

**CAIRNGORMS NATIONAL PARK AUTHORITY 14 DECEMBER 2007  
REVISED RECOMMENDATION 04/120/CP (Planning Paper 2)**

**That Members of the Planning Committee support a recommendation 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 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**
- 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 provide evidence of the split between convenience and comparison goods to be sold within the store.
  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 sustainability statement explaining how use of renewable energy/water consumption will be addressed at the site (including some element of on-site re-use/generation).
  - 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.
  - Provision of a footbridge over the Aviemore Burn to connect the housing site to the west with the supermarket site.
  - The design should indicate a frontage to Grampian Road and an approach to access to the store which clearly indicates an emphasis upon walking and cycling 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 three 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 a pedestrian 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 within 6 months of the 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 visitors shall be promoted by the development. Such details shall include cycle parking, staff showers 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 9as 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.

#### **ADVICE NOTE**

**While it is recognised that the strip of land in front of the site on Grampian Road is not within the control of the applicants any future detailed or reserved matters application should address this issue and how a development on site could contribute to landscaping and future maintenance of this area. The reason being that this area is crucial to how the Grampian Road frontage of any building would relate to the public realm. This area offers significant opportunity for the enhancement of Grampian Road. The area is also used by the Cairngorms Farmers Market and the CNPA would want to see this use continued if possible.**

**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.**