

Date:			
Issue:	Settlements – Aviemore ED3		
Objector(s):	Aviemore Highland Resort	Objection ref(s):	435a, 435b
	Woodland Trust Scotland		393e

Reporter	Mrs Jill Moody
Procedure	Written

1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified in respect of Settlements – Aviemore ED3 and supplements the response made to those objections by the CNPA in its report to Committee (CD7.3-CD7.5)

2.0 Provision of the Local Plan:

- 2.1 AV/ED3 states that Aviemore Highland Resort will continue to develop and enhance its facilities. Closer links to the village will be developed and will be highlighted within the revised Aviemore Design Framework. Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will therefore be required to accompany any development proposals for this site. In developing further proposals for this site, access arrangements should not affect the A9 as a trunk road, and should use the local road network.
- 2.2 This proposal recognises the role that Aviemore Highland Resort plays within Aviemore and the National Park, and the potential for further development to enhance that role. Reference is made to the Aviemore Design Framework. This is a piece of Supplementary Planning Guidance work that is still underway and in due course will supersede the existing adopted Aviemore Masterplan 1997. It is the intention that the new SPG will continue to pursue an approach of closer integration between the centre of the village and the resort as set out in the existing Aviemore Masterplan.

3.0 Summary of objection(s)

- 3.1 3 objections raising some 2 issues have been lodged on Settlements – Aviemore ED3 and wish to be considered by the written procedure:
- Objects to text in relation to “closer/links with the general community area should be developed and will be highlighted by a revised Aviemore Master Plan”. Objector rejects any suggestion that there are public rights of way along footpaths or any part of link road into the resort. Refers to enforcement notice appeal in relation to fence that was outstanding at time of objection. Closer links/access will only be provided in a way which is compatible with objectives of the resort and current lack of general access rights. Seek removal of text. Wishes to be fully consulted and involved in preparation of Master plan. **(435a)**
 - Southern tip of this site has ancient and semi-native woodland on it and must be protected from development. Should development go ahead there must be detailed assessments of the impact to the environment as a whole. The plans must seek to protect, restore and enhance the environmental quality of the sites. **(393e)**
 - Objects to identification of part of the core path shown across the Resort and to suggestion that these paths are rights of way. The paths should be removed from the proposals map and the

wording of Policy 34 should clarify that paths identified do not necessarily equate to established rights of way. Access rights should not be created through the local plan process. **(435b)**

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The 1st Modifications to the DLP have clarified that the closer links will be developed with the Village Centre rather than the general community area. The enforcement notice appeal has been determined and AHR has been obliged to remove that portion of the fence blocking Laurel Bank Lane that required planning permission (P\ENA\001\002-1 dated 15 October 2007). AHR has since submitted a full planning application for a range of development on the site, including, inter alia, stronger links with Grampian Road and a pedestrian access via Laurel Bank Lane (08/241/CP). AHR has promoted this closer linkage and has revised its proposals to enhance it. The CNPA has resolved on 20 February 2009 to grant planning permission subject to resolution of a range of outstanding issues. **(435a)**
- 4.2 The southern wooded portion of the site is designated as Av/Env which recognises its contribution to the setting of Aviemore and the need to protect it from adverse development. Any development would have to comply with relevant policies in the Plan with regard to ancient and semi-native woodland. No further modification is proposed. **(393e)**
- 4.3 Proposed Core Paths were originally shown for information. The mDLP no longer shows proposed core paths, they are being dealt with via a separate statutory process, although it is noted that AHR have not objected to Core Path LBS37 Laurel Bank Lane. **(435b)**

5.0 CNPA Commendation to Reporter

- 5.1 It is commended to the Reporter that the objections to Settlements – Aviemore ED3 as listed above are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider the approach deficient.

6.0 Strategic issues

- 6.1 Integration of the resort site with the village centre is strategic both in terms of Aviemore and in respect of the general ethos across the Park of encouraging inclusion and a range of access opportunities.

7.0 Assessment / Scope of Evidence

- 7.1 **(435a)** Objection: objects to text in relation to “closer/links with the general community area should be developed and will be highlighted by a revised Aviemore Master Plan”. Objector rejects any suggestion that there are public rights of way along footpaths or any part of link road into the resort. Refers to enforcement notice appeal in relation to fence that was outstanding at time of objection. Closer links/access will only be provided in a way which is compatible with objectives of the resort and current lack of general access rights. Seek removal of text. Wishes to be fully consulted and involved in preparation of Master plan.
- 7.2 **Response:** The 1st Modifications to the DLP have clarified that the closer links will be developed with the Village Centre rather than the general community area. The enforcement notice appeal has been determined and AHR has been obliged to remove that portion of the fence blocking Laurel Bank Lane that required planning permission (P\ENA\001\002-1 dated 15 October 2007). AHR has since submitted a full planning application for a range of development on the site,

including, inter alia, stronger links with Grampian Road and a pedestrian access via Laurel Bank Lane (08/241/CP). AHR has promoted this closer linkage and has revised its proposals to enhance it. The CNPA has resolved on 20 February 2009 to grant planning permission subject to resolution of a range of outstanding issues. Furthermore, applications for the development of the resort site in recent years have consistently been determined in the context of the existing Aviemore Masterplan 1997 that has strived to achieve integration with the centre of the village. This is in the interests of both AHR and the wider Aviemore community and the current operators have been aware of this context. AHR and others will be fully consulted and able to contribute to the Aviemore Design Framework. It is anticipated that this work can recommence when the LPI has been concluded.

- 7.3 **(393e)**Objection: Objects, southern tip of this site has ancient and semi-native woodland on it and must be protected from development. Should development go ahead there must be detailed assessments of the impact to the environment as a whole. The plans must seek to protect, restore and enhance the environmental quality of the sites.
- 7.4 **Response:** The southern wooded portion of the site is designated as Av/Env which recognises its contribution to the setting of Aviemore and the need to protect it from adverse development. Any development would have to comply with relevant policies in the Plan with regard to ancient and semi-native woodland. No further modification is proposed.
- 7.5 **(435b)** Objection: objects to identification of part of the core path shown across the Resort and to suggestion that these paths are rights of way. The paths should be removed from the proposals map and the wording of Policy 34 should clarify that paths identified do not necessarily equate to established rights of way. Access rights should not be created through the local plan process.
- 7.6 **Response:** Proposed Core Paths were originally shown for information. The mDLP no longer shows proposed core paths, they are being dealt with via a separate statutory process, although it is noted that AHR have not objected in the core path planning process to Core Path LBS37 Laurel Bank Lane.

8.0 Conclusions

- 8.1 It is commended to the Reporter that the objections to Settlements – Aviemore ED3 as listed above are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider the approach deficient.

9.0 List of documents (including Core Documents)

- CD7.3-CD7.5 Reports to Committee on Consultations and Modifications
- CD6.13 Cairngorms National Park Deposit Local Plan as modified.
- CD7.12 Cairngorms National Park Core Paths Plan Draft 2008
- Enforcement Notice Appeal Ref: P\ENA\001\002-1 dated 15 October 2007
- Planning Application No: 08/241/CP