

ANNEX I to Paper 9 20 May 2009

Cairngorms National Park Authority Planning Committee 20 February 2009

Planning Paper 6 08/241/CP Aviemore Highland Resort

Terms of Committee Resolution:

Committee Resolution:

The Planning Committee resolved to GRANT Full Planning Permission for the proposed mixed use development comprising residential, retail, office, community, leisure, park, environmental improvements, roads infrastructure, resort hotels extensions, additional lodges, and demolition of existing administration building at Aviemore Highland Resort subject to:

- a. Resolution of the issues relating to community provision to the satisfaction of the CNPA acting as Planning Authority in consultation with Aviemore & Vicinity Community Council and the Applicant;**
- b. Receipt of revised drawings for Blocks J1-J3, Block K, Block S and resolution of any minor issues in respect of other drawings all to the satisfaction of the CNPA acting as Planning Authority;**
- c. Withdrawal of Block M and associated car parking from the application by the applicant;**
- d. A minimum of 25% affordable housing with additional provision in accordance with the residual value model developed by Three Dragons Consultancy and described in the report "Planning for Affordable Housing in the Cairngorms National Park" by Heriot Watt University and Three Dragons Consultancy March 2008 published by Communities Scotland (Report 99) all to the satisfaction of the CNPA acting as Planning Authority;**
- e. A Section 75 Agreement between CNPA, The Highland Council and Aviemore Highland Resort in relation to the provision of the north-south link road within the site, and the mechanism for provision of access to neighbouring land fronting Grampian Road, community provision as per a) above, affordable housing as per d) above, contributions towards public transport and improvement of B9152/Dalfaber Drive junction as requested by The Highland Council, such agreement to have regard to the terms of this permission and other relevant requirements of the existing minute of agreement between AHR and Highland Council, all to the satisfaction of the CNPA acting as Planning Authority;**

[The Planning Committee Resolution is comprehensive and comprises all of the individual elements a) – f). Any or all of a) to e) are to be referred back to the Planning Committee if the Head of Planning on behalf of the CNPA acting as Planning Authority considers that compliance has not been achieved. In such circumstances the CNPA acting as Planning

Authority will be entitled to reconsider the application on its merits taking account of the extent and circumstances of compliance with this Resolution.]

And;

- f. To the following conditions and informatives on the Decision Notice which will not be issued until there is compliance with a) to e) above:**
1. The development to which this permission relates must be begun within five years from the date of this permission.
 2. Detailed working drawings for each element of the proposals hereby approved shall be submitted to and agreed in writing by the CNPA acting as Planning Authority before development commences. The drawings shall include the precise position and finished levels of each building on the site, full detailed elevations, provision for garden/amenity space for residential units and a comprehensive specification for all materials to be used on the external finishes. Samples of materials shall be provided if requested by the CNPA acting as Planning Authority.
 3. Notwithstanding the information given on the submitted drawings a detailed phasing plan for the implementation of all elements of the proposals shall be submitted to and agreed in writing by the CNPA acting as Planning Authority before development commences.
 4. Unless otherwise agreed in writing with the CNPA acting as Planning Authority, following consultation with The Highland Council, all existing trees on the site, shall be retained.
 5. Prior to the commencement of any development on site detailed “Landscape Plans” and “Landscape and Tree Management Plans” based on a detailed landscape appraisal and assessment shall be submitted to and agreed in writing with the CNPA acting as Planning Authority. The Landscape Plans shall include details of all existing trees and landscaped areas to be retained and their protection in accordance with BS 5837:2005. The Landscape Plans shall include all details for the siting, numbers, phasing programme for implementation, species and heights (at time of planting) of all new planting and the detailed specification for ground preparation and planting operations. The Landscape Plans shall also include fully detailed specifications for all hard landscaping, cycle/pedestrian paths, water features, amenity space and measures to facilitate and encourage public access and enjoyment. The Landscape and Tree Management Plan will include detailed measures for the future maintenance of all soft and hard landscaping after it has been planted and/or established and the long term maintenance strategy for the existing tree and woodland structure.
 6. Within 3 months of the date of this permission, and separate from the requirements of Condition No. 5, a plan detailing provision for substantial structure tree planting in advance of development (“the Advance Planting Plan”) shall be submitted to and agreed in writing with the CNPA acting as Planning Authority. The Advance Planting Plan shall include full details of the siting, numbers, species and heights (at time of

planting) of the planting and it will be implemented in full in the first planting season following its approval by the CNPA acting as Planning Authority. The future maintenance of this planting shall be included within the Landscape and Tree Management Plan in Condition 5 above.

7. 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.
8. Prior to the commencement of development an otter shelf shall be constructed on one side of the Aviemore Burn within the culvert under the northern access road to the Resort site. The otter shelf shall be constructed between 31 May and 15 October to a precise specification, including measures to avoid pollution of the burn, to be agreed beforehand with the CNPA acting as Planning Authority in consultation with Scottish Natural Heritage.
9. No demolition of buildings or other structures, or felling of trees, shall take place until a survey has been carried out for the presence of bats and the findings, along with any necessary measures to minimise the impact of the development, submitted to and agreed in writing by the CNPA acting as Planning Authority in consultation with Scottish Natural Heritage. Where considered necessary by Scottish Natural Heritage a licence will have to be obtained under the Conservation (Natural Habitats etc.) Regulations 1994 (as amended) before any acts can take place.
10. Craigellachie National Nature Reserve is home to breeding peregrine falcons. Unless otherwise agreed in writing with the CNPA acting as Planning Authority, work on the construction of woodland lodges shall only take place outside the breeding season of 1 March – 1 July so as to avoid undue disturbance to the breeding birds.
11. The pond in the south west of the site, formerly part of Loch Puladdern, shall be restored and brought under positive conservation management as a wildlife pond in order that its ecological value is enhanced. This shall be done in accordance with a detailed specification, including timescale for implementation and provision for ongoing management, to be submitted to and agreed in writing by the CNPA acting as Planning Authority before any development commences within the application site.
12. Provision shall be made within new buildings for opportunities for bat roosts, swift nests and house martin nests in accordance with a specification to be submitted to and agreed in writing with the CNPA acting as Planning Authority before any development commences.
13. The developer shall ensure that measures are in place to identify and responsibly dispose of invasive non-native plant species that either exist on the site or are brought on to it in imported material.

14. The path linking into Craigellachie NNR from the Resort shall be improved to meet the “BT Countryside for All Accessibility Standards” in accordance with a specification, including timescale for implementation, to be submitted to and agreed in writing by the CNPA acting as Planning Authority before any development commences.
15. The steps shall be reinstated at the junction of the Youth Hostel path and Aviemore Orbital where they enter Craigellachie NNR in accordance with a specification, including timescale for implementation, to be submitted to and agreed in writing by the CNPA acting as Planning Authority before any development commences.
16. The Youth Hostel to Craigellachie NNR path shall be improved to aggregate standard in accordance with a specification, including timescale for implementation, to be submitted to and agreed in writing by the CNPA acting as Planning Authority before any development commences.
17. Dedicated car parking and interpretation for the Craigellachie NNR shall be made available within the Resort site in accordance with a specification, including locations and timescale for implementation, to be submitted to and agreed in writing by the CNPA acting as Planning Authority before any development commences.
18. No approval is hereby granted for the detailed proposals shown on the submitted drawings for the access to the site from Grampian Road via Laurel Bank Lane. Before any development commences within the site, further drawings for the upgrading and enhancement of this access, a proposed Core Path, shall be the subject of a full specification to be submitted to and agreed in writing by the CNPA acting as Planning Authority. The specification shall include details of surface and boundary treatments, landscaping, signage and measures to give all ability access from Grampian Road to the Resort and vice versa. The access shall be provided in accordance with the approved specification before any development commences within the site and shall be retained for use at all times thereafter unless otherwise agreed in writing by CNPA acting as Planning Authority.
19. Full details of provision for cycle lanes, cycle storage and signage/promotion of routes for non-motorised users shall be submitted to and agreed in writing by the CNPA acting as Planning Authority before any works take place.
20. Permission is given for up to 15 lodges within the existing lodge development in the woodland to the south of the site. The precise number and positions for the woodland lodges shall be agreed on site with the CNPA before any works take place and it will be necessary to demonstrate to the satisfaction of the CNPA that any lodges can be accommodated without significant adverse impact on the designated woodland or other natural heritage interest within the site. Installation of any approved lodges shall take place in accordance with a method statement to be submitted to and agreed with the CNPA acting as Planning Authority before development commences. For the avoidance of doubt the method statement shall make provision for supervision of installation by CNPA staff or appointed persons if so required by CNPA acting as Planning Authority.

21. Prior to the commencement of any development on the site a red squirrel survey and management plan shall be submitted to and approved by the CNPA acting as Planning Authority for the south of the site in the woodland area identified for Woodland Lodges and Block S. This shall include measures to enhance the red squirrel habitat within and around the proposed site and will inform the method statement in Condition 20. above. The precise extent of the area covered by the survey and management plan shall be agreed beforehand with CNPA acting as Planning Authority.
22. Unless otherwise agreed in writing by the CNPA acting as Planning Authority in consultation with the Transport Scotland, Trunk Roads – Network Management Directorate, no additional development in excess of the levels indicated in Phase 1, 2 and 3, as defined within the Millard Construction Transport Assessment Addendum dated July 2008 and attached to this permission, 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.
23. 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. The duration of the travel plan;
 - b. Details for the management of the travel plan identifying the persons responsible for implementation;
 - c. Details of the proposed measures for monitoring, review and reporting;
 - d. Details of mode share targets;
 - e. Details of proposed pedestrian and cycle infrastructure within the site and connections to the existing networks;
 - f. Details of cycle parking provision and location within the site;
 - g. Details of proposed measures to improve public transport facilities;
 - h. Details of initiatives such as car share schemes and flexible working;
 - i. Details of employee locker and shower facilities;
 - j. Details of travel information to be provided within the site; and
 - k. Details of car parking provision and management, including disabled and parent & child parking.
24. 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.
25. 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.

26. Before development commences a detailed drainage scheme, supported by site investigations, shall be submitted to and approved by the CNPA acting as Planning Authority in consultation with SEPA. The drainage scheme shall meet with the technical guidance within The SUDS Manual (CIRIA Publication C697) and development shall take place in accordance with the approved scheme.
27. Before development commences a detailed Sustainability Plan shall be submitted to and approved by the CNPA acting as Planning Authority. The development shall thereafter proceed in accordance with the approved plan unless otherwise agreed in writing by the CNPA acting as Planning Authority. The plan shall include detailed sustainability measures including energy conservation/thermal efficiency, use of renewable energy, minimisation of water consumption, rainwater harvesting, use of locally produced and sourced materials in construction, and use of local labour. The plan shall detail shared measures for the site as whole and a specification of measures for each building. The plan shall demonstrate how existing development in the resort can be integrated within the measures.
28. That prior to the commencement of any development on any part of the 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.
29. Before development commences a contaminated land study, including measures to deal with any contamination identified, shall be submitted to and approved by the CNPA acting as Planning Authority in consultation with The Highland Council Contaminated Land Officer.
30. Before development commences a detailed lighting strategy for the site, including street lighting, shall be submitted to and approved by CNPA acting as Planning Authority and all lighting provision shall thereafter be implemented in accordance with the approved strategy.
31. Notwithstanding the information shown on the submitted drawings, and in addition to the Travel Plan required by Condition 23, before development commences a scheme for all roads and related works within the site shall be submitted to and approved by the CNPA acting as Planning Authority in consultation with the Highland Council Area Roads and Community Works Manager. The scheme shall include:
 - a) Identification of those roads to be constructed to or brought up to adoptable standard;
 - b) The positions and a precise detailed specification for the construction of all new or upgraded roads and footways, including the pedestrian priority section of the north – south link;

- c) Improvements to the junction of the southern access to the site and Grampian Road;
 - d) The precise access arrangements to Site S and Site M;
 - e) Details of visibility splays at all junctions;
 - f) Arrangements for servicing individual elements of the proposals.
32. Before development commences a waste management plan shall be submitted to and approved by the CNPA acting as Planning Authority in consultation with The Highland Council's Waste Management Team. The scheme shall include the provision of bin stores and recycling points at agreed locations within the site, and a timescale for implementation.
33. All properties within the development shall be free from the effects of a 1 in 200 years flood event and there shall be no increase in flood risk to any properties upstream or downstream of the site as a result of the development.
34. Notwithstanding the information shown on the original submitted drawings, and for the avoidance of doubt, no approval is given for the building and associated works referred to as Block M.

INFORMATIVE

1. The applicant and any developer is advised that it will be necessary to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) with respect to breeding birds that may be using buildings, trees and shrubs on the site.
2. 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.
3. 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.
4. 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. Due to the size of the development it is necessary for Scottish Water to assess the impact this new demand will have on its infrastructure and the developer will have to submit a fully completed Development Impact Assessment form. There may be a requirement for the developer to fund works to allow for connection.

5. The applicant and any developer is advised that Road Construction Consent will be required in respect of any roads related works intended for adoption by The Highland Council.

Don McKee
Head of Planning
28 February 2009