
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: MARY GRIER (PLANNING OFFICER, DEVELOPMENT MANAGEMENT)

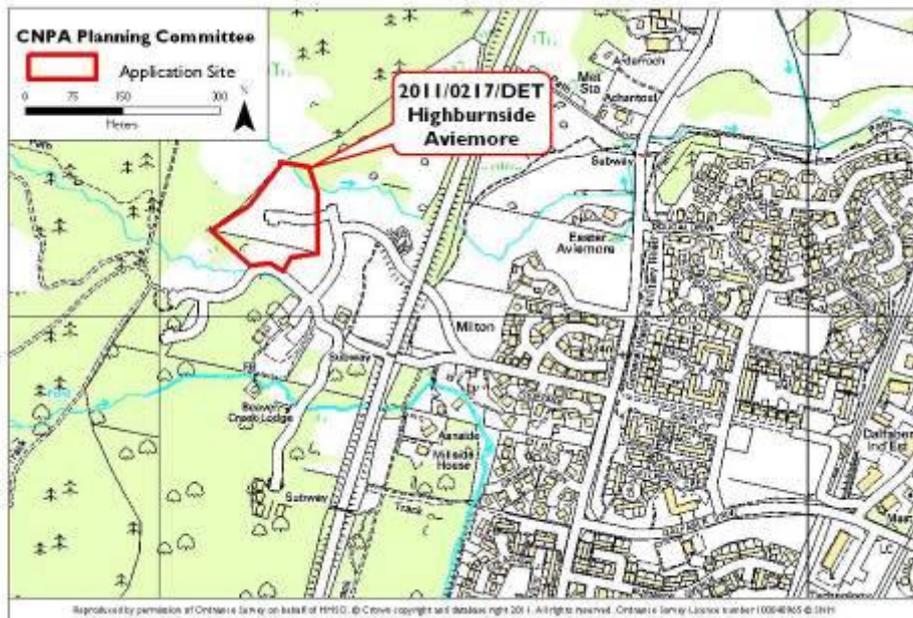
DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR THE ERECTION OF 10 VILLAS ON PLOTS 11 – 20 WITH ASSOCIATED WORKS (PHASE 3) ON LAND AT Highburnside, AVIEMORE

REFERENCE: 2011/0217/DET

APPLICANT: AVIEMORE AND HIGHLAND DEVELOPMENTS LTD., STONEYFIELD BUSINESS PARK, INVERNESS, C/O BRACEWELL STIRLING CONSULTING

DATE CALLED-IN: 22 JULY 2011

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 289058 813964 (easting northing)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for the erection of 10 villas on plot numbers 11 to 20 on an existing development site in the Highburnside area of Aviemore, which lies to the west of the A9 trunk road.

Site History

2. Outline planning permission was granted by Highland Council in June 2004¹ for a housing development on the lands at Highburnside. A subsequent application for an associated application – an approval of reserved matters for a masterplan for the site consisting of 75 house plots and associated roads, engineering works, services and amenity ground – was lodged in 2005 and called in by the CNPA.² Approval of the site masterplan and associated works was granted by the CNPA in February 2006. The permission authorised the individual plot positions and boundaries, but did not include detailed permission for development on the plots.
3. A further application for Approval of Reserved Matters for the erection of 46 houses³ i.e. the detail of the plots on a portion of the site, was lodged in 2007 and called in by the CNPA, with approval being granted in July 2007. The permission authorised the detail of the dwelling houses and the individual plot layouts. Ten house types were approved in that application, consisting of a mix of three and four bedroom houses, predominantly of one and half storey design.

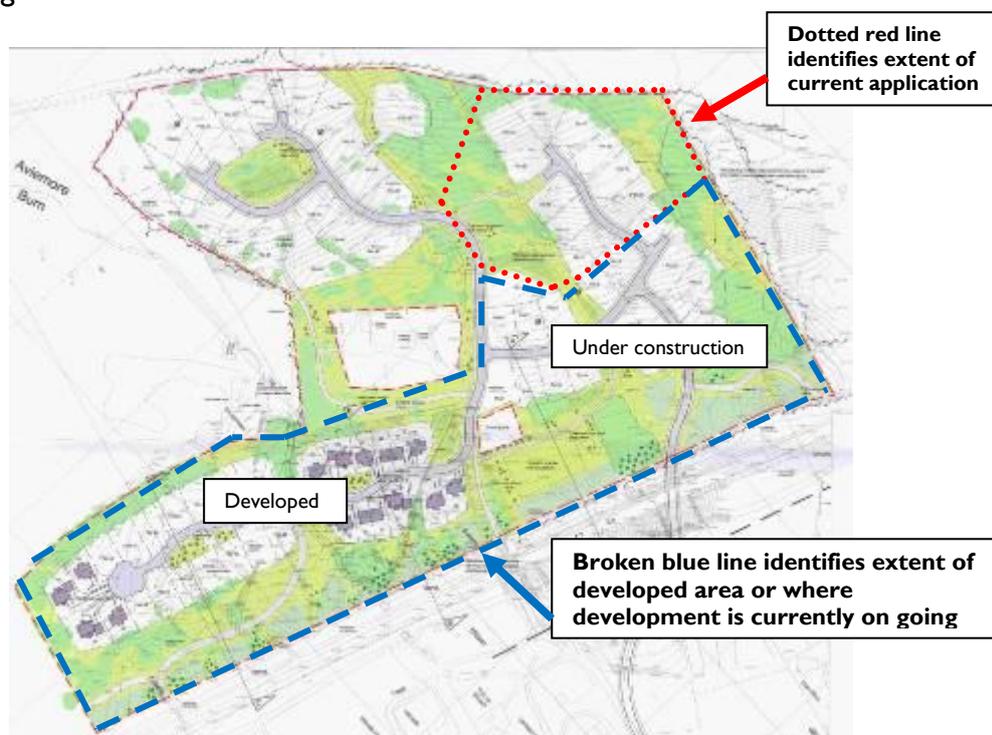


Fig. 2 : Originally permitted masterplan layout

¹ Highland Council ref. no. 03/00322/OUTBS.

² CNPA ref. no. 05/177/CP.

³ Plot no's 1 – 10, 21 – 26 and 46 – 75

4. Construction has been on going at the site since 2007 with development generally being undertaken in a south to north direction across the lower ground of the site i.e. the development areas closest to the A9 trunk road.

Proposed house types

5. A total of five differing houses are proposed in the current planning application. The houses are similar in design, proportions and finishes to those already approved in the course of previous detailed applications elsewhere on the overall site.
6. The largest house type, the Lochnagar, is proposed on two plots (no's 17 and 20). The one and three quarter storey dwelling is split level in design. The majority of the external finish would be roughcast, combined with timber cladding and limited areas of stonework on the basecourse and also as feature vertical bands on the façade of the projecting front gable. Ground floor accommodation would include a lounge, study, open plan dining and kitchen area, utility and a bedroom and bathroom. Two further bedrooms, as well as bathroom facilities, a study and a large family room are proposed on the upper floor level. The ground floor lounge and the upper floor family room include French doors opening onto a decked area at ground floor level and a small Juliet balcony feature above. A second Juliet balcony is also proposed on the front elevation upper floor to serve the master bedroom. A detached double garage is also proposed on the two plots that would accommodate the Lochnagar house type.



Fig. 3 : 'Lochnagar'



Fig. 4 : 'Cairngorm'

7. The Cairngorm house type is proposed on plot no's 12 and 14. It is a one and three quarter storey design and includes an integral garage. External finishes consist of roughcast and timber cladding, with the latter finish proposed around the traditional pitched roof dormer windows, on a small area of one of the gable elevations and around the front entrance door. The floor area of the property extends to 132.9 square metres (excluding the garage) and includes a lounge, open plan dining and kitchen, and utility on the ground floor. Upper floor accommodation includes three bedrooms and bathroom facilities.
8. The third house type is the 'Avon' and is a further variation on the theme of one and three quarter storey designs. The 'Avon' includes a single car garage attached to the dwelling, with an internal door connecting into the utility area. The majority of the front elevation is proposed to have a timber clad finish, while the remainder of the exterior would a roughcast finish. The 156.9 square metre floor area of the dwelling,⁴ would accommodate a large lounge,

⁴ Excluding the garage.

open plan family / dining / kitchen, utility, bathroom facilities and a bedroom at ground floor level, with a further three bedrooms and bathroom facilities on the upper floor. Only one 'Avon' house type is proposed, on plot no. 18.



Fig. 5 : 'Avon'



Fig. 6 : 'Cruachan'

9. The 'Cruachan' house type is the only two storey design proposed in this phase of the development, proposed on three plots – no's 15, 16 and 19. Similar to the 'Lochnagar' the design has a split level floorplan. The design includes an integrated double garage. Ground floor accommodation includes a large lounge, separate dining room, kitchen, utility, family room and a bedroom. Three further bedrooms and bathroom facilities are proposed on the upper floor.

10. The fifth and final house type is the 'Nevis DG', which is a one and three quarter storey dwelling with an attached double size garage. The design is a T shape plan, including a large projecting element to the rear. The rear elevation in particular includes features which are similar to those in the 'Lochnagar' house type, with the projecting section being predominantly timber clad, with balcony features proposed at ground floor and upper floor level. The front elevation also includes a Juliet balcony feature serving an upper floor bedroom. A centrally positioned large pitched roof dormer is a further prominent feature of the 'Nevis DG' house type, as well as the overhanging roof in the front elevation which creates a large open porch.



Fig. 7 : 'Nevis DG' front and rear elevations



Fig. 8 : 3D image of 'Nevis DG' house type

11. The front garden of each of the plots is proposed in an open plan format, which is consistent with the appearance of the earlier phases of the

development which have been undertaken. Side boundaries would generally be demarcated by an 800 mm timber rail fence, and due to changing ground levels a number of plots would also require retaining walls on the side boundaries.⁵ The rear boundaries of each plot, the majority of which back onto communal open space areas or woodland, would consist of 900 mm post, wire and mesh fence, which would be rabbit proof.

12. Various areas of existing and new planting have been identified on the proposed site layout plan. The planted areas identified are generally in the form of substantial wedges on the rear boundaries of a number of plots. The mix of planting in each of the areas is intended to consist of a mix of silver birch (60%), scots pine (30%) and aspen (10%). Information provided in support of the application indicate that “planting will be kept outwith the garden areas as far as possible, as failures can be better managed in common areas.” Planting within garden areas would be kept at least 8 metres from the houses, with the intention of carrying out as much planting as possible following the platforming works and in the 2011/2012 planting season, subject to receipt of the planning permission. In addition, within the communal open space area which lies to the south of the plots, a large area of planting is identified. An equipped play space would also be provided in this area.

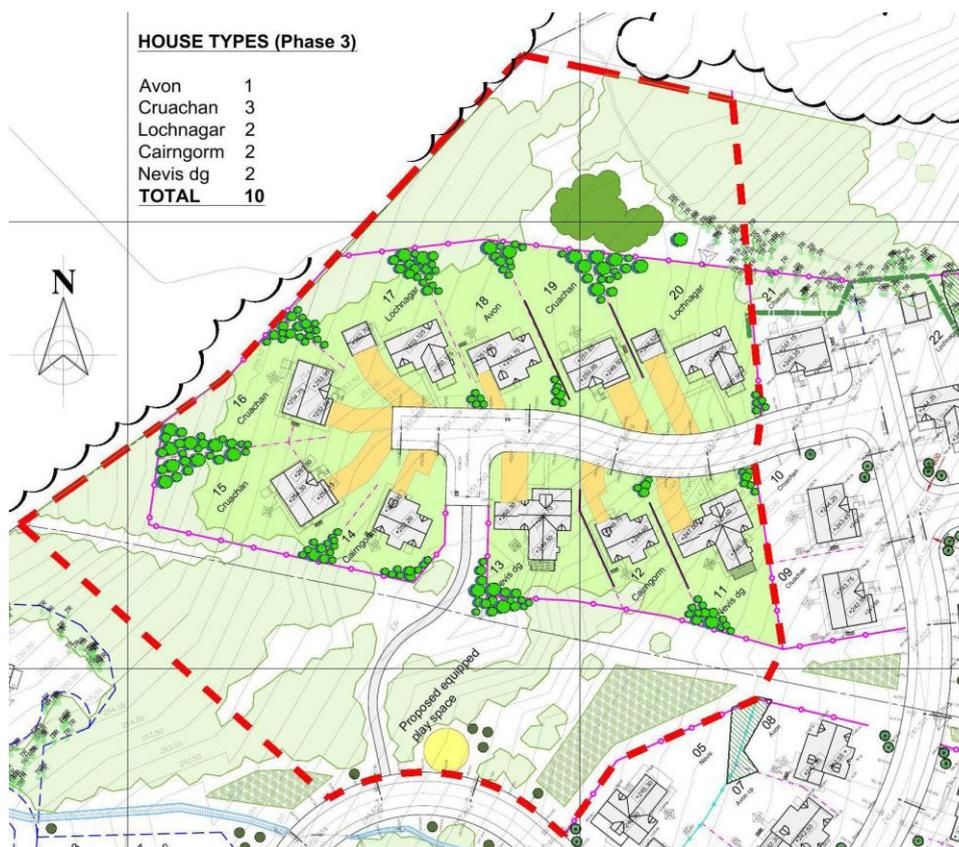


Fig 9 : Proposed site layout plan

13. Some planting has already been undertaken on the site. This was required as remedial planting to ameliorate the loss of tree felling that occurred in some

⁵ Retaining walls would be used on the western side boundaries of plot no's 11, 12, 19 and 20.

areas of the overall development site in 2006, in contravention of terms of the planning permissions.⁶ Various areas of remedial planting were required by the CNPA in an effort to restore some of the woodland character, particularly of the northern area of the site. The landscaping details shown on the currently submitted site layout plan incorporate those existing areas of planting, as well as additional landscaping proposals to strengthen the entire landscape product on the site.

Design and Sustainability Statement

14. A Design and Sustainability Statement has been submitted in support of the development proposal. A number of points have been made in respect of the sustainability credentials of the proposed development, including the following :
- The construction method involves the use of large panel timber frames, manufactured off site, and intended to minimise air leakage and improve build quality;
 - The specification of materials will have a 'high recycled content';
 - The specification of the roof, external walls, windows and internal walls will all have an A rating or better in the BRE 'Green Guide to Specification';
 - Oil will be the main heating source, but will be supplemented by other measures. All properties would include wood burning stoves. Solar kits are also referred to in the documentation as 'optional;' and
 - The orientation of the dwellings has been set to maximise passive solar gain.
15. In discussing the house types in relation to site levels, the Design and Sustainability Statement suggests that the "site layout is designed to comfortably accommodate the levels on the site." Platforms would be created to 'balance the material' on the site and this is considered to have the advantage of minimising the extent of material being transported to and from the site. It is intended that all platforms would be formed at an early stage in the construction process, in order to allow tree planting to be carried out.



Fig. 8 : Site streetscape⁷

16. The split level house types have been designed specifically for the sloping site and the house levels would follow the contours on the hillside. It is proposed that the sloping ground of the garden areas and the changing levels between

⁶ The unauthorised tree planting was undertaken when the site was the responsibility of the former owners. Since the change in the ownership of the site, the current owners and site developers have had various communications with the CNPA and implemented various elements of remedial planting in an effort to compensate for previous damage that occurred at the site.

⁷ Plot 21 has been granted permission under CNPA ref. no. 07/024/CP.

gardens would be dealt with by the use of retaining walls and landscaped banking.

17. The Design and Sustainability Statement describes the house designs as being of a style and visual appearance which compliments the rural setting. The houses are described as being “rural vernacular in appearance with steep pitched roofs, finished externally with roughcast and stained timber clad panels.” The timber cladding would be finished in a complementary colour to contrast with the roughcast, in order to provide a clean, crisp finish.

DEVELOPMENT PLAN CONTEXT

National policy

18. **Scottish Planning Policy⁸ (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 shouldallow 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.
19. **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.
20. 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.”
21. 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

⁸ February 2010

following paragraphs provide a brief summary of the general thrust of each of the subject policies.

22. *Housing* : The Scottish Government is committed to increasing the supply of new homes. **SPP** advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations. The Scottish Government's objectives of creating successful places and achieving quality residential environments is intended to guide the whole process of delivering new housing. The siting and design of new housing is expected to take account of its setting, the surrounding landscape, topography, character, appearance, ecologies and the scope of using local materials. SPP encourages the creation of places with distinct character and identity, which promote well designed homes of different types and tenures. Para. 83 of SPP advises that the density of new development should be determined in relation to the character of the place and its relative accessibility.
23. *Landscape and natural heritage* : The **Scottish Planning Policy** document recognises the value and importance of Scotland's landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
24. **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."

Strategic Policies

Cairngorms National Park Plan (2007)

25. 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.

26. 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 5.2.4 of the Plan focuses on housing and highlights the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities. The Plan advises that the quality and design of all new housing should meet high standards of water and energy efficiency and sustainable design and be consistent with or enhance the special qualities of the Park through careful design and siting.
27. The National Park Plan includes a number of strategic objectives in relation to housing, including
- Increasing the accessibility of rented and owned housing to meet the needs of communities throughout the Park;
 - Promote effective co-ordination and co-operation between all public and private organisations involved in housing provision in the Park and communities living there; and
 - Improve the physical quality, energy efficiency and sustainable design of housing.

Structure Plan Policy

Highland Council Structure Plan (2001)

28. **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.
29. The following provides a brief summary of the policies applicable to a development of this nature. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.
30. 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.
31. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance,

there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **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.”

32. **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.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

33. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
34. 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 other policies, 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 current development proposal.
36. Policy 6 – Landscape : there will be 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. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
37. Policy 16 – Design Standards for New Development : this is one of a number of policies which is intended to encourage developers to consider how they can

best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :

- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
- use materials and landscaping that will complement the setting of the development;
- demonstrate sustainable use of resources; and
- be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.

38. The proposed site is outside the Aviemore settlement boundary as identified in the CNP Local Plan (2010). The land at Highburnside was within the settlement boundary and allocated for housing in the former Badenoch and Strathspey Local Plan (1997) which was the Plan in effect when outline planning permission and approval of reserved matters were granted on the site.

Supplementary Planning Guidance

39. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Sustainable Design Guide

40. The guide highlights the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
41. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

CONSULTATIONS

42. **Aviemore and Vicinity Community Council** was consulted on the proposal and confirmed that they have decided not to make any comment.

43. The CNPA's **Landscape Officer** has considered the proposed development. Three key objectives are identified in relation to woodland retention and new planting on the site –
- To continue the woodland character into the housing area;
 - To break up the built form of the development, particularly as viewed from the A9 trunk road; and
 - To define spaces and create a strong sense of place.
44. The areas of tree planting within and around the housing development are considered a long term measure to conserve and enhance the local and wider landscape and the quality of the built environment. The design, implementation, management and maintenance of the landscaped areas should be consistent with this goal. The response from the **Landscape Officer** provides advice on how to achieve this, which includes :
- Ensuring a stable growing medium of a profile and chemistry similar to adjoining undisturbed areas;
 - Using plant material of local provenance;
 - The provision of protection that is long lasting but fitting in its context; and
 - The establishment of a regime for “beating up and thinning” at appropriate stages to produce attractive and varied areas of woodland.
45. Detailed comment has also been provided in relation to the extent of planting which has already been undertaken within the proposed site area.⁹ Concern has been expressed about some areas of planting in relation to the species mix – for example, as birch is the dominant species in the woodland immediately adjacent, it is recommended that the ratio of planting should be adjusted to modify the current dominance of Scots pine. Other concerns in relation to some of the planted areas include planting being undertaken on a mound of dumped topsoil and in addition to this not providing a good base for stable plant establishment, it has also created an uncharacteristic landform. The lack of deer or rabbit fencing around some areas was also noted, as was the evidence of dieback on some broadleaves and pine. All of these issues require to be addressed.

REPRESENTATIONS

46. The planning application was advertised in the Strathspey and Badenoch Herald on 13th July 2011. No representations have been received in connection with the development proposal.

APPRAISAL

47. The principle of development on this site has already been established through the granting of outline planning permission in 2003 and subsequent masterplan Approval of Reserved Matters in 2006. The latter permission established the site layout, including the road network and the definition of each individual plot. The permission currently sought pertains only to the detailed

⁹ The background to the undertaking of this planting work has been detailed in paragraph 13 of this report.

development of the 10 plots which are intended to be developed as Phase 3 of the Highburnside development.

Layout

48. The proposed layout is generally consistent with the masterplan layout which was granted Approval of Reserved Matters under CNPA planning ref. no. 05/177/CP, with the exception of some deviations to individual plot boundaries. The changes are of a minor nature and do not raise any issues of concern. The principle elements of this area of the overall site, including the position of the access road, the footpath linkage to other areas of the site, the extent of communal open space provision and woodland retention to the south and north of the development area respectively, and the provision of an equipped play space area, all remain consistent with the masterplan approval.

Design

49. The proposed dwelling houses are all detached, but provide variety in terms of house size, number of bedrooms per dwelling, and overall design. The designs vary between one and three quarter storey and two storey concepts and reflect those already approved in earlier phases of the overall development. A consistent combination of material finishes is proposed on all dwellings, including a roughcast finish in conjunction with feature elements of timber cladding, which assists in achieving a visual consistency across the various designs.

Landscaping

50. As detailed in foregoing sections of this report various landscaped areas have already been created at certain locations within the subject site. The landscaping was required as a means of compensating for previous unauthorised tree felling which was undertaken in 2006. The landscaping which has taken place to date is only remedial and does not represent the full extent of landscaping required. This has been acknowledged by the applicants and was discussed at an on-site meeting attended by CNPA planning officials, and the applicant and agent in June this year. The fact that the landscaping undertaken in many locations had not successfully established or matured to the extent expected in the time period which it has been in place were all matters of discussion. The applicants accepted that further action would be required with regard to landscaping. Accordingly, the Design and Sustainability Statement submitted with this current application proposes that as much of the new planting as possible would be undertaken in the 2011 / 2012 planting season, following the platforming works, (subject to receipt of planning permission). This approach would result in the majority of earth disturbance work across the proposed 10 plots being undertaken in a concentrated period. New planting would then be established at a distance from the development area of each house, would be subject to protective fencing, and would have the opportunity to establish in advance of further works being undertaken in erecting the house frames and proceeding to completion.
51. The consultation response from the CNPA's **Landscape Officer** clearly sets out the key objectives of planting and woodland retention on the site (para. 43), including defining spaces, breaking up the built form and continuing the

woodland character into the housing. The **Landscape Officer** has expressed concern about the undertaking of landscaping in certain areas of the site in advance of building work and has suggested an interim measure for those areas. This would involve the clear delineation of those areas for future planting on site and their protection from heavy trafficking or the storage of materials that would result in soil compaction.

52. Undertaking any planting in advance of the completion of construction activities in the vicinity does inevitably runs the risk of potential future disturbance. However, in the event of accepting the limited extent of landscaping currently in place on the site, with the remainder to be provided at the end of all construction activities, it is necessary to consider the lengthy time period that could be involved. It would instead appear more appropriate to achieve a compromise in relation to landscaping requirements and the timing of the undertaking of those works. A condition could be applied in the event of the granting of planning permission to (a) agree the extent of areas to be planted, or where existing planting requires enhancement, within the 2011/2012 planting season and following completion of the platforming works on each of the plots; (b) agree the areas on the site that would be the subject of post construction planting; (c) agree the extent of protection measures necessary, to be implemented immediately, in the interests of protecting those areas from disturbance and / or compaction during construction activities; and (d) agree the detail of all landscaping proposals, including amendments to the species mix as detailed in the consultation response from the CNPA's **Landscape Officer**. Subject to the landscaping works being undertaken in this phased manner, the key objectives can be achieved and the works would assist in assimilating the new dwellings into their proposed setting and minimise potential visual impacts of this phase of the development, particularly as viewed from the nearby A9 trunk road.

Conclusion

53. The principle of development has already been established on this site through the granting of planning permissions. The detailed proposals for the individual plots within the proposed Phase 3 development represent an acceptable approach to developing this area of the site. The design concept is consistent with that already employed in earlier phases of the development, and the phased undertaking of further landscaping works will assist in improving this site from its current construction appearance to a housing development settled against the periphery of an expansive woodland area.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

54. It is acknowledged that the subject site is located in a prominent position on the western side of the A9 trunk road. Various landscaping works have been undertaken in earlier phases of the development which are gradually becoming more established and assisting in minimising the impact of the development. Subject to further landscaping being undertaken in the currently proposed phase of development in accordance with the stipulations of the CNPA's

Landscape Officer, the potential exists to enhance this area of the site from its current condition, in order to settle the built structures into the landscape.

Promote Sustainable Use of Natural Resources

55. Reference has been made in the Design and Sustainability Statement to the use of locally sourced timber where possible. Other sustainable measures which are proposed to be introduced include woodburning stoves and the potential use of solar kits. The orientation of the proposed dwellings has also been set in an effort to maximise solar gain. All of the measures would collectively assist in promoting the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

56. The land at Highburnside has been the subject of on-going construction activity in recent years. The area of the overall site which is the subject of the current planning application is relatively prominently located on rising ground. The development of appropriately designed dwelling houses in this area, in conjunction with the undertaking of the required landscaping will minimise the impact of the development. As such the development proposal would not detract from the general public's enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

57. The proposed development includes a variety of house types and sizes, which would have the potential to attract a wide demographic mix and as such would be of benefit to the social development of the area. In addition, the on-going construction activity at the site could be considered to assist economic development in the area.

RECOMMENDATION

That Members of the Committee support a recommendation GRANT planning permission for the erection of 10 villas on plots 11 to 20 with associated site works (Phase 3) on land at Highburnside, Aviemore, subject to 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 58 of the Town and Country (Planning) Scotland Act 1997 or as amended by the Planning etc. Scotland Act 2006.

2. This permission relates solely to the erection of 10 dwelling houses at plots 11-20 and associated site works, as Phase 3 of the overall development granted masterplan approval of reserved matters, CNPA ref. no. 05/177/CP, and as originally permitted under outline planning permission, Highland Council reference 03/00322/OUTBS. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission or approval of reserved matters, unless otherwise agreed by the Cairngorms National Park Authority acting as Planning Authority.

Reason : In the interests of ensuring the orderly development of the site and in order to ensure that the development accords with the original governing permissions.

3. Prior to the commencement of any works in connection with Phase 3 of the development, the following works shall be completed and approved by the CNPA acting as Planning Authority, in consultation with the Roads Authority at Highland Council –
 - all roads related works, including drainage and flood prevention work, shall be carried out in accordance with the requirements of Road Construction Consent, ref. R1/05/C3 and the relevant conditions attached to the Reserved Matters planning permission, ref. 05/177/CP.

Reason : in the interests of traffic safety and public safety.

4. Prior to the commencement of development the following landscaping details shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority –
 - (a) A revised landscaping plan to include comprehensive details of all species, numbers and sizes at the time of planting, with the species mix reflecting the dominant species type in the adjacent woodland;
 - (b) An identification of all areas to be the subject of planting (i) following completion of platforming works in each of the Phase 3 plots and (ii) upon completion of construction activity on each of the Phase 3 plots; and
 - (c) Detailed measures for the immediate protection of all areas of future planting and enhanced measures for the protection of currently planted areas. All protection measures shall be effective for protection purposes and shall also be appropriate in the proposed setting.

The landscaping works shall be undertaken thereafter in accordance with the agreed measures. The landscaped areas shall be maintained 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 five 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.

5. Protective fencing shall be provided around all planted areas specified in condition no. 4 of this permission upon their completion. The fencing shall remain in place and be maintained for the duration of construction works in the vicinity and until completion of all development in that area. Full specifications of the type of protective fencing shall be submitted for the agreement and written approval of the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of any development permitted in this application.

Reason : in the interests of enhancing the natural heritage value of the area.

6. Prior to the commencement of development, detailed proposals for the treatment of the “equipped play space” identified on dwg. no. 3767/055 shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. Proposals shall include details of all play equipment, surface treatments and any boundary treatments. The “equipped play space” shall be developed in accordance with the agreed measures thereafter. The “equipped play space” area shall be completed and available for use prior to the first occupation of any of the dwellings approved under this permission.

Reason : In the interests of the general amenity of the area and in order to ensure the timely availability of facilities.

7. Prior to the commencement of any of the proposed works, the following details and specifications for finishing materials, and where required samples, shall be provided for the further written approval of the Cairngorms National Park Authority acting as Planning Authority -
- a. External windows and doors;
 - b. External stonework;
 - c. Wet dash render for the walls;
 - d. External timber cladding;
 - e. Roofing material; and
 - f. A detailed colour scheme.

Reason : in the interests of visual amenity and in the interests of achieving orderly development.

8. The vehicular access to each plot shall be hard surfaced for the first 6 metres measured from the nearside edge of the adjacent access road. Detailed specifications of the hard surfacing shall be submitted for the approval and written agreement of the CNPA acting as Planning Authority prior to the commencement of development.

Reason : in the interests of traffic and public safety and in the interests of visual amenity and orderly development.

9. Front garden areas shall be maintained in an open plan format in perpetuity. Prior to the commencement of development details of all boundary treatments on the side and rear boundaries of individual plots shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority.

Reason: in the interests of orderly development and visual amenity.

Advice note :

- (i) The applicant is advised to engage in discussions with CNPA Planning Officials and the CNPA Landscape Officer prior to formulating proposals to comply with condition no. 4 of this permission.

Mary Grier

planning@cairngorms.co.uk

5 October 2011

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.