

CAIRNGORMS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 28 DECEMBER 2007

07/445/CP

Revised Recommendation:

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

GRANT Outline Planning Permission (based on a purely indicative masterplan layout) for mixed use development comprising retail, business/office, storage and distribution, residential, leisure, other commercial, holiday lodges and open space and car parking on the entire land holding of Aviemore Highland Resort, subject to:

- a. The CNPA becoming a signatory to a revised minute of agreement with The Highland Council and Aviemore Highland Resort in relation to the provision of the north-south link road within the site, such revised agreement to have regard to the terms of this permission and other relevant requirements of the existing agreement; and**
- b. The following conditions;**
 1. A formal planning application or planning applications and detailed plans indicating all reserved matters 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. For the avoidance of doubt, outline planning permission is only granted in principle for a mix of uses on the masterplan site. Notwithstanding the details shown on the indicative site layout drawing, (Drawing No. MP-001 G), the exact location and layout of all development and roads, the amount of floorspace for retail, commercial, business, and tourist development, and the number of residential units, are not approved. The quantity and precise location of all land uses, including the road network, which, where required by CNPA acting as Planning Authority shall be constructed to up to the eastern boundary of the site to allow for future connection to adjoining development sites on Grampian Road, shall be subject to the submission and approval of a further Reserved Matters planning application or planning applications.
 3. The Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2 above, shall include a detailed phasing plan as an essential component of any overall site development proposals.

4. Prior to the submission of the Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2 above, there shall be meaningful pre-application community consultation in accordance with the advice contained in Scottish Government Planning Advice Note 81 "Community Engagement". Details of the precise nature and extent of community consultation shall be submitted to and agreed with the CNPA acting as planning authority before it takes place.
5. That unless otherwise agreed in writing with the Planning Authority, all development contained within the masterplan site hereby approved, shall comply with the provisions of the approved Aviemore Masterplan as adopted by The Highland Council, or any revisions or substitutes to the Aviemore Masterplan, subsequently approved and adopted by the CNPA and/or Highland Council acting as Planning Authority. Development shall also comply with the provisions of any approved Sustainable Design Guidance prevailing at the time of application. For the avoidance of doubt, all constituent site or individual development proposals shall demonstrate high quality levels of siting and layout, building and landscape design, and sustainability.
6. No additional development in excess of the levels indicated in Phase 1, 2 and 3, as defined within the Millard Construction Transport Assessment dated October 2007 and attached to this permission solely to demonstrate these levels, shall be occupied until the upgrade of the existing A95(T)/(A9 (T) Link Road North) priority junction to a roundabout junction, generally in accordance with Millard Construction drawing No: 8240/03/01 has been implemented to the satisfaction of the CNPA acting as Planning Authority, in consultation with the Transport Scotland, Trunk Roads – Network Management Directorate.
7. Prior to the commencement of any development on site, a comprehensive Travel Plan that sets out proposals for reducing the dependency on the private car shall be submitted to and approved in writing by the CNPA acting as Planning Authority, in consultation with Transport Scotland – Trunk Road Network Management Directorate. The Travel Plan shall include:
 - a. Details of the proposed monitoring schedule and reporting procedures;
 - b. Details for the management of the travel plan identifying the persons responsible for implementation;
 - c. Details of mode share targets;
 - d. Details of proposed pedestrian and cycle infrastructure within the site and connections to the existing networks;
 - e. Details of cycle parking provision and location within the site;
 - f. Details of proposed measures to improve public transport facilities;
 - g. Details of initiatives such as car share schemes and flexible working;
 - h. Details of employee locker and shower facilities;

- i. Details of travel information to be provided within the site; and
 - j. Details of car parking provision and management.
8. That unless otherwise agreed in writing with the CNPA acting as Planning Authority following consultation with Highland Council's Area Roads Manager, the road network within the masterplan site hereby approved shall be designed for maximum traffic speeds of 20 mph.
 9. The Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2, shall include details of all roads and means of access to each constituent site or individual development. For the avoidance of doubt and unless otherwise agreed in writing with the CNPA acting as Planning Authority, following consultation with Highland Council's Area Roads Manager, all access roads referred to in this condition shall be built to adoptable standards.
 10. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, the existing obstructing fence and planting on the masterplan boundary site located at the west end of the existing lane to the north of the existing Tesco car park and connecting Grampian Road with the masterplan site, shall be removed within 30 days of the date of this permission to a standard to be submitted to and agreed beforehand with the CNPA acting as Planning Authority and the lane shall be made available thereafter in perpetuity for pedestrian and cycle access between Grampian road and the Aviemore Highland Resort site without further obstruction unless agreed otherwise with the CNPA acting as Planning Authority.
 11. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, following consultation with Highland Council, or as subsequently agreed through the approval of any future Reserved Matters permission, from the date of this permission, all existing trees on the masterplan site, shall be retained.
 12. That the Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2 above, shall include an overall and detailed landscape and tree management plan which shall include indications of all existing trees and landscaped areas to be retained, and all proposals for the siting, numbers, phasing programme for implementation, species and heights (at time of planting) of all new planting. The detailed landscape and tree management plan shall be based on a detailed landscape appraisal and assessment with a view to informing the layout, scale and type of development. The plan shall make provision for conservation and enhancement of biodiversity and create opportunities for public access. For the avoidance of doubt, the landscaping strategy required by this condition, shall comply with the provisions of the approved Aviemore Masterplan as adopted by The Highland Council, or any revisions or substitutes to the Aviemore Masterplan, subsequently approved and

adopted by the CNPA or Highland Council acting as Planning Authority.

13. A full Arboricultural Impact Assessment and Method Statement (to BS 5837:2005) shall be submitted in support of individual development proposals and agreed by the CNPA acting as Planning Authority before any development takes place. This Statement shall demonstrate the means of making provision for the retention of an Arboricultural Consultant to undertake site monitoring.
14. The Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2 above, shall include a co-ordinated scheme of pedestrian/cycle routes linking with the existing Aviemore footpath network and orbital path. These routes shall be established and maintained as a key component of public access to and through the masterplan site and creating permeability and linkage with Grampian Road and central Aviemore. In addition, the existing main footpath route through the masterplan site and accessing the Craigellachie National Nature Reserve shall be safeguarded for public use at all times in the future.
15. Notwithstanding the provisions of the Town and Country Planning (Scotland) Order 1992 (as amended), no walls or fences shall be erected on any masterplan site boundary or within the masterplan site, unless otherwise agreed in writing with the CNPA acting as Planning Authority.
16. That notwithstanding the information submitted in relation to layout and uses on the submitted indicative site layout plan (Drawing No. MP-001G), all built development shall be restricted to areas free from risk of a 1:200 year flood event. Measures shall be implemented to ensure that flood risk to properties outwith the application site will not be exacerbated, all in accordance with a Flood Risk Assessment fully compliant with SPP7 and PAN69, and funded by the developer. The Flood Risk Assessment required by this condition shall be included in the Reserved Matters planning application or planning applications, required by Condition Nos. 1 and 2 above.
17. The Flood Risk Assessment required by Condition No. 16 above, shall address all areas covered by the proposed masterplan site and shall consider all sources of flooding. The Flood Risk Assessment will take into account the hydraulic structures of the Milton Burn which could cause flooding if blocked by debris, and an assessment of the conveyance capacity of the burn and culverts. In addition, blockage scenarios and the likely impacts shall also be assessed by the Flood Risk Assessment. Development proposals for each site will only be accepted if all of the following can successfully be demonstrated by the Flood Risk Assessment:

- i. that new buildings do not lie within the 1:200 year floodplain (i.e. functional floodplain);
 - ii. that residents will be afforded a safe, permanent route of access and escape, that will remain dry during a 1 in 200 year flood event, to land lying entirely outside the floodplain;
 - iii. if landraising is proposed in the context of SPP7, any loss of floodplain arising from any increase in ground covered areas or landraising will be compensated on-site, on a level-for-level and volume-for-volume basis;
 - iv. the development will not cause increased impedence of flood flows or increase the possibility of flooding elsewhere.
18. That the Reserved Matters planning application or planning applications referred to in Condition Nos. 1 and 2 above, shall include a fully detailed Drainage Impact Assessment relating to all aspects of drainage and including provision for a sustainable urban drainage system (SUDS).
19. That prior to the commencement of any development on any part of the masterplan site hereby approved, a photographic record shall be made of the remains of old buildings and/or other features affected by the proposed development, in accordance with the attached specification (brief for archaeological evaluation). Thereafter it shall be submitted for the further written approval of the CNPA acting as Planning Authority following consultation with Highland Council Archaeology Unit. No site clearance work shall take place until confirmation in writing has been received from the CNPA acting as Planning Authority that the record has been lodged and is satisfactory.
20. The Reserved Matters planning application or planning applications referred to in Conditions 1 and 2 above, shall make provision for a community green space and community building in the location as identified in the approved Aviemore Masterplan as adopted by The Highland Council (copy attached to this permission), or any revisions or substitutes to the Aviemore Masterplan, with the details of such provision (including the timescale for such provision and arrangements for ensuring its permanent availability for community use) to be submitted to and agreed by the CNPA acting as Planning Authority.

INFORMATIVE

1. The applicant/developer is advised that subsequent applications under reserved matters may require the provision of updated Retail Impact and/or Transport Assessments reflecting the situation appertaining at that point in time.

2. The applicant/developer is advised that subsequent applications for housing under reserved matters will require to make provision for affordable housing at a level of between 30 – 50% and a mix of house sizes in line with the intent of the emerging Cairngorms National Park Local Plan, the precise amount and mix of housing dependent on the detailed scheme proposed and the prevailing housing needs at that point in time.
3. The applicant/developer is advised to liaise with Scottish Natural Heritage when preparing detailed proposals in order to take account of the need to protect breeding peregrine falcons on the Craigellachie National Nature Reserve.
4. The Trunks Roads Authority would recommend that:
 - i) Trunk Road modifications shall in all aspects comply with the Design Manual for Roads and Bridges (DMRB) and the Specification for Highway Works published by HMSO, and should account for Cycle and Road Safety Audits at stages 1 to 4 as outlined in Volume 5 of DMRB. The developer shall issue a certificate to that effect, signed by his design organisation.
 - ii) Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement of any works.
5. Before preparing detailed development proposals the applicant/developer is advised to contact Scottish Water which, whilst not objecting to the application, has highlighted that there may be network issues to be addressed and cannot guarantee a water supply or connection to the public sewerage system.