn in order to address concerns raised by officers and consultees (2017/0198/DET).
- g) Pre-application advice was also provided in 2016 by the Highland Council with input from the CNPA advising that the site was considered suitable for residential development in principle.
- h) Application ref: 2018/0043/DET for the erection of 28 apartments with associated works (amended design) was refused by the CNPA planning committee on March 2019 for the following reasons:
 - a. The proposed development is contrary to Policy 1: New Housing Development and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015 as it does not reinforce and enhance the character of the settlement nor is it sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness due to:
 - i. Its scale, design, layout and massing which does not reflect the local townscape and character and will result in a development which unacceptably dominates the area.
 - ii. The lack of sufficient landscaping, open space and tree retention or replacement to create a landscape setting that reflects the character of this southern approach to the town centre which is presently characterised by built development interspersed and framed by woodland and green areas which create an attractive entrance into Aviemore;
 - iii. The lack of opportunities to enhance biodiversity.
 - b. The proposed development is contrary to Policy 5: Landscape and Policy 4: Natural Heritage of the Cairngorms Local Development Plan 2015 as it does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development; adverse impacts have not been satisfactorily minimised and mitigated; and adverse impacts upon woodland have not been mitigated or compensated because:
 - i. The scale and layout of the development is such that it will unacceptably dominate the landscape on this key entrance into Aviemore creating a

- development which does not conserve and enhance a landscape currently set by woodland and built features which are sensitively set within open or wooded grounds.
- ii. The loss of trees within the site will remove key components of the landscape setting of the site.
 - iii. There is a lack of evidence to demonstrate that existing trees can be retained in relation to the construction of the proposed retaining wall which will then further adversely impact upon the landscape setting.
 - iv. Proposals for compensatory woodland planting are not deliverable;
- c. The proposed development is contrary to Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms Local Development Plan 2015 as it does not at present:
- i. Maximise all opportunities for responsible outdoor access including links onto the existing path network due to the lack of direct, segregated path links to Grampian Road.
 - ii. Provide details of a scheme to deal with potential contamination and any required remedial action;
- d. The proposed development is contrary to Policy 11 Developer Contributions of the Cairngorms Local Development Plan 2015 as a mechanism for the payment of developer contributions has not been finalised.

Habitats Regulations Assessment (HRA)

15. A Habitats Regulations Assessment has previously been undertaken (for planning application reference 2018/0043/DET determined in March 2019) to consider the effects of the proposal upon the conservation objectives of the Natura Sites of the Special protection Areas (SPA) in the area. A copy of the HRA is included at **Appendix 2**.
16. The assessment highlighted the need to assess the proposal against its likely significant effect on Capercaillie as there are potential risks of increased disturbance to Capercaillie. The HRA concluded that the erection of the apartments on Grampian Rd was not likely to increase the levels of recreation at the SPAs over and above the existing level of recreation. This means that the disturbance to capercaillie in the SPAs is not likely to increase, therefore the populations of capercaillie in these SPAs will not be effected and subsequently, any indirect impacts on the SPAs through reduced movement of birds is not likely. The HRA confirmed that there is no adverse effect upon the integrity of the following Natura Sites.
17. Following advice from SNH, the HRA from the previous application (as outlined above) has been reviewed. The two most salient points are that the base conditions for capercaillie and recreation has not changed significantly since the first HRA and that the number of units has in fact been reduced from 32 to 27. The HRA concluded that the assessment, based upon the best available scientific evidence and advice offered from SNH, showed that there was not a likely significant effect from the proposed development upon the qualifying features or the conservation objectives for the following Natura sites:

- a. Abernethy Forest SPA
- b. Anagach Woods SPA
- c. Cairngorms SPA
- d. Craigmore Wood SPA
- e. Kinveachy Foresty SPA

18. It was therefore concluded that the proposed development would not adversely affect the integrity of any of these sites. Considering the points made above, this conclusion of the previous HRA is maintained for the current application.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	X
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	SPORT AND RECREATION	X
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	X

19. 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/LDP15.pdf>

20. The site is located within the Aviemore settlement statement as contained in the 2015 Cairngorms Local Development Plan and has no specific designation. The supporting text to the settlement statement outlines that within the village residents would like to bring nature into the built environment and improve the public realm with a stated objective being to improve the environment of the village with more landscaping and enhancements to the public realm. General design guidance is provided which highlights that new development should ensure that the quality of the surrounding woodland valuable habitats is not compromised and this should include improvements to the woodland setting and structure for Aviemore. The need to reflect existing housing development in terms of positions, density and scale is also highlighted.

21. Land directly adjacent to the west of the application site is included in the approved Aviemore Highland Resort (AHR) Development Brief which sets out that this area forms part of green networks and linkages. The guidance for this piece of the resort landholding highlights that woodland is a key structural element in the AHR landscape and Aviemore as a whole, with opportunities to retain and expand woodland to be maximised wherever possible particularly where it would enhance and connect the network of green spaces throughout the site and support biodiversity. The current application site is noted on the overview plan as a potential mixed development area adjoining the AHR site.

Planning Guidance

22. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	X
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	X

Cairngorms National Park Local Development Plan 2020

23. The emerging Cairngorms National Park Local Development Plan (“Proposed Plan”) which will cover the period of 2020 – 2025 is currently being progressed. The proposed plan has been through a public consultation process and the formal responses have been assessed and submitted along with all other relevant materials to Scottish Ministers for examination. As the examination of the Proposed Plan is yet to start, the Proposed Plan and its contents currently carry limited weight.

CONSULTATIONS

A summary of the main issues raised by consultees

24. **Transport Scotland** has no objection to the proposal.
25. **Scottish Natural Heritage (SNH)** confirmed that their previous comments made on 14 February 2018 in relation to the previous application (2018/0043/DET) are still applicable. Their comments primarily highlighted potential concerns relating to increased disturbance to capercaillie associated with Kinveachy and Cairngorms SPAs, as a result of the increased use of surrounding woodland by residents.

26. The 2018 comments are summarised as follows:
 - a. SNH consider that the proposals are likely to have a significant effect on the NATURA site interests whereby it is necessary for the Planning Authority to undertake an Appropriate Assessment of the impacts. To assist with this work SNH advised that in their opinion the development will not adversely affect these interests in view of the small scale of the development in relation to the population of Aviemore as a whole; the small increase in visitors compared to numbers already recreating in the area; the location within Aviemore in an area already well used by visitors; and the existing provision of suitable recreational routes which avoid sensitive habitats in the area which are easily accessible from the development.
27. **Scottish Environment Protection Agency (SEPA)** refers to their standing advice and do not have any specific comments relating to the scheme.
28. **Scottish Water** has no objection but highlight that this does not confirm that the proposed development can currently be serviced. They note that there is currently sufficient capacity in the Aviemore Water Treatment Works and there is currently sufficient capacity in the Aviemore Waste Water Treatment Works. However, they advise that once a formal connection application is submitted to the Agency after full planning permission has been granted, they will review capacity at that time and advise the applicant accordingly. Scottish Water also note from their records that the development proposal impacts on existing assets and therefore they encourage the applicant to contact the Asset Impact Team to identify the potential conflicts.
29. **Network Rail** considers that the proposal will have no impact on railway infrastructure and therefore have no objections or specific comments to this application.
30. **The Highland Council Flood Risk Management Team** originally objected to the application and requested the submission of further drainage information in support of the application.
31. Following the applicant's submission of the required details, the Flood Risk Management Team removes its objection and has the following comments:
 - a. **Drainage:** given the applicant's geotechnical information, infiltration test results, the design with a nominal infiltration rate of 1×10^{-5} m/s appears appropriate to the site. They require no further evidence in this regard.
 - b. Exceedance flows for a 1 in 200 year return period storm event are proposed to be attenuated within the site (within the below ground drainage network). Detailed calculations are incorporated into the Drainage Statement Rev 4. The Drainage Layout drawing has been correspondingly updated to Rev 4 reflecting increased attenuation capacity.
 - c. The Team note that there is no intention for Scottish Water to vest the drainage system though the access bellmouth and its drainage are proposed for public adoption by the Highland Council. The outline schedule of maintenance for the

private areas of the system is noted and this will remain the Applicant's responsibility until formally handed over to the appropriate organisation.

- d. The foul system is proposed for vesting by Scottish Water with suitable capacity likely to be available.

32. **The Highland Council Transport Planning Team** has provided the following comments, surmised under the subheadings below:

- a. **Drainage:** The Team note that the surface water drainage system is not a system the Council would generally consider appropriate because: 1) when undertaking minor and or major maintenance operations, residents access is likely to be adversely affected and 2) the weight from traffic driving over soakaways can cause them to compress leading to the roads integrity being damaged. The Transport Planning Team therefore requested the developer to provide confirmation that they accept and recognise the impact of the surface water arrangements.
- b. **Cycle Provision:** The Transport Planning Team requested clarification on the proposed number of cycles to be accommodated in each bike store and evidence to demonstrate cyclists will be able to store their bike/s and retrieve them safely. The Council confirm that they do not generally support the use of vertical cycle racks, because it puts people at risk from a manual handling injury.
- c. **Parking:** The parking space provision being promoted here is acceptable. To demonstrate that all parking spaces are suitably sized, the Team recommend that basic parking space dimensions are provided on the Road Layout.
- d. **Accessibility:** The Team would expect a development of this nature to include pedestrian access points in the proposed boundary fence/wall to reduce the conflict between pedestrians and traffic.
- e. **Road Layout:** Upon reflection the Council wish to maintain the existing safety buffer strip between pedestrians walking along the footway and road users. They therefore require the current footway layout to be retained. In addition, the Council note that the bellmouth type junction is no longer supported by the Council and to encourage drivers to slow down before manoeuvring into the site, the Council are seeking a driveway crossing type entrance.
- f. **Waste Management:** The Team have commented in relation to the waste management and note that further bin provision would be required in the future should the private bin collections cease. They therefore request the number of bins is increased to 14 bins.
- g. **Road adoption:** Current road adopted boundary is unchanged.
- h. **Roads Authority Permission:** The applicant will be required to apply to the Council for a Road Construction Consent.
- i. **Conclusion:** The Council has no objection to the development subject to these issues being resolved.

33. **The Highland Council Forestry Officer** was consulted on the proposal but has not provided any comments.

34. **The Highland Council Contaminated Land Officer** notes that the site was formerly a petrol station and subject to a contamination investigation which found asbestos in shallow soils at one location and that the area is within a radon intermediate risk zone. The Officer recommends that a post determination planning

condition is attached to any subsequent decision requiring the submission and agreement of a report to validate the remediation of asbestos soil contamination on site.

35. **The Highland Council Corporate Address Gazetteer Team (CAG)** wish to highlight to the applicant, the street naming and numbering process and encourage the applicant to submit a request in the event planning permission is granted.
36. **CNPA Landscape Officer** provided the following comments on the latest submission of the scheme:
- a. **General:** Overall this is an improved design. There is a better relationship between the buildings and the streetscape and the landscape plan has mitigated some of the landscape and visual effects of the prominent site;
 - b. **Existing Trees:** There is greater information on existing tree location and which ones will be removed to facilitate the development. The retaining wall is better detailed as well. The Officer considers that more trees will be required to be removed however the Highland Council Forestry Officer advice should be sought to the likelihood and extent of all proposed and possible tree loss. The proposal for replacement woodland is noted;
 - c. **Wall Detail:** The Officer notes that although the proposed wall design is not quite the same as the wall on the opposite side of the road, it does use natural stone as a cladding and coping and is considered acceptable.
 - d. **Planting:** Overall the new planting is considered acceptable and likely to mitigate the loss of trees on site, in time and the direct effects of the new buildings. However, the Officer notes that there are insufficient technical details on the planting, ground preparation, and plant. Neither is there sufficient detail for the turf area of the carport roof.
 - e. **Replacement Woodland:** The new proposed area for the replacement woodland is considered acceptable however it is considerably larger than needed. The principle of adding the trees throughout this area will not result in a replacement of the woodland but it would contribute to the scrub of the area. However to comply with the replacement of woodland policy and to maximise the ecological and landscape benefits, the trees should be planted in a group at standard forest centres. This should be located where the connectivity to other woodland will be enhanced. The best place is on the west end of the proposed area on the upper slopes close to the property called Tingherhiea. The species mix is considered acceptable except for the grey willow. These should be replaced by an additional 15 sessile oak. These trees will require protection from deer and rabbits. It must be either fenced or tubed. The planting plan and full planting plan and maintenance schedule will follow.
 - f. **Overall:** This is an improved scheme and overall is acceptable in principle; however some details are still required to be resolved including site planting and landscape details.
37. **CNPA Conservation Manager** notes that following advice from SNH, the HRA from the previous application (March 2018) has been reviewed. The two most salient points are that the base conditions for capercaillie and recreation has not changed significantly since the first HRA and that the number of units has in fact been reduced

from 32 to 27. The HRA concluded that the assessment, based upon the best available scientific evidence and advice offered from SNH, showed that there was not a likely significant effect from the proposed development upon the qualifying features or the conservation objectives for the following Natura sites:

- a. Abernethy Forest SPA
- b. Anagach Woods SPA
- c. Cairngorms SPA
- d. Craigmore Wood SPA
- e. Kinveachy Foresty SPA

38. It was therefore concluded that the proposed development would not adversely affect the integrity of any of these sites. Considering the points made above, this conclusion of the previous HRA is maintained for the current application.
39. **CNPA Outdoor Access Officer** has examined the latest submission of the proposal. The officer previously advised the applicant of the need to ensure the active travel policy is accounted for appropriately however these measures have not been incorporated within the current submission. In light of this the Officer requires the submission of a 'Local Active Travel: Information for Residents' resource pack to be supplied to new residents alongside other such documentation as is provided at formal handover of each unit. This is recommended as a planning condition with the details agreed with the Cairngorms National Park Authority prior to commencement.
40. **Aviemore and Vicinity Community Council** have no objection to the application. A copy of their comments can be found at **Appendix 4**.

REPRESENTATIONS

41. The application was advertised when first submitted. One letter of representation has been received from an individual member of the public and one letter has been received on behalf of the Royal Society for the Protection of Birds (RSPB). A copy of these representations can be found at **Appendix 3**.
42. The individual respondent raises objection to the scheme querying congestion levels of Grampian Road arising from the development and neighbouring land uses. Concern has also been raised regarding the aesthetics of the proposal.
43. RSPB confirm that their previous comments are applicable to this application. These relate to the risk of increased disturbance of capercaillie within protected areas (SPAs) through recreational usage of the surrounding woodlands. The Society has highlighted its concern regarding cumulative impacts of housing developments in Speyside and considers it necessary for a Habitats Regulations Appraisal to be undertaken to determine the impacts on the conservation objectives of the designated sites.

APPRAISAL

44. The main planning considerations are considered to be: the principle of development, the impact upon landscape, layout and design, the environmental impacts, access and servicing and developer contributions.

Principle of Development

45. The principle of housing development within a designated settlement is well established by **Policy 1: New Housing Development** of the Cairngorms National Park Local Development Plan. This sets out in 1.1 Housing in Settlements that all new housing developments within the settlement will be supported where they occur within a designated site or where they reinforce and enhance the character of the settlement maximising opportunities for infill, conversion, small scale development, use of derelict or underused land or the redevelopment of land. The proposed development, subject to design and layout, readily complies with these principles being located within the settlement boundary of Aviemore and reusing disused land located at a prominent entrance to the village. As such, redevelopment of the site is greatly welcomed in principle. The provision of 27 new flat units would also make an effective contribution to the Aviemore housing market.
46. Also of relevance is **Policy 2: Supporting Economic Growth** which sets out in Policy 2.4 Protecting Existing Sustainable Economic Activity that proposals for alternative use of sites or buildings currently in, or last used for, economic and employment purposes will only be supported where this promotes the sustainable use of land in accordance with other national and local policies and where it is satisfactorily demonstrated that it is not practical for financial and other reasons to continue with these uses; or the site and buildings are unsuitably located and impact adversely on the natural environment, local character or neighbouring properties; and/ or the existing use can be appropriately relocated to another suitable site.
47. In this case, the closure and removal of the filling station many years prior and the previous consents on that part of the site, indicated that the policy could be readily met with the filling station not being financially viable at that time. Whilst the more recent demolition of the previous commercial building on the site (shop/café) has already been undertaken in advance of consideration of this application, it is considered that the case for loss of employment use on part of the site has been adequately made within the applicant's design statement. This outlines the history of this commercial property, and explains that it was unable to be economically successful despite low market rentals being offered. It is also worth noting that in townscape terms, the building was of little architectural merit, whereby redevelopment would be welcomed.
48. In addition, the site is extremely well located for new housing due to its proximity to the services and amenities of Aviemore with easy walking, cycling and bus links adjacent. As such the location is considered to be sustainable, complying with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015 which seeks to ensure that development is sited to make sustainable use of resources. In this case, reusing a redundant site, as well as promoting sustainable travel methods.

49. Accordingly, the principle of housing close to the village centre and bringing a vacant site back into use readily complies with policy. The key issues are the details of the design and siting of the proposals and this will now be considered.

Landscape Impacts, Layout and Design

50. **Policy 5:** Landscape of the Cairngorms National Park Local Development Plan 2015 presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular, the setting of the proposed development. This is reinforced by **Policy 3:** New Development, which seeks to ensure that all new development is sympathetic to the traditional pattern and character of the surrounding areas, local vernacular and local distinctiveness. It is therefore clear that policy requires all new development to enhance and complement both the National Park and the character of the settlement itself, using landscape to complement the setting.
51. This western side of Grampian Road is characterised by a mix of building styles and scales with vegetated and wooded areas separating the various built areas, giving a green aspect to this southern entrance to Aviemore. This landscape setting is a strong component of the landscape character here. Buildings are set within the landscape, with the larger scale buildings at Grampian Court to the north designed to follow the slope of the land with open space adjacent. New development recently approved and under construction to the south for a new hotel at the main entrance roundabout into Aviemore similarly follows the topography of the land, making use of the slope of the site to provide a four storey rear to the building with a three storey frontage.
52. The application site is characterised by a wide cleared area to the front (roadside) with wooded embankment to the rear and a small group of trees within the site. This creates a strong, good quality landscape setting on this approach into Aviemore, with the cleared area presenting an obvious development opportunity in the setting of the woodland backdrop.
53. The key consideration therefore is how well the development integrates with the site constraints. The car parking has been located to the rear of the site to avoid placing it on the Grampian Road frontage and to avoid moving buildings further to the rear of the site which would be likely to lead to greater woodland loss.
54. The current design is considered to be an improvement to previous schemes creating a better relationship between the proposed built form and the streetscape. The density and scale of the development has been reduced from the previously submitted schemes, providing better sized amenity areas within the site, which together allows for more space between the buildings to connect visually to the retained woodland to the rear. The use of different design techniques to break up building mass is greatly welcomed and also helps to create visual interest within the development. The design and palette of external materials and finishes for the accommodation blocks are considered to be in keeping with the established character of the area.
55. Regarding soft landscaping within the site, the communal areas are proposed to be seeded with a grass mix with feature areas of native shrub and tree planting. A sedum

roof is proposed to be installed on the covered parking area and the surrounding bank is proposed to be replanted with native shrubs and trees to join the retained trees. The applicants have put forward a case that it will be possible to retain more trees on the embankment through careful construction of the retaining wall and that tree loss can be mitigated by managing the remaining woodland, undertaking landscaping within the site and providing an area for compensatory planting elsewhere. The CNPA Landscape Officer considers the new planting to be acceptable and likely to mitigate the loss of trees on site, in time, and the direct effects of the new buildings. However, the Officer requests that post determination conditions are included on any subsequent decision notice to confirm the technical details of planting, ground preparation and the details of the sedum roof.

56. Regarding the compensatory planting to the north of Kingussie, the agent has provided additional information confirming that the applicants are working with a Community Group in Kingussie, with the planting of trees organised by Roots and Shoots as a community woodland scheme. The CNPA Landscape Officer confirms that the location is acceptable although the area for the planting is considerably larger than needed and therefore requests a further post determination condition to confirm: the exact location of the trees; the replacement of the grey willow with an additional 15 sessile oak; protection measures including fencing or tubing details and a maintenance plan. In these overall circumstances, the application is considered to comply with Policy 5: Landscape and Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.
57. In terms of residential amenity, **Policy 3: Sustainable Design** of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that new development protects the amenity currently enjoyed by neighbours. No comments have been received from neighbouring occupants regarding amenity issues. The amenity of adjacent neighbours in terms of overlooking windows, overbearing and loss of light is not a concern as the only property located in close proximity is a commercial building to the north-east which is not considered to be adversely affected in terms of amenity, especially taking into account the distance between the built forms of each site.
58. **Policy 3: Sustainable Design** also requires new development to provide appropriate levels of amenity to the occupants of the dwellings. In terms of the flats themselves, they have been designed to ensure that there are no issues of overlooking windows with private balcony areas and communal grassed areas within the site providing amenity space for all occupants.
59. Whilst there will inevitably be a degree of disturbance and noise during construction, this can be minimised by good construction practices and provision of a construction traffic management plan, designed to set out measures to try to reduce disturbance as far as feasible.
60. On these bases, the proposal is considered to accord with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Environmental Impacts

61. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that there is no adverse impact upon the protected species or biodiversity and also that development which would adversely affect ancient woodland will only be permitted where it has been demonstrated that the objectives of the designated site and overall integrity of the identified area would not be compromised or any significant adverse effects are mitigated by provision of features of commensurate or greater importance to those that are lost.
62. Survey work has been carried out to consider impacts on habitats and species and if the application were supported planning conditions could be attached to ensure that pre-construction surveys were undertaken for relevant species, such as squirrels. In relation to wider ecological impacts, as noted earlier, a Habitats Regulations Appraisal has been undertaken to consider the impacts upon Natura Sites in the vicinity, and more specifically in relation to impacts upon Capercaillie. This is attached at **Appendix 2** and concludes that in this case there will be no adverse impacts upon the integrity or conservation objectives of the sites.
63. The main environmental impact in this case relates to the landscape impacts and loss of trees. As noted earlier, the proposed layout offers more opportunity to create new habitats to compensate for this within the site and to deliver biodiversity benefits from previous schemes submitted, because of the reduction of new housing blocks. The applicants have proposed an area for woodland planting to compensate for the loss of trees on site. The proposed planting site is considered to be acceptable subject to the exact planting location details within the wider site being agreed by way of planning condition.
64. Finally, in terms of environmental impacts, given the previous use of the site, **Policy 10:** Resources of the Cairngorms National park Local Development Plan 2015 is also relevant. This requires that assessment is carried out in relation to any development affecting contaminated land with appropriate remedial actions taken as necessary depending on the outcome of investigations. In this case, the Highland Council Contaminated Land Officer notes that the site was formerly a petrol station and subject to a contamination investigation which found asbestos in shallow soils at one location and that the area is within a radon intermediate risk zone. The Officer recommends that a post determination planning condition is attached to any subsequent decision requiring the submission and agreement of a report to validate the remediation of asbestos soil contamination on site.
65. In these overall circumstances, the proposed development is considered to comply with policy in relation to protected species, NATURA interests and impact on resources in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Access, Parking and Sustainable Travel Issues

66. **Policy 3:** Sustainable Design requires new development to include an appropriate means of access, egress and space for off-street parking. In this regard adequate parking provision is being made and the applicant has updated the plans to demonstrate that the basic parking space dimensions as required by the Highland Council Transport Planning Team are being met within the scheme. The application proposes the inclusion of a revised singular bellmouth access in place of the existing two bellmouth access junctions on site and the relocation of the pedestrian footway along the site to be adjacent to Grampian Road. The Highland Council Transport Planning Team wish to maintain the existing safety buffer strip between pedestrians walking along the footway and road users and therefore require the current footway layout to be maintained together with a driveway crossing type entrance in place of the bellmouth type junction. Supporting information has been submitted explaining the rationale for the access type and footway layout proposed. This states that the drop kerb of a driveway crossing junction would be repeatedly damaged by larger vehicles such as the refuse vehicle entering and leaving the site as a result of there being an inadequate radius to allow this to safely enter the site.
67. The supporting information also raises road safety concerns of using this junction type in an area of greater speed than 20mph, and it is stated that it would lead to drivers leaving the Grampian Road having to wait on the road whilst waiting for a pedestrian to clear the access junction, which could lead congestion and potential traffic incidents. Congestion on Grampian road has also been raised as a concern by a member of the public. The area of works for the junction and footway are within the road corridor adopted by the Council and therefore will be subject to an application being approved by the Council for a Road Construction Consent. The proposed bellmouth junction provides the required visibility splays and is a well-established junction type for developments within the area and the footway adjacent to Grampian Road can also be found further along the road. The means of access and footway works, as proposed, are considered to be acceptable, however should the Council only grant a roads construction consent with a driveway crossing type structure, this would not alter the Planning Authority's view on the matter and would still be acceptable and in accordance with policy provision.
68. **Policy 3:** Sustainable Design also sets out that new development should be designed to maintain and maximise all opportunities for responsible outdoor access. This includes links into the existing path network and the promotion of sustainable transport methods, including making provision for the storage of bicycles and reducing the overall need to travel. The site is considered to be in a sustainable location in terms of being within walking distance of the facilities and amenities of Aviemore and within walking distance of bus stops on Grampian Road. There is space within the rear of the covered parking area for occupants to store bicycles. Comments have been received from the Highland Council Transport Planning Team regarding the suitability of vertical storage bike racks within the covered parking area, but this is not considered to be a particular land use issue in this case with the applicant's explanation of why this solution has been put forward considered to be reasonable. The CNPA Outdoor Access Officer advises that the proposal should take into account the active travel policy and recommends the attachment of a post determination planning

condition requiring the agreement of a “Local Active Travel: Information For Residents” welcome pack to be supplied to new residents.

69. On this basis, the application is considered to comply with the relevant planning policies.

General Servicing

70. **Policy 3:** Sustainable Design and **Policy 10:** Resources of the Cairngorms National Park Local Development Plan 2015 set out the need for new development to be satisfactorily serviced and without harm to resources or the environment.
71. In this case, it is proposed that all surface water run-off will be collected and discharged into soakaways within the site and maintained by the future property factor and not adopted by Scottish Water. The access junction bellmouth will be adopted by the local authority who will take on the maintenance responsibility.
72. Regarding foul drainage, a new foul water sewer is proposed within the private access road and connected to the existing Scottish Water combined sewer in Grampian Road. Scottish Water has no objection to the proposal, although note that the applicant’s would require consent of that agency in order to connect to public water and drainage supplies. The Highland Council Flood Prevention Team has no objections to the proposal following the additional information provided by the applicants to satisfy their previous objections. It is confirmed that exceedance flows for a 1 in 200 year return period storm event are proposed to be attenuated within the site within the below ground drainage network. The Highland Council Transport Planning Team noted that the surface water drainage system would not typically be considered appropriate and requested confirmation from the developer that they accept and recognise the impact of the proposed surface water arrangements. Confirmation has subsequently been provided by the applicant.
73. Waste management for the site is proposed to be collected by a private company and not by the Council and this is reflected in the number of refuse bins provided on site. The bin store and collection area is within the site and the supporting plans demonstrate that the refuse vehicle can manoeuvre within the site to leave in a forward direction.
74. The general servicing arrangements are considered to be acceptable in accordance with Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Affordable Housing Provision

75. **Policy 1.4:** Contribution towards Affordable Housing of the Cairngorms National Park Local Development Plan 2015 requires that provision general be made for 25% affordable housing on sites of four or more open market dwellings. The policy sets out that, proposals for off-site contributions will be considered where community needs assessment or similar assessments support this as a better way of meeting the housing needs in the community.

76. In this case, the applicant secured agreement at an early stage with Highland Council's Housing Service to provide the affordable housing component off-site at Sluggan Drive near Dalfaber Drive. The Housing Service's view was that the Sluggan Drive site would provide units better targeted at local need for affordable housing, in a better location, and given the extent of planning permissions on that site, created a clear route to quick delivery. That agreement means that additional affordable housing units have been built at that location during the development of these proposals.

Developer Contributions

77. **Policy 11:** Developer Contributions of the Cairngorms National Park Local Development Plan 2015 sets out that where development gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate effects, then the developer will normally be required to make a fair and reasonable contribution towards additional costs or requirements.
78. There are not considered to be any impacts which would require community facilities or services to be improved or increased as a result of this proposal, with the introduction of new residents helping to support the local facilities. However, the development will give rise to an impact upon primary education in terms of the capacity of Aviemore Primary School, whereby a contribution per unit will be required.
79. The applicant has been presented with the overall developer contribution figure and has indicated their agreement to this with a preference to conclude the contribution by way of an appropriate agreement if planning permission were granted. Subject to the payment of this contribution, the proposed development is considered to comply with Policy 11: Developer Contributions of the Cairngorms National Park Local Development Plan 2015.

Other Issues Raised in Consultations and Representations

80. Matters raised by consultees and contributors have been addressed throughout this report. Concern had been raised by a member of the public regarding congestion levels of Grampian Road arising from the development and neighbouring land uses, with vehicles stopping on the road. The consideration of the development and road safety matters has been outlined earlier in this report. In addition, it is noted that in general, Grampian Road does not prohibit the stopping of vehicles along the road.
81. Aviemore and Vicinity Community Council have no objection to the proposal.

CONCLUSION

82. The application site is considered as a good opportunity for a redevelopment, being well located with a strong landscape setting and wooded backdrop/ Furthermore, as it is currently in a neglected and underused condition, its redevelopment is greatly welcomed in principle, with housing considered to be an entirely appropriate land use here. The provision of 27 additional open market units (in addition to the affordable

housing already delivered) in Aviemore will deliver housing to a particular segment of the housing market.

83. The application is one which follows a number of previous submissions, and the applicants have worked in a pro-active and collaborative manner with the CNPA to deliver a scheme which addresses previous planning issues raised and accords with the relevant policies of the Local Development Plan.
84. The scale, design and layout are considered to be appropriate to the site's setting subject to an appropriate level of landscaping and compensatory planting being delivered in accordance with the suggested landscaping conditions.
85. The proposed development is considered to fully comply with Local Development Plan policies subject to appropriate planning conditions being imposed to achieve landscape and servicing requirements and also subject to the securing of the developer contribution. Approval is therefore recommended.

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the Erection of three blocks of flats (27 units) with associated parking and access at Development Site On Former Filling Station Grampian Road Aviemore Highland subject to:

- 1) Conclusion of an appropriate agreement or upfront payment regarding the developer contribution in respect of primary education in Aviemore; and**
- 2) The following conditions:**

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

Conditions

- I. No development shall commence on site, until a Construction Traffic Management Plan is submitted to, and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning Team. This plan should include details of the timings of works to reflect the need to minimise residential disturbance during construction. Thereafter the construction of the development shall be implemented in accordance with those approved details.**

Reason: To ensure there are no adverse impacts on the roads network in relation to road safety and that construction traffic associated with the development causes minimum disturbance to residents of the neighbouring land uses in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

2. **No development shall commence until a site specific Construction Method Statement (CMS) has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The CMS shall include any details of site waste management including the storage of soil and construction material; and details of construction stage SUDs. Thereafter construction shall be undertaken in accordance with the approved details.**

Reason: To ensure that the construction of the development is satisfactorily implemented and supervised in order to ensure that there are no adverse environmental effects arising from the construction of the development in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

3. **No development shall commence, (unless otherwise agreed in writing), until a pre-construction survey for red squirrels, has been undertaken and the results, together with any associated species protection plan has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority - details of any mitigation required to be identified and agreed and thereafter implemented in accordance with the approved details before construction works commence.**

Reason: In order to ensure there is no adverse impact upon the environment and European Protected Species, pre-construction survey work and subsequent mitigation measures are required in accordance with Policy 3: Sustainable Design, Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

4. **No development shall commence on site, until a report to validate the remediation of asbestos soil contamination on site has been submitted to and agreed in writing by the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council. The works shall be undertaken in accordance with the approved details thereafter.**

Reason: The site was formerly a petrol station and subject to a contamination investigation which found asbestos in shallow soils at one location and that the area is within a radon intermediate risk zone. The report details are required to validate the remediation of asbestos soil contamination on site in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

5. **No Development shall commence until a Landscape Technical Details Document and updated Maintenance Programme has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The documents shall include:**
- a. **Technical details of plants, planting operation, ground preparation and after care;**
 - b. **Long term management of the landscaping maintenance of site;**
 - c. **Technical planting details for the Sedum roof of the covered car parking area;**

- d. **Technical details for the compensatory wood planting including species, density, planting locations, fencing/ tubing protection measures, planting operations and maintenance.**

Landscape Plan shall be implemented in full, by a suitably qualified landscape consultant, during the first planting season following commencement of construction work on site, or as otherwise agreed in writing by the Cairngorms National Park Authority, acting as Planning Authority and shall be maintained thereafter in accordance with the approved maintenance programme.

Reason: In accordance with the consultation comments received by the CNPA Landscape Officer a revised landscaping scheme is required in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015 to ensure that the development delivers a richer set of micro habitats to aid the biodiversity enhancement of the site whilst providing more visual interest and enhancement to the built form. The amendments are also required to help link the landscape character of the site with the adjacent landscaping treatment of the Community Hospital to facilitate the sites ability for native species.

6. **No development shall commence on site until the tree protection measures have been implemented on site in accordance with the approved plan. Thereafter the trees shall be retained and maintained in accordance with the approved Tree Protection Plan and landscape maintenance programme throughout the lifetime of the development hereby approved unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.**

Reason: To ensure that trees on and around the site which contribute to the landscape character and biodiversity of the area are appropriately protected during construction works in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

7. No residential unit shall be occupied until a details of a residents' welcome pack, including green travel details, has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. This pack shall include as a minimum up to date details of public transport services, timetables for services running through Grantown, contact details for demand responsive services and school services in the area, and maps showing walking/cycling routes in the area in including key walking and cycling routes from the site to the nearest serviced bus stops. The approved pack shall thereafter be provided to all residents of the new units.

Reason: To promote and facilitate the use of sustainable travel in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015

8. No residential unit, for the development hereby permitted, shall be occupied until the boundary enclosures have been implemented in accordance with the approved plans and retained thereafter throughout the lifetime of the development hereby approved.

Reason: To ensure that the development conserves and enhances the landscape character and special landscape qualities of the National Park in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

9. The drainage scheme, of the development hereby permitted, shall be implemented and maintained in accordance with the approved details in full prior to the occupation of any dwellings within this development.

Reason: To ensure that satisfactory arrangements for the disposal of surface water are provided in accordance with Policy 3: Sustainable Design, Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

10. No residential unit, for the development hereby permitted, shall be occupied until the parking, access and path links are completed in accordance with the approved plans.

Reason: To ensure the development is appropriately serviced in the interests of road safety in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

11. Prior to its installation, for the development hereby permitted, an elevation plan of the approved covered parking area for the south-east elevation shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The car port shall be constructed in accordance with the approved plans thereafter.

Reason: To ensure the development conserves and enhances the landscape character and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

12. No lighting shall be installed on site until details (position, type and intensity) have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The lighting, if being provided, shall be installed and operated in strict accordance with the approved plans.

Reason: To ensure that the development does not adversely affect European Protected Species including the commuter bats in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

13. The development hereby approved shall be constructed in accordance with the approved plans and sections.

Reason: To ensure that the development conserves and enhances the landscape character and is sympathetic to the character of the area in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

14. The visibility splays of 4.5m x by 90 metres as shown on the approved Roads Layout plan shall be provided and maintained and cleared of any obstruction above 0.26m in height (measured from the level of the carriageway).

Reason: In the interests of road safety and to ensure safe access and egress for the development in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

15. Notwithstanding the provisions of Class 7 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), (or any Order revoking or re-enacting that Order) all boundary enclosures shall be provided in accordance with the approved plans and any proposals for other boundary enclosures shall not be carried out unless planning permission is first granted by the Planning Authority.

Reason: To ensure that the layout of the development fits into the setting of the immediate area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Informative

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.

4. The person undertaking the development is advised that Road Construction Consent will be required from the Roads Authority (Highland Council) as per the comments of the Highland Council Transport Planning Team available on the CNPA website.
5. Construction work (including the loading/ unloading of delivery vehicles, plant or other machinery) should not take place out with 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.
6. The person undertaking the development should note that Scottish Water is unable to reserve capacity at their water treatment works for the approved development. The person undertaking the development will need to make a formal connection application to Scottish Water who will review capacity then and advise the applicant accordingly.

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.