

CAIRNGORMS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 28 DECEMBER 2007

04/120/CP (OUTLINE SUPERMARKET APPLICATION)

Revised Recommendation:

That Members of the Committee endorse the resolution of 14th December 2007 to:

GRANT Outline Planning Permission for the Erection of a 4,180 square metre (45,000 sq ft) Supermarket, at Aviemore Highland Resort, Land at Grampian Road Aviemore, subject to the following:

- a) The CNPA ensuring that the provisions of the existing and/or the revised minute of agreement with The Highland Council and Aviemore Highland Resort are applied in so far as they are applicable to development of this supermarket site; and**
- b) The following conditions;**
 1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, existing and proposed site levels, means of access thereto, means of enclosure and landscaping proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
 2. The supermarket shall have a maximum gross floor area of 4,180 sq metres (45,000 sq ft) and for the avoidance of doubt any increase above this level of provision shall require a further planning application to be submitted for determination. No subsequent internal alterations are permissible which would result in exceeding this approved gross area without the prior written approval of the Planning Authority.
 3. For the avoidance of doubt the indicative layout plan is not approved. However, any development on the site shall accord with the basic principle of locating the building at the front of the site facing onto Grampian Road with parking to the rear (west) of the site.
 4. The Reserved Matters application referred to in Condition No. 1 above, shall include details indicating the split between convenience and comparison floorspace within the building. The agreed split shall be retained thereafter unless otherwise agreed in writing by the Planning Authority.

5. The Reserved Matters application referred to in Condition No. 1 above shall include/address the following:
- A design statement explaining the architecture, design approach and relationship with the public realm.
 - A clear strategy for the lochan and treed area in the NW corner of the site and how this will be retained/managed into the future for natural heritage and amenity purposes.
 - The design should indicate a frontage to Grampian Road and an approach to access to the store which clearly indicates an emphasis upon walking, cycling and public transport as a means of access to the site/building.
 - A footpath to be provided alongside the northern boundary of the site with the Winking Owl Public House. This area should also include extensive landscaping to protect the amenity of the Winking Owl from the development.
6. Prior to the commencement of works on site a detailed site specific construction method statement shall be submitted to and agreed in writing by the Planning Authority in consultation with SEPA. The method statement shall be implemented in full during works on the site. The statement shall address the following issues:
- Surface water run-off, including measures to prevent erosion, sedimentation or discoloration of controlled waters, shall be provided along with monitoring proposals and contingency plans;
 - Timing of works shall be undertaken to avoid periods of high rainfall;
 - Fuel or chemicals - measures to ensure any fuel chemicals from plant do not cause pollution;
 - Landscaping works - planting shall be undertaken to minimise run-off;
 - Waste - all waste streams associated with the works should be identified.
 - Within the method statement particular emphasis shall be placed on how the above measures relate to the Aviemore Burn and the Lochan on site.

7. The Reserved Matters application referred to in Condition No. 1 above, shall include a Drainage Impact Assessment and Sustainable Urban Drainage Scheme (SUDS) for the development. The approved SUDS shall be implemented and operational prior to the implementation of the use of the supermarket.
8. Prior to the commencement of the development on site an assessment shall be made of the site for potential land contamination in accordance with Planning Advice Note 33 and BS10175:2001. Any contamination found on the site shall be dealt with in accordance with the aforementioned guidance and to the satisfaction of the Planning Authority in consultation with Highland Council Scientific Officers. Any scheme for dealing with contamination shall be completed to the satisfaction of the Planning Authority in consultation with Highland Council Scientific Officers prior to the opening of the building.
9. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development 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 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.
10. The Reserved Matters application referred to in Condition No. 1 above, shall include a full Arboricultural Impact Assessment and Method Statement in accordance with BS5837:2005.
11. An Arboricultural Consultant shall be retained to undertake arboricultural site monitoring for the duration of the construction. Monitoring and appropriate procedures and actions (as indicated in the Method Statement) shall take place at least once every month. Certificates of conformity shall be issued to the Planning Authority.

12. The Reserved Matters application referred to in Condition No. 1 above, shall include a management plan for the future management of the area of woodland and the lochan on site. The management plan shall include details for retaining and managing the woodland and lochan in the future, and include proposals for public access and pathways through the site.
13. No development including car parking shall take place within 10 metres of the burn and within 5 metres of the lochan unless otherwise agreed in writing by the Planning Authority.
14. Notwithstanding the requirements of Condition No. 13 above, and, unless otherwise agreed, a bridge shall be provided over the Aviemore Burn to link this site with the housing site to the west. Detailed plans for the bridge shall be submitted to and approved by the Planning Authority in consultation with SEPA and SNH. The agreed bridge shall be in place and open for use prior to the first opening of the supermarket unless otherwise agreed in writing by the Planning Authority.
15. The burn shall not be channelized, culverted, piped or diverted and there shall be no barriers to the free passage of fish along the burn.
16. Parking provision in terms of standard parking, disabled parking, family parking and cycle parking shall all be provided in accordance with the requirements of SPP 17 Planning for Transport and to the satisfaction of Highland Council Area Roads Manager.
17. Notwithstanding the provisions of the Town and Country Planning (Scotland) Order 1992 (as amended), no fences, walls or other means of enclosure, shall be erected on site without the prior written consent of the Planning Authority.
18. The Reserved Matters application referred to in Condition No. 1 above, shall make provision for the supermarket hereby approved to be served by an adopted public road. This adopted road shall be constructed and completed prior to the implementation of the use of the supermarket.
19. Adequate visibility splays to be provided to the satisfaction of Highland Council Area Roads Manager. These visibility splays shall be created prior to the supermarket use being implemented, and thereafter retained in perpetuity.
20. The Reserved Matters application referred to in Condition No. 1 above, shall include a Green Travel Plan which shall indicate how walking, cycling and use of public transport for both customers and staff shall be promoted by the development. Such details shall include cycle parking, staff showers, potential bus stop/lay-by and provision of information in store, in relation to public transport in the area. Agreed

measures shall be implemented in full within 6 months of the opening of the supermarket.

21. All built development other than the supermarket car parking shall be situated outside the 1:200 year (plus climate change) flood event boundary as shown on Drawing No 329406.SP02 entitled 'Aviemore Resort Development: Site Layout and Location Plan' dated 10 December 2007. In addition, the finished level of land within the 1:200 year (plus climate change) flood event boundary shall be no higher than the existing level of the land.
22. Notwithstanding the provisions of the Town and Country Planning (Scotland) Order 1992 (as amended), no buildings, structures or engineering works shall take place within the 1:200 year (plus climate change) flood event boundary as shown on Drawing No. 329406,SP02 entitled 'Aviemore Resort Development: Site Layout and Location Plan' dated 10 December 2007.
23. Finished floor levels shall be set no lower than 215.2 Above Ordnance Datum (Newlyn).
24. The existing low concrete bridge across the burn identified in Section 5 of the flood risk report ref. 329406-RT-0001-02 shall be removed prior to the commencement of the development.
25. Any lighting scheme for the building shall be submitted to and approved by the Planning Authority prior to the first opening of the supermarket. Thereafter, lighting shall be in accordance with the approved scheme unless otherwise agreed by the Planning Authority.
26. Pedestrian crossings over both Grampian Road and the Northern Link Road shall be provided to the satisfaction of the Planning Authority in consultation with Highland Council Area Roads Manager. The crossings shall be in place prior to the first opening of the supermarket unless otherwise agreed by the Planning Authority.
27. The Reserved Matters application referred to in Condition No. 1 above shall include a sustainability report/plan for the building to be produced by an energy/sustainability consultant to be submitted to and approved in writing by the Planning Authority. The report/plan shall make a substantial contribution to reducing the carbon footprint of the building and shall consider issues of energy efficiency, re-use of materials, recycling, on-site micro generation and wildlife friendly design. Measures contained within the report/plan shall be agreed between the Planning Authority and the developer. Agreed measures shall be implemented in full within 6 months of the opening of the supermarket and retained thereafter unless otherwise agreed by the Planning Authority.

ADVICE NOTE

The CNPA would like to see the land in front of the site continuing to be available for the Cairngorms Farmers Market.

The applicant/developer is advised to contact Scottish Water, which whilst not objecting to the application, has highlighted that there may be water network issues.

Andrew Tait

Planning Officer

20 December 2007