
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ROBERT GRANT, PLANNING OFFICER

DEVELOPMENT PROPOSED: CONSTRUCTION OF A COMMUNITY PRIMARY SCHOOL AND ASSOCIATED PLAY GROUND, ACCESS AND SUPPORTING INFRASTRUCTURE. CONSTRUCTION OF A PLAYING FIELD AREA, RESITING OF PLAY EQUIPMENT AND GENERAL SITE LANDSCAPING AT MUIRTON, AVIEMORE (APPLICATION FOR MATTERS SPECIFIED IN CONDITIONS)

REFERENCE: 10/153/CP

APPLICANT: HIGHLAND COUNCIL

DATE CALLED-IN: 28 MAY 2010

RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS



Fig. 1 – Location Plan

SITE DESCRIPTION

1. The application site lies on the eastern side of Grampian Road, Aviemore and comprises an existing area of recreation ground with a play park, football pitch and pavilion, the remainder of the site features a large area of birch semi-natural woodland. The site encompasses some 3.6 hectares, extending from Grampian Road, taking in Muirton, passed the Aviemore Medical Practice and the British Legion Club to the north, the Inverness – Perth railway to the east and a number of residential properties to the south and west.
2. The adjacent area is predominately residential in nature; however a fire station, ambulance station, medical centre and community hall are all located on Muirton. An existing gravel track provides access to the north of the recreation ground, taken directly from the medical centre car park, whilst an existing road serving the nearby Glen Centre provides an alternative access point from Grampian Road. An informal path network provides access to the recreation ground and woodland, connecting it with the surrounding residential areas.



Fig. 2: Vehicle access on Muirton



Fig. 3: Existing gravel track



Fig. 4: View across to public park and woodland looking east



Fig. 5: View across to football pitch looking west

PLANNING HISTORY

3. Planning permission in principle was approved for the 'Construction of a new community school; associated access road and playing field with community park,' (08/433/CP) by the Cairngorms National Park Authority on 20 November 2009. The proposed community school would replace the existing Aviemore Primary School, widely recognised to be deficient and in poor condition, with a modern building with capacity for 300 primary school pupils plus staff and various community facilities. This application established the principle of development on the site only. A number of matters specified in conditions were attached to that planning permission; those matters now form the content of this planning application.
4. For further background please refer to the committee paper available here: <http://www.cairngorms.co.uk/resource/docs/boardpapers/13112009/CNPA.Paper.3181.Planning%20Committee.Paper.I.Aviemor.pdf>

PROPOSAL

5. This application seeks 'approval of matters specified in conditions' as part of the planning permission in principle (08/433/CP) previously granted. This requires the further approval of each condition by a planning application, examining the 'detailed' matters. Information and details have been submitted with regard to all of the conditions, which are summarised below:
 - 01) Detailed plans indicating the siting, design and external appearance and finished floor levels of all buildings, means of access, car parking and landscaping proposals;
 - 02) Restriction of any building or buildings to the western half of the site and the playing field located on the eastern half of the site;
 - 03) A Drainage Impact Assessment to demonstrate that satisfactory Sustainable Urban Drainage Systems (SUDS) can be accommodated on the site;
 - 04) A scheme to deal with any potential land contamination on site;
 - 05) A Green Travel Plan to reduce car dependency;
 - 06) A series of Roads Improvements, a 'Safer routes to school' programme and measures to incorporate vehicle access and parking as per the recommendations of the Traffic Impact Assessment;
 - 07) A scheme of landscaping including indications of all existing and proposed trees and any landscaped areas;
 - 08) A scheme of compensatory tree planting or equivalent to offset loss of part of the woodland;

- 09) A tree protection plan;
- 10) Tree clearance work to avoid the recognised bird breeding season;
- 11) A Woodland Management Plan to enhance the value of the retained woodland, fostering biodiversity improvements;
- 12) The safeguarding of a wood ant nest located within the birch woodland, during construction work;
- 13) Details of a relocated play area to be provided elsewhere in Aviemore to compensate for the loss of the existing play area on site;
- 14) Details of the playing field including any fencing or ancillary structures and access arrangements;
- 15) A statement or plan demonstrating continued public access to parts of the woodland or playing fields, during both the construction and operational phases of the school;
- 16) A Construction Method Statement detailing the location of any temporary construction compound, trail pits and methods and hours of working to reduce impacts on neighbouring properties;
- 17) A requirement for the proposed development to endeavour to achieve the maximum BREEAM rating for sustainability;
- 18) Measures to reflect the cultural identity of the Cairngorms National Park through the design, materials, layout and overall setting of the proposal;
- 19) A detailed sustainability statement pertaining to the design, construction and future operation of the building.

N.B for information, the decision notice 08/433/CP is appended (Appendix I) to this report showing the full wording of the conditions.

Site layout

6. Detailed plans have been submitted illustrating the general configuration of the school. The site would be laid out with the proposed school building located to the westernmost part of the grounds, car parking and an access road to the north and a playing field within the birch woodland to the eastern half of the site. Several playground areas and courtyards, landscaped gardens and an outdoor teaching space would be arranged around the building. Further information has also been submitted demonstrating drainage systems, an assessment of contaminated land, landscaping and compensatory planting proposals.



Fig. 6: Site layout – school building, playing field and access

7. An access road utilising an existing track, to be upgraded and reconfigured, would be taken directly from Muirton and serve the school for vehicular traffic, with a full footway installed on its southern side. Drop off points would be formed for the nursery and main entrances to the building and an emergency services access laid with a 'grass road system' continued into the playground area to the south. Car parking provision for 122 cars (with 9 disabled spaces) including 39 dedicated school spaces, 49 for associated civic functions and 12 for the Glen Centre (social work services) would be laid out within the site. A shared pedestrian access point would be taken directly from Grampian Road immediately adjacent to the Glen Centre and serve as the main route to school for pupils and visitors. A service yard would be located to the west of the school building, using the Glen Centre road as and when required, but carefully controlled to minimise any potential pedestrian and service vehicle conflicts. Other footpaths linking in to the surrounding residential areas would be retained and enhanced, maximising connectivity to the whole of Aviemore.

Landscaping and compensatory planting

8. The emphasis for the proposed school and its grounds is to be located in a wooded setting as far as possible, characterised by the existing semi-natural birch woodland, in part retained and enhanced and drawn in and around the building to provide shelter, visual enhancement and areas of habitat (note: area's containing utilities services cannot be planted over and this has constrained the overall level of planting). A community sports field, including a football pitch

(90m x 45m approximately) would be formed within a 0.75 ha (roughly 103m x 57m) cleared area of the woodland to replace the existing pitches. Trees and shrubs would be 'translocated' from the woodland and planted around the site. A community play garden would also be formed within the woodland and would feature the play equipment relocated from the existing play park. The area of woodland to be retained would provide a woodland wildlife corridor, allowing continuity of the existing habitat corridor that runs adjacent to the railway. This area would be enhanced for biodiversity purposes via a Woodland Management Plan. The existing paths in and around the woods would be retained and continue to be publicly accessible, outwith the school grounds areas. To offset the loss of part of the woodland for the playing field, estimated at 50% or 0.58 hectares, a site at Dalfaber Drive, Aviemore has been identified for compensatory tree planting for replacement woodland, extending to 3.8 hectares. Negotiations are still ongoing to determine the exact extent and nature of this.

Design, scale and appearance

9. A contemporary design is proposed for the community primary school, formed with 4 wings projecting around a main core area. The building proposed is single storey, simple in form and modern in appearance. It would express its function as a primary school and community hub, with a design and materials which reflects the surrounding site and its woodland setting in particular. A sensitive palette of materials is proposed; including natural stone walls, timber cladding; coupled with a zinc panelled pitch roof with overhanging eaves. The building would be approximately 110m in length (north to south) x 90m wide (east to west) and would be 12.6m in height overall.



Fig. 7: Proposed elevations

10. The proposed building would extend to some 4375 sqm in floorspace, be a multiuse, flexible education and community facility, with both school and civic uses; accommodation includes:

- up to 14 classrooms, including 10 primary and 2 special needs classrooms;
- entrance foyer area;
- general purpose rooms;
- resource areas, gallery spaces and other offices;
- nursery wing;
- multipurpose sports hall;
- shared library;
- community education wing with learning centre, service point and meeting rooms;
- fitness suite/changing rooms area;
- provision for future expansion of the building (if necessary)/bicycle storage racks would be positioned under the projecting eaves of the roof;
- biomass boiler, storage hopper and plant room located within the main building envelope.



Fig. 8 Floor plan
(An A3 sized floor plan is available at Appendix 2)

11. The community school building is designed to be highly sustainable, currently at BREEAM rating 'Very Good' (albeit the assessment process is currently ongoing, the applicant still aims to achieve an 'Excellent' rating). The building would be highly insulated, energy efficient and 100% heated by a biomass wood pellet boiler. A sustainability statement confirms that the timber linings, stone and other materials would be sourced locally, as would the wood fuel for the boiler.

12. A Development Impact Assessment showing that SUDS can be accommodated on site accompanies the application. Along with this, an outline Green Travel Plan and 'Safer Routes to School' programme have been made available. A design statement has also been submitted.



Fig. 9: Perspectives

DEVELOPMENT PLAN CONTEXT

13. Section 25 of the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Council Structure Plan 2001 and the Badenoch and Strathspey Local Plan 1997. The Cairngorms National Park Local Plan Post-Inquiry Modifications 2010 and the National Park Plan 2007 are significant material planning considerations.

National Planning Policy

14. **Scottish Planning Policy (2010)** provides the core principles for decision making and sets out the key priorities for the planning system. The primary objectives are; to set the land use framework for promoting sustainable economic growth; to encourage and facilitate development while protecting natural heritage and the built environment. It firmly states Development Management should be a means of creating good quality sustainable places.
15. Within its subject policies it places a requirement for the design of new development to take a broader approach to **Landscape and Natural Heritage** (para 125), protect trees that make a significant contribution to landscape character and quality and ensure all new development responds to the specific character of the location, fits into the landscape and is of good quality design.
16. In a section entitled **Open Space and Physical Activity** (para 149) policy for the protection and enhancement of open space and playing fields is set out indicating how they are an important resource for sport and can have a key role within the community. Playing fields and sports pitches should not be redeveloped except where the playing field which would be lost as a result of the

proposed development would be replaced by a new playing field of comparable or greater benefit and in a location which is convenient.

Highland Council Structure Plan 2001

17. **Section 2.4 'Services and Facilities'** notes that access to a range of services and facilities are an important aspect of quality of life. The Structure Plan strategy supports the role of existing settlements, based on an assessment of the provision of shopping, social, cultural, health, business, recreational and other services and facilities upon which communities of different sizes depend.
18. The Structure Plan includes a specific section on Education, in which it is noted that such facilities are an important focal point in local communities. Educational services are also vital to the future economic prosperity of an area.
19. **Policy S2 (Education facilities)** states that the 'Council will actively support the development of educational and associated facilities throughout the Highlands..... particularly where they contribute to the social and economic development of communities.'
20. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they meet a range of sustainability criteria.
21. **Policy G3 (Impact Assessments)** states that where environmental and/or socio-economic impacts are likely to be significant by virtue of the nature, size or location of developments then the appropriate impact assessments will be required from developers.
22. **Policy G4 (Community Benefit and Commitment)** states that the Council will expect developments to benefit the local community and contribute to the wellbeing of the Highlands, whilst recognising wider national interests.
23. **Policy SR2 (Sports facilities and open space provision)** seeks to protect sports facilities and amenity open space from development, unless provision for replacement facilities of an equivalent standard is made within the locality.
24. **Policy TC9 (Car Parking)** requires car parking provision to be carried out in accordance with the council's standards.

Badenoch and Strathspey Local Plan (1997)

25. The application site is included within the settlement of Aviemore, designated as recreation/open space and allocated as **open space/community/leisure uses under section 6.3.2**, allowing for the development of community facilities and ancillary formal recreational facilities. It further states that access should be taken from Grampian Road, footpath links along the margins should be safeguarded and a comprehensive layout plan should be required.
26. In a section of the Plan referring to Services and Infrastructure it is stated that the Council is continuing its regional investment priorities with a major school building / refurbishment programme. The Aviemore section of the Settlement

Policy Objectives seeks to strengthen the village as a major administrative service centre, together with further opportunities in education, while recognising considerable investment is needed in community and social facilities.

27. **Policy 2.5.4** states that protection will be given to existing trees and established woodland areas, including small groups of trees or individual granny pines which are important landscape, wildlife and amenity features. These should include significant areas of ancient and semi-natural woodlands, incorporating important areas of remnant native forest as well as exotic specimens, notably associated with estate policies. Under the section of main principles for Aviemore, this is reiterated by measures to improve the village setting and wider environment by efforts to 'green up' Aviemore, by transforming the texture and image of the village.

Cairngorms National Park Plan (2007)

28. In a section entitled '**Living and working in the Park**' the Cairngorms National Park Plan notes that the social and economic development needs of the Parks communities are similar to those throughout rural Scotland. Strategic Objectives for Sustainable Communities include promoting the provision of local services that meet the needs of communities including schools, health care and social infrastructure, all of which are recognised as key to their long term sustainability.

Cairngorms National Park Local Plan Post-Inquiry Modifications 2010

29. The CNPA have accepted the reporter's recommendations and should assume the policies contained will not be the subject of any further change. Thereby the materiality of the plan is considerable in the determination of planning applications in the National Park.
30. The application site is located within the Aviemore settlement boundary, designated as AV/CI, the text refers to the site being suitable for various community uses and should be retained as such, with the development of a new school an option.
31. **Policy 2 National Natural Heritage Designations** development that would adversely affect a National Scenic Area would only be permitted if the integrity of the overall area is not compromised or the effects are outweighed by socio-economic benefits.
32. **Policy 4 Protected Species** development should not have an adverse effect on any European Protected Species unless outweighed by socio-economic reasons, or no alternative solutions exist and it would not be detrimental to the maintenance of the entire population of the species.
33. **Policy 5 Biodiversity** requires development to demonstrate that it would have no adverse effect on habitats or species, including any cumulative impact unless significant harm is avoided, the benefits outweigh the contribution of the species and surveys are provided to assess the effects and identify mitigation.

34. **Policy 6 Landscape** states a presumption against any development that does not complement and enhance the landscape character of the Park.
35. **Policy 8 Archaeology** requires that impacts on any archaeological resources be considered, including the need for submission of survey reports where considered necessary.
36. **Policy 11 The Local and Wider Cultural Heritage of the Park** development should protect, conserve and enhance the cultural heritage of the area.
37. **Policy 12 Water Resources** development should utilise SUDS, be free from the risk of flooding and connect to the public sewerage network where available.
38. **Policy 13 Minerals** all development must avoid unnecessary disturbance of soils, peat and any associated vegetation.
39. **Policy 14 Contaminated Land** where land is suspected of being contaminated, investigations and assessments will be required and any effective remedial action taken.
40. **Policy 16 Design Standards for Development** requires that all development minimises the effects of climate change, reflects the local vernacular and uses materials and landscaping that compliments its setting.
41. **Policy 29 Integrated and Sustainable Transport Network** development proposals that reduce car dependency, promote alternative methods of travel and create path networks will be favourably considered. A Transport Assessment and Green Travel Plan may be required.
42. **Policy 34 Outdoor Access** development proposals that would result in a reduction of public access rights will only be permitted where appropriate or improved alternative access can be secured.
43. **Policy 35 Sport and Recreation Facilities** development of formal sport and recreation facilities will be supported where they are of sustainable design, have no adverse impact on amenity and meet an identified community need.
44. **Policy 36 Other Open Space Provision** development which improves or adds to current levels of public and amenity open space will be supported. There will be a presumption against loss of existing provision unless compensatory provision is made elsewhere.

CONSULTATIONS

45. **SEPA** note that provision has been made for SUDS and adequate space is available on site however no specific detail is provided. It is recommended that a further condition is attached to any planning permission requiring a full and detailed SUDS scheme to be submitted.

46. **Scottish Water** does not object to the application and confirms that sufficient capacity for water and wastewater may be available to supply the new development.
47. **Highland Council, Area Roads Manager** confirms that the proposed layout is acceptable and requests that further conditions requiring a detailed Green Travel Plan and information on roads improvements is submitted.
48. **Highland Council, Contaminated Land Section** has confirmed that a land contamination report of the former refuse dump (which lies adjacent to the site) was undertaken and concludes that no potential contamination issues were identified. No protection measures are required.
49. **Highland Council Archaeology Section** confirms that the application lies within an area of archaeological potential (possibly containing a prehistoric burial monument). It recommends a condition is attached requiring a scheme of evaluation by trial trenching should be undertaken within wooded areas proposed to be developed.
50. **Aviemore and Vicinity Community Council** has previously written to express its full support for the application, however they have a number of detailed comments about the design of the building, its ventilation and heating and requested low levels of lighting to reduce light pollution. Other points raised include clarification on road traffic and pedestrian access issues especially on Muirton with its emergency services. Lastly, concern at the loss of the football pitch and playground is highlighted as leading to an almost total lack of such facilities in Aviemore. (The full letter is available at Appendix 3).
51. **CNPA Comment:** Many of the various points raised by the community council have been considered in the application for planning permission in principle (08/433/CP). Highland Council has carefully considered the heating and passive ventilation strategy of the building and point to the expected BREEAM 'Very Good/Excellent' rating of the building. Low level lighting bollards are currently being re-examined for use within the development.
52. It was recognised that the proposed school would utilise Muirton to provide vehicle access, including drop off facilities and car parking, this road presently provides access for the health centre and the fire and ambulance stations, as well as a number of residential properties and other community facilities. The number of vehicles and possible pedestrians utilising Muirton is expected to increase significantly, it is fully acknowledged that it would be required to manage vehicle movements to maintain road user and pedestrian safety. A number of road improvement measures are proposed including the preferred use of the Glen Centre shared access for the main pedestrian flow, the identification of a 'Safer routes to school programme' and a 20mph speed limit amongst a number of other traffic management measures. A Traffic Impact Assessment submitted previously indicated that discussions had taken place both with the Fire and Ambulance services and both were confident that no issues should arise with emergency response vehicles. Further to this, both were directly consulted

during this planning application but returned no comments. The Area Road's Manager considers that with the measures to upgrade the existing roads network, vehicular and pedestrian access to the site for pupils and staff and the general public could be satisfactorily accommodated. Other measures which require a Green Travel Plan to promote more sustainable modes of transport to school and the 'Safer Routes to School' programme would assess and manage the pedestrian and cycle links into the proposed community school site.

53. The issue of the loss of the football pitches and playing fields was also previously considered in the planning permission in principle application. It was determined that the loss of the recreation ground and play area would be offset, in part by their direct replacement on site including the formation of a new playing field with football pitch within the woodland area providing an enhanced, modern facility of comparable or greater benefit. The play park equipment is also to be relocated to a clearing within the woodland. New football pitches are also to be located at the Lochan Mor and High Burnside residential developments within Aviemore, to further bolster the number of sports pitches in the village.
54. **Northern Constabulary** were consulted but returned no comment about the shared access on Muirton.
55. **Highlands & Islands Fire & Rescue Service** were consulted but returned no comment about the shared access on Muirton.
56. **CNPA Heritage Team** highlight that the most significant issue is the loss of part of the woodland causing a corresponding loss in its amenity and the impact on the woodland core of Aviemore, an important landscape feature. However they are satisfied that if the retained portion is protected, well managed and enhanced, this will go some way to minimising the loss of an area of the woodland.
57. Further comment is made about the compensatory woodland planting. The site currently proposed at Dalfaber Drive, would offset the loss of the portion on the school site by providing continuity of the woodland character of the area. The need for good design and implementation of the new planting would be key to new woodland commensurate with that to be lost.
58. Further conditions are recommended that limit the extent of the woodland to be removed, detail additional new tree planting and require full tree protection measures to be set out in a method statement. Additional details of the new area of woodland including preparation, planting details and ongoing maintenance are also to be submitted.
59. **CNPA Outdoor Access Team** request that the footways leading to the proposed school should be a minimum of 2.0m wide (ideally 2.5 or 3.0m) and segregated for pedestrians and cycles to afford adequate cycle access. Other issues raised include concerns about the proposed access point at Kinveachy Gardens (located to the SW corner of the site) as not being suitable for shared use.

REPRESENTATIONS

60. The application was advertised in the Badenoch and Strathspey Herald on 26 May 2010.
61. One objection has been received from a resident of Seafield Place, Aviemore. It raises public access issues arising from a proposed pathway on the southern boundary of the site, linking in with an existing path alongside his property. Currently the path leads to the football pitches which often leads to a number of anti-social activities taking place. This new path 'rat run' linkage may increase these problems.
62. **CNPA Comment:** A number of discussions have taken place to ascertain whether the proposed footpath located here is necessary for the proposed school to be as well connected to the surrounding areas as possible, allowing for safe and easy access for pupils, staff and visitors. On one hand, retaining and enhancing existing pedestrian and cycle routes to the site would ensure a high level of connectivity to the whole of Aviemore. However, the applicant is keen to allow for a greater playground area if possible, while the narrow width of the existing path connection has been cited as possibly dangerous for cycles by both Highland Council and the CNPA. Therefore it is considered that the proposed footpath linkage within the school grounds should not be retained to allow for an enlarged playground.

APPRAISAL

Principle of Development

63. The principle of development has been established by the previous application for planning permission in principle (08/433/CP) and the development plan policy for the area including the Highland Structure Plan, Badenoch and Strathspey Local Plan and the CNP Local Plan which fully supports a new community school at this location. The principle of development is not in question here, this application does not re-examine this. The main issues in the assessment of this application is to determine the matters specified in conditions - whether the siting, design and external appearance of the proposed community school is acceptable, landscaping and compensatory planting is satisfactory and sufficient detail is available to determine the various other outstanding conditions. Other issues including impacts on the character and amenity of Aviemore, natural heritage and roads and access have previously been examined within the planning permission in principle application – it is not intended to reassess these aspects.

Approval of Matters Specified in Conditions

64. The planning permission in principle required the further approval of matters specified in conditions. It is intended to assess each of the conditions in turn or where possible to group them together for brevity and conciseness.

Siting, Design and External Appearance/Layout

- 01) Detailed plans indicating the siting, design and external appearance and finished floor levels of all buildings, means of access, car parking and landscaping proposals;
 - 02) Restriction of any building or buildings to the western half of the site and the playing field located on the eastern half of the site;
65. In considering the siting, design and external appearance of the proposed community school, it is necessary to assess the character and amenity of the surrounding area and the landscape in general, the layout of the school and the proposed planting and woodland. The school is designed to be a landmark building, demonstrating high standards of urban design which respects its context, the surrounding townscape and landscape around it. The contemporary design and appearance of the school building has been carefully developed to draw out the woodland setting of part of the site and to sit comfortably within its topography and respond with sensitive natural materials including stone walls and timber cladding. Careful consideration has been given to entrances, access points and fenestration to create active elevations which are interesting and outward looking rather than blank facades. The design, scale and proportions of the school are considered acceptable and of a high standard of design overall whilst providing an important focus for education and community facilities for the village.
66. The existing site features a large expanse of open space, set against a backdrop of various community buildings and residential properties, contrasting with this, part of the site contains semi-natural birch woodland, part of an important network of tree cover that surrounds Aviemore and runs into the middle of the village. It is recognised that the nature of the site ensures development must be sensitive and sympathetic to reflect the transition between the built and natural environment in this part of Aviemore. The proposed siting, design and external appearance is considered to have been carefully developed to reflect this landscape character. The proposal comprises a high quality community primary school building, thoughtfully laid out areas of car parking, a playing field and playgrounds positioned throughout the site, aimed to address the existing semi-natural birch woodland in particular.
67. The school building would be located to the west of the site allowing for a woodland wildlife corridor to be maintained along the eastern edge of the site, alongside the railway embankment, a minimum of some 15.0 metres in width which would allow the movement of animal and plant species to continue, bringing wildlife into more developed areas of Aviemore. In doing so, this recognises the importance of this area in natural heritage and landscape terms, aiming to retain a strong element of the woodland setting of the site.
68. It is considered that the proposed siting, design and external appearance of the community primary school is satisfactory, allowing conditions 01 and 02 to be discharged accordingly. It is recommended that further conditions are required for standard time limits, materials samples of all finishes and further landscaping details.

Surface Drainage

- 03) A Drainage Impact Assessment to demonstrate that satisfactory Sustainable Urban Drainage Systems (SUDS) can be accommodated on the site;
69. Sufficient information has been submitted to demonstrate that provision has been made for SUDS and adequate space is available for it on site however no specific detail is provided on proposed levels of treatment. It is recommended this condition is discharged but that a further condition is attached requiring a further SUDS statement to be submitted prior to the commencement of any development.

Contaminated Land

- 04) A scheme to deal with any potential land contamination on site;
70. Highland Council's Contaminated Land Section has confirmed that a land contamination report shows that no potential contamination issues were identified and concludes that no protection measures are required. It is recommended that this condition be discharged, no further action is required.

Green Travel Plan

- 05) A Green Travel Plan to reduce car dependency;
71. An outline Green Travel Plan has been submitted. It is acceptable in principle and it is recommended that the condition can be discharged, however with a further suspensive condition requiring a detailed plan to be submitted and put in place, prior to the school being occupied.

Roads Improvements

- 06) A series of Roads Improvements, a 'Safer routes to school' programme and measures to incorporate vehicle access and parking as per the recommendations of the Traffic Impact Assessment;
72. Limited information has been provided, showing the layout of the internal access road and car parking provision. The applicant is not seeking detailed approval of this series of road improvements at this time, it is proposed to require the submission of further, more detailed technical information and a 'safer routes to school programme' as a further condition of any planning permission.

Landscaping, Tree Management and Compensatory Planting

- 07) A scheme of landscaping including indications of all existing and proposed trees and landscaped areas, together with measures for their protection;

- 08) A scheme of compensatory tree planting or equivalent to offset loss of part of the woodland;
 - 09) A tree protection plan;
 - 10) Tree clearance work to avoid the recognised bird breeding season;
 - 11) A Woodland Management Plan to enhance the value of the retained woodland, fostering biodiversity improvements;
73. Having regard to the matters raised under these conditions, a landscaping plan and other additional information accompanies the application. The submitted information details the extent of the retained woodland, indicated areas of protective fencing, positions of new trees to be 'translocated' from the removed area of woodland and new species of native trees to be planted. This is thought sufficient at this stage to broadly determine the landscaping proposals; however additional information including a schedule of planting is required. Further details confirming tree protection measures, that tree clearing operations would be undertaken outwith the bird breeding season and a Woodland Management Plan will require some further additional information to be submitted prior to the commencement of development on site. It is recommended that these conditions are discharged but further information as outlined must be submitted prior to any development commencing on site.

Natural Heritage

- 12) The safeguarding of a wood ant nest located within the birch woodland, during construction works;
74. The protection measures to safeguard the wood ant nest have been provided in a supplementary drawing, titled 'site works phasing' which confirms an adequate buffer zone would be put in place prior to works commencing on site. This satisfies this requirement and it is recommended that the condition is discharged.

Play Area

- 13) Details of a relocated play area to be provided elsewhere in Aviemore to compensate for the loss of the existing play area on site;
75. The existing play equipment located in the current play park is highlighted in the proposed site plan to be relocated to a new community play garden in a clearing in the woodland, this would be publicly accessible. This satisfies this requirement. It is recommended that this condition can be discharged with a further condition requiring the equipment to be put in place prior to the development becoming occupied and remain in place thereafter.

Playing Field

- 14) Details of the playing field including any fencing or ancillary structures and access arrangements;
76. The proposed playing field is indicated on the site plan to be in a clearing in the woodland, this would be an accessible community facility. A 1.8m high 'weld mesh' security fence would be located around its edges, no other structures or floodlighting columns would be erected. This detail satisfies this requirement, a subsequent condition requiring that the position of the playing field remain unaltered and the works done as indicated, to protect the woodland is recommended.

Construction and Operational Phases

- 15) A statement or plan demonstrating continued public access to parts of the woodland or playing fields, during construction and operational phases of the school;
 - 16) A Construction Method Statement detailing the location of any temporary construction compound, trail pits and methods and hours of working to reduce impacts on neighbouring properties;
77. The required information to demonstrate public access during both construction and the operation of the school grounds has been provided, the woodland path would be left open to the public at all times, whilst the need for security of the site ensures the school would not permit unauthorised visitors within the playgrounds. Details of measures during construction have been provided in a supplementary drawing, titled 'site works phasing' which confirms adequate working practices and the location of the site compound to be sited to protect residential amenity. This satisfies these requirements. It is recommended that these conditions be discharged but further information submitted confirming working hours, finalised compound location and retained access.

Sustainability

- 17) A requirement for the proposed development to endeavour to achieve the maximum BREEAM rating for sustainability;
 - 19) A detailed sustainability statement pertaining to the design, construction and future operation of the building.
78. A Sustainability statement and design statement demonstrate the sustainability principles which underpin the design and construction of the proposed community school. Details of the BREEAM assessment have been submitted to the CNPA, currently at 'Very Good' whilst work is still underway to ensure an 'Excellent' rating can be achieved. This satisfies these requirements, but requires a further condition for the applicant to continue to endeavour to achieve the maximum BREEAM rating for the proposal.

Cultural Identity

- 18) Measures to reflect the cultural identity of the Cairngorms National Park through the design, materials, layout and overall setting of the proposal;
- 79. The design and external appearance of the building has been carefully considered to reflect context of the site, the traditional materials used in the area and the aspect of the site. The main elevation would have a large glazed section providing a focal feature with extensive views out of the site and towards the Cairngorms. This is considered to satisfy this condition.

Conclusion

- 80. The previous application for planning permission in principal established the principle of use of the community school on this site.
- 81. This application for 'Approval of Matters Specified in Conditions' contains and satisfies the specific matters to be approved under the various conditions. A number of additional suspensive conditions are recommended that require further details to be submitted or to ensure the implementation of measures outlined.
- 82. The details provided demonstrate that the proposed building would be a landmark building, highly sustainable, demonstrating high standards of urban design which respects its context, the surrounding townscape and the landscape around it. The contemporary design and appearance has been carefully developed to draw out the woodland setting. A part of the existing woodland is to be retained and enhanced for landscape and natural heritage benefits, whilst the remainder of the site has been thoughtfully laid out. An area of compensatory planting has been identified at Dalfaber Drive, within Aviemore for tree planting to offset the portion of the existing woodland to be removed for the sports field.
- 83. The proposed community primary school would provide an educational and community focal point for Aviemore, sensitively located and designed, addressing a long identified demand within the community for such a high quality facility.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

- 84. Retention of an area of the woodland, appropriate landscaping and a woodland management plan would minimise any natural heritage and visual impacts.

Promote Sustainable Use of Natural Resources

- 85. The proposed community school would aim to secure sustainable building methods, materials and operating systems consistent with minimizing the impact of the development on the natural environment and limiting carbon

emissions. Use of school buses, other local public transport and bicycle parking will reduce car dependency.

Promote Understanding and Enjoyment of the Area

86. There are no significant negative impacts associated with the proposed development. The enhancement of the retained woodland would assist in promoting walking and recreation, and in this respect can be considered as a positive sustainable use of the National Park's natural resources.
87. The proposed development would result in improvements to the education facilities available to children in the area and could therefore indirectly assist in promoting their understanding and enjoyment of the area. Other community facilities would provide essential recreational, further educational and service provision for the area.

Promote Sustainable Economic and Social Development of the Area

88. The school roll of Aviemore School is expected to continue to rise in the immediate future as a result of a number of recent housing developments in and around the local area. The provision of the proposed new community school would address the immediate capacity and structural problems associated with the existing building, and provide improved educational and community facilities, which would be of immediate benefit to the social and economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant approval of matters specified in condition 1 subject to the following:

1. The development commence no later than two years from the date of this permission or five years from the date of the planning permission in principle.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 or amended by the Planning etc (Scotland) Act 2006.

2. Prior to the commencement of any development, the following details and specifications for finishing materials, and where required, samples, shall be provided for the further written approval of the CNPA acting as Planning Authority:-
 - (a) External windows and doors;
 - (b) External stonework for the walls;
 - (c) Wet dash render for the walls;
 - (d) External timber cladding;
 - (e) Roofing material;
 - (f) All surfacing area's; and
 - (g) Boundary treatments

Reason: in the interests of visual amenity and in the interests of achieving orderly development.

3. Prior to commencement of any development, additional drawings and details highlighting the proposed roofing materials and any measures to reduce the potential reflectivity of the roof shall be submitted and agreed with the CNPA acting as Planning Authority.

Reason: in the interests of safeguarding the character and amenity of Aviemore.

4. Prior to commencement of any development, additional drawings and details highlighting the proposed low level lighting or other measures to reduce light pollution shall be submitted and agreed with the CNPA acting as Planning Authority.

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

5. Prior to commencement of any development, a SUDS scheme shall be submitted and agreed with the CNPA acting as Planning Authority in consultation with SEPA. Thereafter all works should be carried out in accordance with the approved scheme and maintained in to perpetuity.

Reason: to ensure adequate protection of the water environment from surface water run-off.

6. Prior to commencement of any development, a comprehensive Green Travel Plan (GTP) shall be submitted and agreed with the CNPA acting as Planning Authority in consultation with the Roads Authority. The GTP will have particular regard to provision for walking, cycling and public transport access to and from the site and will identify the measures to be provided, the system of management, implementation, monitoring, review, reporting and the duration of the plan. Thereafter the recommendations shall be put in place and maintained in perpetuity.

Reason: in the interests of promoting sustainable transport alternatives and reducing car dependency.

7. Prior to commencement of any development, comprehensive details of all Road's Improvements and a 'Safer Routes to School' programme shall be submitted and agreed with the CNPA acting as Planning Authority in consultation with the Roads Authority. The recommendations set out in the Addyn Consultancy Traffic Impact Assessment dated 2008 should also be accounted for, measures for the upgrading of all vehicular and pedestrian routes, and consideration of a 4-way signal at the crossroads shall be submitted.

Reason: in the interests of road and public safety.

8. The position and layout of the proposed playing field as shown in drawing ECSC0068 (00) 003 shall not be altered unless otherwise agreed.

Reason: to conserve and enhance the natural heritage and landscape of the area.

9. Prior to commencement of any development, comprehensive details of all landscaping including indications of all existing and proposed trees and landscaped areas (including a method statement for ground preparation and planting measures showing locations, species, size at planting and total numbers alongside a planting schedule), in addition a tree protection plan showing trees marked for retention and having been protected around the extremities of the crowns in accordance with BS5837:2005, Trees in Relation to Construction, shall be submitted and agreed with the CNPA acting as Planning Authority.

10. Prior to commencement of any development, protective measures required, including ensuring any tree clearance work avoids the recognised bird breeding season and the safeguarding of the wood ant nest within the woodland shall be submitted and agreed with the CNPA acting as Planning Authority. The protection measures should remain in place for the duration of construction works. The extent of woodland to be removed must not exceed that shown in drawing ECSC0068 (00) 003 unless otherwise agreed.

Reason: to conserve and enhance the natural heritage and landscape of the area.

11. The development shall be landscaped and maintained in accordance with any approved landscaping scheme as follows:-

- (a) Completion of the scheme during the first planting season following the completion of the development, or such other date as may be approved in writing with the CNPA acting as Planning Authority.
- (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

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

12. Prior to commencement of any development, comprehensive details of the area of new woodland shall be submitted and agreed with the CNPA acting as Planning Authority. This should include details of the area not less than that removed from the existing woodland to be planted with replacement

trees, including a method statement for ground preparation and planting measures showing locations, species, size at planting and total numbers alongside a planting schedule, footpaths and tree protection measures for maintenance of the woodland for the first five years. Thereafter the planting should be undertaken with 6 months of the school being occupied or during the first planting season immediately afterwards.

Reason: to ensure that adequate compensation for the loss of the woodland on the proposal site is suitably replace.

13. Prior to commencement of any development, a comprehensive Woodland Management Plan to enhance the value of the retained woodland shall be submitted and agreed with the CNPA acting as Planning Authority. Thereafter the measures and recommendations should be put in place in accordance with the agreed Plan.

Reason: In order to conserve and enhance the natural heritage of the area and safeguard the retained woodland.

14. Prior to the development becoming occupied, the play equipment should be relocated and put in place in the community play garden as indicated in drawing ECSC0068 (00) 003 unless otherwise agreed and remain in place thereafter.

Reason: In order to conserve the level of play park provision is maintained.

15. Prior to commencement of any development, a construction method statement detailing the position of any temporary construction compounds, working hours and retained access shall be submitted and agreed with the CNPA acting as Planning Authority. Thereafter the measures and recommendations should be put in place in accordance with the agreed Plan.

Reason: In order to maintain public access and residential amenity.

16. Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: In order to preserve the archaeological and historical interest of the site.

17. The developer shall demonstrate that the proposed development would be constructed in accordance with the aims of BREEAM and endeavour to achieve the maximum BREEAM rating for the proposal.

Reason: in order to ensure the development is constructed in line with sustainable principles.

Robert Grant

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planning@cairngorms.co.uk

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