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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: REPORT ON CALLED-IN PLANNING APPLICATION**

**Prepared by: DEREK MANSON, PLANNING OFFICER  
(DEVELOPMENT MANAGEMENT)**

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**DEVELOPMENT PROPOSED: PLANNING APPLICATION FOR  
ERECTION OF FOUR HOUSES  
FOR STAFF ACCOMODATION  
AT ALLTNACRICHE, AVIEMORE**

**REFERENCE: 10/048/CP**

**APPLICANT: SCRIPTURE UNION  
C/O COLIN ARMSTRONG  
ASSOCIATES, LYLE HOUSE  
PAVILLION, FAIRWAYS  
BUSINESS PARK, INVERNESS**

**DATE CALLED-IN: 5<sup>TH</sup> MARCH 2010**

**RECOMMENDATION: APPROVAL SUBJECT TO  
CONDITIONS AND SECTION 75  
LEGAL AGREEMENT**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Planning permission is being sought in this application for the erection of four houses for staff accommodation for Scripture Union Scotland who own and run a residential activity centre at Alltnacriche. The centre is located approximately three miles southwest of Aviemore. The centre is set in 17 acres of grounds which is a mixture of parkland and woodland comprising of silver birch and scots pine. Access to the residential activity centre is taken from the A9 with the residential activity centre located approximately 1km from the road accessed by a single track road which follows the burn. Planning permission was granted in 1994 for a manager's house which is located to the north of the Outdoor Activity Centre. The applicants have stated that they now require additional staff accommodation and have submitted supporting information to make the case as to why this additional accommodation is necessary.

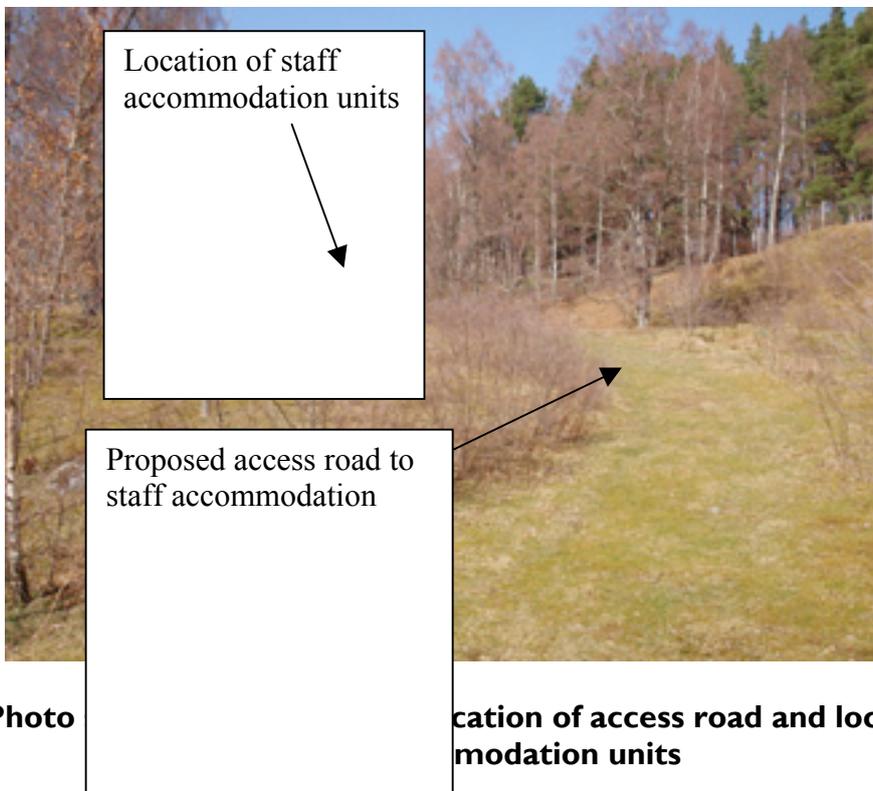


**Fig 2 Photo showing the Outdoor Activity Centre**

2. The application site is on an existing plateau which is slightly elevated above the existing entrance road to the outdoor centre with the proposed buildings set in a wooded area. The proposal would require several trees to be removed. The proposed staff accommodation would be built on the existing plateau arranged as two buildings each containing two accommodation units. The backdrop to the proposed buildings rises quite steeply and is quite heavily wooded with a mixture of silver birch and scots pine.



**Fig 3 Photo taken from plateau on the application site**



- Fig. 4 Photo** location of access road and location of accommodation units
3. Planning permission was originally sought for five new houses for staff accommodation. The initial proposal was for there to be two buildings, a block of three units and a block of two units. The buildings were to be constructed with timber cladding and 1 and 1/2 storey in height. The footprint of the previous two buildings were 19m x 11m and 13m x 10m, along with an area of ground for car parking, turning area and access road made for a substantial footprint.



Fig 5 showing original proposed layout plan (1 x 3 unit, 1 x 2 unit)



Fig 6 The originally proposed 3 unit block

### Design Amendments

- Concerns were raised by the CNPA in the course of the assessment of this application in terms of the justification for 5 houses and the scale of the proposed design of the development. Revised drawings were formally submitted on 3<sup>rd</sup> June 2010. The revised drawings have reduced the total footprint of the proposed development. The smaller footprint has been achieved by reducing the number of units from 5 units to 4, reducing the size of the car parking and through reducing the width of the access roadway to match that of the main driveway. The applicants have retained the 1.5 storey cottage style, but now have only the entrance porch in vertically clad timber, with the remainder of the buildings rendered in white to match the outdoor centre. They have also added chimneys to the two buildings. The applicants have also suggested a slate effect concrete roof tile, a condition will be attached to ensure the roof materials are appropriate. The applicants also provided further supporting information to demonstrate the need for the staff accommodation and also submitted a sustainability statement which is shown in Appendix I.



**Fig. 8 Proposed revised site layout plan**



**Fig. 9 Proposed staff accommodation two x two apartments revised proposal**

## SUPPORTING INFORMATION

5. The applicants have submitted supporting information which is attached in Appendix I at the back of the report. The applicants have stated that the centre was set up in 1988 as a self catering facility, with minimal staff input required by the user groups in terms of the programmed activities. However, in 1994 the applicants built a managers house linked to the centre and since then the centre has seen substantial development to the business with an increase in the level of catering and instructed activities being provided. A growing number of schools are using the educational activity breaks and this has increased the level of staffing required for instruction, catering and housekeeping. The applicants state that the centre currently operates with approximately 8,000 bed nights and they believe an increase to 10,000 bed nights per annum is sustainable through development of the business. The applicants state that in order for the centre to function at this bed rate they require the reorganisation of current accommodation and provision of additional staff accommodation.
6. The applicants state that in the outdoor residential activity centre industry, it is common practice to include accommodation as part of the remuneration package-the majority of which would be proximate to the centre. During the most recent season the applicants have let a property in Aviemore and also relied on the goodwill of families who are supportive of the activity centre to accommodate some of the workers. However, the applicants feel that whilst this has alleviated the situation, it has underlined the value of onsite accommodation.
7. The applicants have said that a member of staff is on call at all times and must be in close proximity to the centre to deal with any queries that guests may have, or be there in case of emergencies such as power outage or fire. The applicants state that this may be the case upto three times a week and feel that asking staff to use a duty room on such a frequent basis is not acceptable and add that staff are required to work split shifts and given the limited transport options from the site, on site accommodation is the most practical option.
8. The applicants have also included supporting information containing their staff numbers and justification as to why they have chosen this site above other options (shown in Appendix I). The applicants state that “consideration has been given to making additional staff accommodation available within the buildings, however there are both practical and principle implications which prevent us from taking this course of action and the purchase of property outwith the site boundaries has also been evaluated as have three sites within our boundaries”.
9. The applicants state that it is not their intention to accommodate all their staff on site and they have a number of staff who live locally who are employed on a permanent (administration), seasonal (catering and housekeeping) or seasonal basis (activity instructors and grounds work). They have submitted a diagram showing all the staff they currently employ (shown in Appendix I).

10. In addition the applicants have stated in the supporting information that if required they are willing to enter into a Section 75 legal agreement which will ensure that the staff accommodation is retained in ownership with the centre.

## DEVELOPMENT PLAN CONTEXT

### National policy

11. **Consolidated Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
  - The constraints and requirements that planning imposes should be necessary and proportionate;
  - The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and
  - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
12. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should "operate in support of the Government's central purpose of increasing sustainable economic growth." Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that "the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places." Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
13. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the "aim is to achieve the right development in the right place."
14. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes 'subject policies', of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
15. *Economic development* : planning authorities are required to respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that new economic opportunities can be realised. The planning system is expected to support development which will provide new employment opportunities, enhance local

competitiveness and promote the integration of employment generation opportunities with supporting infrastructure and housing development.

16. Rural Development : **SPP** stresses the significant role that the planning system has to play in supporting sustainable economic growth in rural areas. “By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish” (para. 28). Development which provides employment and community benefits should be encouraged.
17. Although encouraging rural development, **SPP** is clear that the aim is not to see small settlements lose their identity or to suburbanise the Scottish countryside. The motivation is to maintain and improve the viability of communities and to support rural businesses. All new development would be expected to respond to the specific local character of the location, to fit into the landscape, and to seek to achieve high design and environmental standards, particularly in relation to energy efficiency.
18. Landscape and Natural Heritage : Improving the natural environment and the sustainable use and enjoyment of it is one of the Government’s national outcomes. Planning authorities are required to support opportunities for enjoyment and understanding of the natural heritage. Para. 127 notes that “landscape in both the countryside and urban areas is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character.” **SPP** recognises that different landscapes have different capacities to accommodate new development, and the siting and design should be informed by local landscape character.
19. Para.129 refers to the duties on all public bodies, including planning authorities, to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. The importance of biodiversity is highlighted, and recognised as an important element of sustainable development which makes an essential contribution to Scotland’s economy and cultural heritage. Para. 130 refers to the benefits for people and nature that can be delivered through linking greenspaces in and around settlements through green networks.
20. There is an acceptance that landscape and natural heritage are sensitive to inappropriate development, but it is also acknowledged that careful planning and design can minimise the potential for conflict with natural heritage interests. Where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain, planning authorities are advised to apply the precautionary principle. It is however also stated that the precautionary principle should not be used to impede development unnecessarily, and modifications to a proposal which would eliminate the risk of irreversible damage should be considered
21. National Parks are also discussed under the heading of national designations, and the four aims of the Park are outlined. Para. 138 advises “in circumstances where conflict between the objectives arises and cannot be

resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence.”

22. Protected Species are another sub-category mentioned within the Landscape and Natural Heritage section of the **SPP**. Many species are legally protected and their presence or potential presence is an important consideration in decisions on planning applications. The presence of Protected Species “rarely imposes an absolute block on development” but mitigation measures are often needed and the layout, design and timing of works may be affected. Para. 143 advises that planning permission must not be granted for development that would be likely to have an adverse effect on a European Protected Species, unless the planning authority is satisfied that
- there is no satisfactory alternative; and
  - the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment.
23. **Scottish Planning Policy** concludes with a section entitled ‘Outcomes’ in which it is stated that the “planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets.” Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds. Finally it is stated that the planning system should be “judged by the extent to which it maintains and creates places where people want to live, work and spend time.”

### **Highland Council Structure Plan (2001)**

24. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
  - Developing a prosperous and vibrant local economy; and
  - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.
25. The Economy is discussed in a section in Chapter Two. It is noted that a major aspect of the Structure Plan strategy is to assist in the creation of small-scale economic activity to provide employment opportunities in rural areas. **Policy B7 (Business development in rural areas)** states that “small scale business development or extensions to existing indigenous industries will be encouraged in rural areas.” The Structure Plan also recognises that one means of achieving rural economic development is to maximise the use of the area’s natural resources and support diversification from traditional rural industries. **Policy B8 (Adding value)** states that the Council will encourage and support the development of small value adding enterprises where appropriate.

26. In a section on the Environment, the Structure Plan considers the topics of nature conservation, landscape and built and cultural heritage. Paragraph 2.13.2 sets out the fact that the policy for the protection of nature conservation interests follows a hierarchical approach of internationally important, nationally important and locally important areas. The existence of designations does not necessarily preclude development taking place within or affecting sites and even developments affecting international or national sites are possible if they are compatible with maintaining the features for which the sites are designated. The Structure Plan also highlights that the protection of the nature conservation resource cannot be achieved simply through the designation of sites, and some nature conservation interests are not confined to such sites. Consequently all development proposals are expected to be evaluated for their implications for nature conservation, both direct and indirect. Proposals should include justification for any adverse effects and set out remedial measures where appropriate.
27. **Policy NI (Nature Conservation)** requires that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Council will seek to conserve and promote all sites according to their hierarchy.
28. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
29. Section 2.14 of the Structure Plan deals with the subject of Landscape. It is recognised that landscape is not a static feature and that many forces bring about change in it, whether immediately or subtly over a number of years. **Policy L4 (Landscape Character)** states that the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.
30. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.
- Badenoch and Strathspey Local Plan (1997)**
31. The Badenoch and Strathspey Local Plan (1997) sets out a number of objectives for the development of the area, including :
- accommodating projected further population growth;

- ensuring services keep pace with the expected increase in dependent social groups;
  - giving priority to increasing local jobs, while improving the quality and durability of employment and broadening the area's economic base;
  - ensuring that sufficient stocks of housing land are available;
  - safeguarding all significant aspects of the natural and cultural heritage of the area, including outstanding landscape and conservation sites; and
  - promoting the sustainable use of the area's resources.
32. A range of general policies contained in the Badenoch and Strathspey Local Plan are applicable to the development proposal. Under the heading of **Employment – Economic Development**, section 2.2.1(a) states that the Council will continue to encourage and attract new economic development where this is consistent with the maintenance of a clean environment.
33. The proposed site is located in a Restricted Countryside Area, where policy indicates that a strong presumption will be maintained against the development of houses in such areas. Exceptions will only be made where a house is essential for the management of land, related family and occupational reasons. Restrictions on the subsequent occupancy of such houses will be enforced. In addition, adherence to the principles of good siting and design will be required.

#### **Cairngorms National Park Local Plan – Post Inquiry Modifications**

34. The CNP Deposit Local Plan was considered at a Public Local Inquiry in June 2009. Following this and the subsequent receipt of the DPEA Report, various post inquiry modifications were made. The post inquiry modifications have recently been agreed by the Board of the CNPA and a 6 week period of consultation is on-going at the present time. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
35. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with the policies in the Local Plan, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the development proposal.
36. **Policy 2 National Natural Heritage Designations** advises that development that would adversely affect the National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it has been demonstrated that
- (a) The objectives of designation and the overall integrity of the designated area would not be compromised; or

- (b) Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance and mitigated by the provision of features of commensurate or greater importance to those that are lost.
37. **Policy 4 Protected Species** advises that development that would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding public interest and there is no satisfactory alternative solution and the development would not be detrimental to the maintenance of the population of the species concerned.
38. The topic of **Biodiversity** is addressed in **Policy 5**, where development which would have an adverse effect on habitats or species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted in certain circumstances. Circumstances include where the developer can demonstrate that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or populations of species.
39. **Policy 6 Landscape** refers to a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular, the setting of the proposed development. Development which does not accord with this will only be permitted where the adverse landscape effects are outweighed by social and economic benefits of national importance and where the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
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. The subject of **Housing Developments Outside Settlements** is dealt with in **Policy 22**. Under the heading of 'Other housing outside settlements' it is indicated that such housing will only be permitted where
- (a) The accommodation is for a worker in an occupation appropriate to the rural location; or
  - (b) The dwelling is for a retiring farmer or crofter; or
  - (c) The development is sited on rural brownfield land.
42. **Policy 25** relates to **Business Development** and states that proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, supports or extends an existing business, is located within an allocated site identified on the proposals maps, or where certain criteria are met. Criteria applicable to the current development proposal comes under part (c) Other business opportunities, with the criteria including
- (a) Supports the vitality and viability of a farm, croft or other business in a rural location; or

- (b) Is complementary to that current rural business activity; or
- (c) Creates new small scale development which supports the local economy.

43. **Policy 33** relates to **Tourism Related Development** which has a beneficial impact on the local economy through enhancement of the range and quality of tourism attractions and related infrastructure including accommodation will be supported provided that the development will not have an adverse impacts on the landscape, built and historic environment, or the biodiversity, or the geodiversity, or the culture and traditions of the National Park which, in the judgement of the planning authority, outweigh that beneficial impact.

#### **Cairngorms National Park Plan (2007)**

44. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of 'conserving and enhancing the special qualities' strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.

45. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns 'enjoying and understanding the park' noting that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to "go further and develop a world class destination which plays a significant part in the regional and national tourism economy." Strategic objectives for sustainable tourism include :

- raising awareness of the Park as a premier, year round, rural tourism destination;
- recognising its outstanding natural heritage and its National Park status;
- improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;
- maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
- developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and

- encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.

## CONSULTATIONS

46. **Scottish Natural Heritage (SNH)** examined the proposals and considers that it is unlikely that the proposal will have a significant effect either directly or indirectly on the Atlantic salmon or other interests of the River Spey SAC. **SNH** advise that SEPA's PPGs 4/5 should be strictly applied to further reduce any potential for sediments, chemicals and pollutant entering the AlltnaCriche and affecting the water quality of the River Spey SAC. **SNH** considers that the proposal will not result in actions contrary to the species protection elements of the above legislation and has no further comments to make on the European Protected Species.
47. **Scottish Water** does not have any objection to this planning application. However the response notes that "although Scottish Water has given approval at this stage, this does not guarantee a connection to Scottish Water's infrastructure." It is advised that a separate application should be made for connection to Scottish Water's infrastructure after the granting of full planning permission. The response from Scottish Water stated that there are no public sewers in the vicinity of the proposed development. Scottish Water state that the Blackpark Water Treatment Works may have capacity to service this proposed development. Scottish Water advise that the water network that serves the proposed development may be able to supply the new demand, however there may be possible pressure issues in the area and advise that any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws.
48. The **Area Roads and Community Works** division of Highland Council examined the proposal and stated that they have no objection to the proposed development provided that the intended accommodation remains in the same ownership as other facilities at the site, and suitable measures are in place for the management and maintenance of the private road servicing the site.
49. **Kincraig Community Council** were consulted on the development proposal and have no points of concern to raise.

### CNPA Internal Consultations

50. The CNPA's **Landscape Officer** stated that whilst the built development is unusual so far into the hills, in this case there is potential to relate some development to the existing centre cluster and built development in this general location would not be out of character. However, they initially had concerns regarding the siting and design of the proposed buildings stating that the extent of development would necessitate considerable cut and fill, manipulation of the ground levels and loss of some trees. It was felt that as originally proposed the development would have an adverse effect on the local landscape character in an area where generally built development relates

closely to the natural landform both in scale and form. It was also felt that as viewed from the footpath, which runs around the northern edge of the site and overlooks the development it would have an adverse effect on the experience of walkers. The **Landscape Officer** also had concerns about the proposed design of the buildings stating that “these substantial buildings are 7.5m high to apex with low side walls and a steeply pitched roof configuration which is the dominant design feature. Neither these strongly triangular forms nor the tile roofing materials and the horizontal cladding reflect the local vernacular.”

51. The **Landscape Officer** suggested a number of mitigation measures to improve the landscape impact of the development. The applicant has subsequently amended the proposals and these have been sent to the landscape officer for comments and she has stated that the reduction in number of units and the altered design are both an improvement on the information previously submitted with the application. The reduction in the width of the access road and slight reduction in car parking area will also help to reduce the landscape and visual impact and the landscape officer is now satisfied that the development can fit in without adverse impact on the landscape character and the revised design and location of the buildings will reduce visual impact to an acceptable level. A general landscaping condition on tree planting and seeding has been recommended to be applied.
52. The CNPA’s **Ecology Officer** has examined the proposals and requested a plant and mammal survey be undertaken. These have been submitted by the applicant and the **Ecology Officer** has examined them and has stated that she has no ecological concerns to the proposed development.

## REPRESENTATIONS

53. The proposal was advertised on 24<sup>th</sup> February 2010 in the Strathspey and Badenoch Herald and no representations have been received in respect of the proposed development.

## APPRAISAL

54. There are a number of issues to take into account in determining whether or not the proposed development is appropriate, including planning policy and the principle of the development, the scale and design of the development, landscape and ecological impact and technical details such as drainage, roads and water supply.

### The Principle of the application

55. Firstly in terms of planning policy, as detailed in paragraphs 11 – 22, national policy, in the form of the Scottish Government’s **Scottish Planning Policy** seeks to encourage sustainable economic growth, including in rural areas. The proposal to build four staff accommodation units which will enable the outdoor centre to develop their business accords with the provisions of the **SPP**, as it allows an economic development opportunity to be realised and would also

provide employment, as well as having the potential to deliver economic benefit to the wider area. In terms of landscape and natural heritage, it is accepted in the **SPP** that different landscapes have different capacities to accommodate new development.

56. In terms of Structure Plan and Local Plan policies (as detailed in paragraphs 24 – 42 of this report, relating to Highland Council's Structure Plan, the existing Badenoch and Strathspey Local Plan (1997) and the emerging policies in the Cairngorms National Park Local Plan (Post Inquiry Modifications), the development proposal has been considered in the context of business development rather than housing policies. What is being proposed is essentially staff accommodation for the applicants to manage the residential activity centre which is an established outdoor centre. It has been expanding steadily, particularly over the past 24 months with the applicants stating that their key growth area is educational activity breaks for schools. The applicants currently house some of their staff in very unsatisfactory accommodation within the activity centre. The accommodation comprises one bungalow, a one bed flat and a studio flat. The applicants have demonstrated that the flats are located within an area which suffers from noise generated by users of the centre and the accommodation is very cramped and unsatisfactory and is of a very basic standard. The applicants have demonstrated that they are an expanding business and they have plans to continue to develop and invest in their guest facilities to attract further business. They have been developing the business since 1988 and through the increased number of schools using the facility this has increased the level of staffing required for instruction, catering and housekeeping. The applicants have demonstrated that it is essential for them to have staff on site 24 hours a day and they require suitable accommodation for their staff.
57. The development proposal is also consistent with emerging policy, as detailed in the Cairngorms National Park Local Plan (Post Inquiry Modifications). The CNP Local Plan process is now at such an advanced stage that the policies have gained increasing materiality. The development proposal accords with **Policy 25** on Business Development. This policy specifically encourages proposals which support economic development where it supports the vitality and viability to rural business activities. The applicants state that by providing high quality accommodation for staff would allow the centre to recruit and retain staff far more easily.
58. The proposal also accords with **Policy 33** on Tourism Related Development. This policy states that there will be support for related infrastructure including accommodation provided that the development will not have adverse impacts on landscape and biodiversity.
59. In finding the development proposal acceptable in the context of policies relating to economic development and business activity, it is considered necessary to ensure that the staff accommodation is retained with the business and not allowed to be sold as open market accommodation. It is recommended in the event of consideration being given to the granting of planning permission that the applicant would be required to enter into a legal

agreement, to ensure that the accommodation is not sold separately and is used solely to accommodate staff engaged in the operation of the business. The applicants have stated they are content to accept this restriction if necessary.

### **Scale and Design**

60. Revisions have been made to the overall design of this application in order to ensure that the development is of a quality which blends in and is sympathetic to the surrounding landscape and the applicants have incorporated the comments made by the CNPA landscape officer into their revised proposals. The number of staff apartments has been reduced from 5 to 4 and several mitigation suggestions have been incorporated into the revised proposals. The finish is now a white harl with vertical timber cladding on the porch and the appropriate roof materials will be achieved through condition. I am satisfied that the revised proposals are more appropriate and the applicants have addressed the previous concerns which were expressed by the landscape officer.

### **Natural Heritage**

61. **SNH** have been consulted to seek their views on the impact the proposed development could potentially have on the River Spey which is a Special Area of Conservation (SAC). They have advised that it is unlikely that the proposal will have a significant effect on the qualifying interests either directly or indirectly. The CNPA **Ecology Officer and Landscape Officer** has looked at the proposals from a natural heritage view and have advised that that the proposal will result in the removal of several trees and a section of regenerating woodland. However, a condition for the implementation of a landscaping plan will ensure that there is adequate compensation for the loss of trees. Therefore it is considered that there are no significant issues from a natural heritage point of view to the development proceeding.

### **Technical Issues**

62. The applicants are proposing to dispose of the foul drainage via a septic tank and soakaway and details have been shown of these arrangements.
63. Access to the site is to be taken from an existing access road which is a single track tarmac road which is approximately a mile from the A9. Highland Council Roads Engineers have been consulted on the proposals and have no objections to the proposals provided that the intended accommodation remains in the same ownership as the other facilities at the site and there are measures in place for the management and maintenance of the private road serving the site.
64. The proposed water supply is to be from a public water supply. Scottish Water has commented on the proposals and has no objection.

### **Conclusion**

65. The proposal is considered to be acceptable. It accords with planning policy, and does not raise any significant issues in terms of landscape impact and the conservation of the natural heritage of the area. The applicants have revised their proposals to improve the design of the staff accommodation and have also reduced the number of staff units to four, and provided a suitable justification for this number of units. Finally, having regard to the combination of benefits likely to result from the development, it is considered that the proposal displays consistency with the strategic aims of the Cairngorms National Park Plan.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

66. The proposal includes various landscaping measures which would assist in assimilating the development into its proposed setting and would also be of benefit in enhancing the natural heritage of the area. The area is also adjacent to an SAC and SNH have commented that the proposals will not have a negative impact on the SAC. The applicants have also undertaken to provide a number of bat and bird boxes around the grounds of the outdoor centre to enhance the natural heritage.

### **Promote Sustainable Use of Natural Resources**

67. No details have been provided regarding the sourcing of construction materials and it is not therefore possible to assess whether or not this aspect of the development complies with this aim. However the applicants have submitted a sustainability statement explaining the measures they have taken in the outdoor centre including installing solar panels and a ground source heat pump. They propose to use a wood burning stove in the staff accommodation

### **Promote Understanding and Enjoyment of the Area**

68. The proposed staff accommodation would provide opportunities for staff to provide a more efficient business operation of the centre and be on site to provide information for guests to understand and enjoy the area. In a wider sense, the actual development would not provide any direct benefits to the general public. The staff accommodation has however been designed and sited to ensure that it's visual and landscape impact is minimised and would not therefore detract from the general public's enjoyment of the visual amenities of the area.

### **Promote Sustainable Economic and Social Development of the Area**

69. The proposal would help the applicants to effectively manage the outdoor centre from the site, helping to enable the outdoor centre business to grow and provide employment opportunities in the longer term. In addition to economic benefits which may be generated by employment generation, the growth in the development also has the potential to attract more activity

groups, which would in turn have the potential to result in increased economic spend in the local area.

## **RECOMMENDATION**

That Members of the Committee support a recommendation to:

**GRANT Planning Permission for the erection of four houses for staff accommodation at Alltnacriche, Aviemore subject to the following:**

**A. Section 75 Legal Agreement to ensure that the accommodation is not sold separately and is used to accommodate staff engaged in the operation of the business.**

**B. The following conditions:**

1. The development to which this permission relates must be begun within three years from the date of this permission.

**Reason:** To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.

2. Prior to the commencement of development samples (including the colours) of external finishing materials for wall and roof finishes, windows and doors shall be submitted to and approved in writing by Cairngorms National Park Authority acting as planning authority. All agreed materials shall be utilised in the construction thereafter.

**Reason:** To ensure an appropriate finish on all structures.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no dwelling extension shall be formed, and no greenhouse, shed or garage erected without the prior written consent of the CNPA acting as Planning Authority.

**Reason:** In order to give separate consideration to these matters in respect of the design and the space standards of the dwellings, in the interests of the amenity of the area and the character of the development.

4. All drainage works shall be fully operational prior to the first occupation of any dwelling unit within the development.

**Reason:** In the interests of orderly development and in the interests of the public health and general amenity of residents of the dwelling units.

5. A suitable management and maintenance agreement shall be established in respect of the access road. Details of and evidence of the maintenance agreement shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority prior to the

commencement of development. All measures in the agreement shall be implemented in full thereafter.

**Reason:** To ensure the long term management and maintenance of the access road which is not to be adopted by a statutory body.

6. Details of the materials proposed to be used in any retaining structures, driveway, car parking and footpaths associated with the development shall be submitted for written agreement of the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of development. The agreed materials shall be implemented in the construction thereafter.

**Reason:** In the interests of the amenity of the area.

7. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site. All such services shall avoid all trees and tree root systems. All such work shall be carried out prior to road surfacing and junction boxes shall be provided by the developer.

**Reason:** In the interests of the visual amenity of the area.

8. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by CNPA acting as Planning Authority before development commences. The scheme shall include a phasing programme for implementation and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-
  - (a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed 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 CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** In the interests of visual amenity and to enhance the natural heritage value of the area

#### **Advice Note**

1. The applicants are advised to follow SEPAs PPGs 4/5 to further reduce any potential for sediments, chemicals and pollutant entering the Allt na Criche and effecting the water quality of the River Spey SAC.

2. The applicants are advised to contact Scottish Water to discuss the extent of information required in support of any application for connection to the public water supply.

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# Appendix I