

AGENDA ITEM 5

APPENDIX 3

**2016/0153/DET
AND
2016/0143/LBC**

**COMMUNITY COUNCIL
COMMENTS**

Comments for Planning Application 2016/0143/LBC

Application Summary

Application Number: 2016/0143/LBC

Address: Balavil Mains Farmhouse Kingussie Highland PH21 1LU

Proposal: Works to facilitate conversion of redundant farm buildings to visitor facilities and commercial use, including alterations and extension of existing structures; construction of new buildings for cafe, catering and events use; formation of vehicle parking areas

Case Officer: Matthew Taylor

Customer Details

Name: Mr Kingussie & Vicinity Community Council

Address: Not Available

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: While welcoming investment in our local estates we cannot support anything which we feel is likely to harm our community, therefore we object to this application. Our grounds for objection are as follows:

1. It is contrary to the CNPA Local Plan, as there is no history of commercial usage and the area is not zoned for commercial purposes.
2. The application appears to indicate access to the A9. We would point out that works are in the process of being scheduled to make this road into a dual carriageway, and that as a result the amount of access points will be reduced as a matter of safety.
3. When the A9 was constructed in 1975 there was a moratorium on building services adjacent to the road. The reason for this was to ensure the continued prosperity of the settlements along the route, which already have appropriate services.
4. The CNPA Policy for supporting economic growth (Local Development Plan 2015 page 21) states that retail development will be supported out of settlements only: "where the development supports economic vitality and viability of that community. Developments should have no adverse impact on neighbouring properties and should have no detrimental impact on the vitality and viability of that settlement/centre". We would argue that such a development would have a catastrophic impact on the vitality and viability of Kingussie, as we are likely to see a dramatic decrease in visitors to the town.

The policy goes on to say that: "The policy will be used to support appropriate economic development, which ensures sustainable growth and supports our communities. It is intended to protect communities from inappropriate development and loss of existing facilities, and help keep them vibrant and sustainable". In our view the commercial attraction being proposed is unlikely to keep Kingussie either vibrant or sustainable, as we have no doubt that it would completely

annihilate Kingussie, along with all of its independent cafés and businesses. No doubt it will be argued that such a development would provide opportunities for employment, but we believe that this would be at the expense of existing jobs. Also, as we understand that our local businesses are currently struggling to recruit and retain staff, this is likely to mean staff travelling in from elsewhere, not particularly beneficial to the local community. We understand that the House of Bruar near Blair Atholl has exactly this sort of staffing issue, as some of their staff travel from as far away as Dingwall.

We are surprised that the applicant wishes to establish a major development on the A9, yet has not undertaken to consult with the communities which are most likely to be adversely affected. The proposal to include 136 car parking spaces, 7 disabled spaces, 5 coach parking spaces, a café, farm shop, estate shops and events space indicates the scale of the development, for which the applicant would no doubt expect to see a significant financial return. We believe that this would be at the expense of nearby local communities, and have no doubt that there would be serious implications for many settlements in Badenoch and Strathspey.

Finally, we wish to say that should this application be granted there is no doubt that it will turn Kingussie into a ghost town, as due to its close proximity to the A9 it is more likely to attract people away from Kingussie than into it.



KINGUSSIE AND VICINITY COMMUNITY COUNCIL

CNPA Planning Authority
14 The Square
Grantown on Spey
PH26 3HG

Replies to:
KVCC Secretary,
Drumlins
Newtonmore Road
Kingussie PH21 1HD

Tel.: 01540 661962

Email: [REDACTED]

16th February 2017

Your Ref: 2016/0153/DET and 2016/0143/LBC

Conversion of redundant farm buildings to visitor facilities and commercial use, including alterations and extension of existing structures. Construction of new buildings for cafe, catering and events use, formation of vehicle parking areas. Balavil Mains Farmhouse, Kingussie, Highland PH21 1LU

Dear Sir/Madam

1. Thank you for the formal request for consultation regarding the above application, and accompanying survey reports.
2. Given the proximity of Balavil Estate to the internationally important wetland of Insh Marshes, we are not surprised that the Bat, Ornithological and Otter surveys commissioned by the applicants indicate bat activity, the presence of Otter, and numerous bird species. We are content that any proposed development on the Balavil Estate will take these factors into consideration, and that appropriate mitigation measures will be taken.
3. However we would like to make comments regarding the Retail Impact Statement dated September 2016, which gives us great cause for concern. While delighted that the applicants obviously intend to make a significant investment in their estate by restoring the main house and its associated buildings, we have serious concerns with regard to the Retail Impact Statement, as we do not believe that it gives an accurate picture of the potential impact on existing businesses currently operating in Kingussie and other nearby settlements.
4. Considering that the statement indicates that the intention is only to house an “extremely small” class one retail area (2.5), the amount of parking provision shown on the planning application (136 car parking spaces, 7 disabled spaces, 5 coach parking spaces) appears excessive, and raises questions as to the true scale of operations intended for the proposed site. This makes it difficult for us to believe that the proposed development will be: “not there to compete but compliment other provision in the area and promote local produce at every opportunity” (para 2.8).

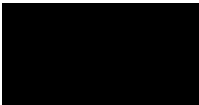
5. We note that part of the proposed development will house a farm shop selling estate produce which by definition is likely to be lamb/beef etc, necessitating butchery prior to retail. This indicates that the site is also likely to have an on-site butchery. We would point out that Kingussie already possesses a well-established butchery business employing several people including an apprentice, and which is likely to be adversely affected should permission for this development be granted.
6. The statement completely fails to mention the Rothiemurchus Estate shop at Inverdrue, approximately seven miles from the proposed site. This comprises a shop, Café/Restaurant, Farm Shop (selling estate produce), Estate Office, and Ancillary Facilities (eg. Toilets/store rooms), parking and a play area, identical facilities to those being proposed for the Balavil site.
7. It goes on to say that: “The majority of customers are likely to be those stopping off while travelling along the A9 between Perth and Inverness. The visitors will either be taking a break from their lengthy journey or as a multiple destination trip while staying/visiting other towns and attractions in the area” (para 2.10). Our view is that if visitors choose to break their journey on the A9 they are far less likely to make a detour into Kingussie or any of the other neighbouring settlements, so we are not certain how this can be interpreted as: “assisting existing businesses” (para 3.4). Indeed, it would be more likely to cause a significant displacement of jobs in Kingussie and other nearby communities.
8. With respect to paragraph 4.17: “The review of the centre found that there are no sites considered to be viable, suitable or available to accommodate the proposal in question”. This is completely incorrect as Kingussie has a site within the town which is both viable and suitable, which has recently been acquired by the community. In 2009 the CNPA sponsored “Our Community A Way Forward” initiative indicated that the acquisition of this site and its listed buildings featured high on the list of the community’s priorities. As a result work has been on-going for the past five years to create a multi-million pound tourist attraction, comprising facilities based on local expertise and knowledge of the area, and local experience of what attracts tourists. It is intended that it should benefit the area of Badenoch and beyond, complementing existing tourist attractions rather than competing with them, and provide local employment directly within the community. The project already has the overwhelming support of the local community, who see the need for the sort of development being planned.
9. Kingussie has a very fragile economy, which would not be helped by having a significant retail outlet positioned just outside the town. Indeed, there are already several thriving cafés, successful gift, arts and crafts outlets plus an antique shop, all run by local business people who are residents in Kingussie and Newtonmore. Their future success and the livelihoods of their families could well be jeopardised by the proposed development at Balavil, which will inevitably compete with them. Consequently we take no comfort from the assertion that: “It is not the proposal’s intention to go into direct competition with these retailers and if possible there could be a form of relationship in terms of supplies to the farm and gift shop should that be deemed of interest” (para 5.4), as we consider this to be highly unlikely.

10. Mention is made of the Ralia Café and Hairy Coo gift shop, a well-established café and gift shop business just off the A9 near Newtonmore, and sign posted on the A9 as a rest area for motorists. We believe that it employs up to eleven people in the High Season, and are in no doubt that a significant amount of job displacement will take place should this application receive planning consent. When relating to Newtonmore the report states that: “No unit had any ancillary parking provision to service the unit in question” (para 4.18), yet Ralia has a significant amount of parking available for both cars and coaches. We wonder what other inaccuracies are contained in the Retail Impact Statement, which by definition cannot be classed as independent having been commissioned by the applicant.

We would like to reiterate the comments made in our original objection response, where we said that the proposed development is contrary to the CNPA Local Plan, as there is no history of commercial usage and the area is not zoned for commercial purposes, and that it is also contrary to CNPA Policy for supporting economic growth (Local Development Plan 2015 page 21).

No matter how many statistics and percentages are quoted, common sense dictates that anyone considering such a significant investment will expect to recoup that investment in full with interest. In this case, we are in no doubt that it would certainly be to the detriment of nearby existing businesses particularly those in Kingussie.

Yours sincerely,

A solid black rectangular box used to redact the signature of Ailsa Schofield.

Ailsa Schofield
Chairwoman
Kingussie & Vicinity Community Council



KINGUSSIE AND VICINITY COMMUNITY COUNCIL

CNPA Planning Authority

14 The Square

Grantown on Spey

PH26 1 HG

Replies to- KVCC Secretary

75 High Street

Kingussie

PH21 1 HX

Application 2016/0153/DET

Conversion of redundant farm buildings to visitor facilities and commercial use, including alteration and extension of existing structures. Construction of new buildings for cafe, catering and events use, formation of vehicle parking areas. Balavil Mains Farmhouse, Kingussie, Highland PH21 1LU

Dear Sir / Madam

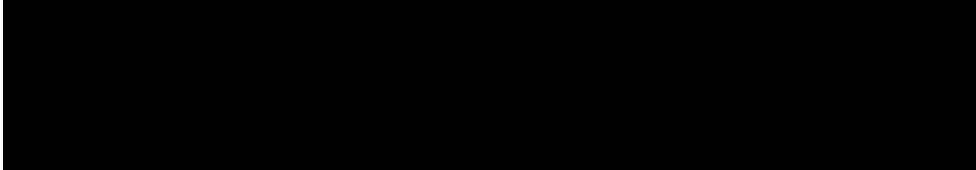
1. Thank you for the updated information.
2. Our stance on this application remains as stated in our 2 prior communications, that being one of opposition.
3. We would reiterate the proposed development is contrary to The CNPA Local Plan, as there is no history of commercial usage, nor is the area zoned for commercial purposes.
4. We wish to be treated as Statutory Consultees in this application.

Yours Faithfully,

Sue Rowley

Secretary - on behalf of the Chair

Kingussie & Vicinity Community Council



From: Deirdre Falconer [REDACTED]
Sent: 24 May 2016 14:50
To: Gavin Miles
Subject: Consultation Responses

Good afternoon Gavin

Norman Brockie has advised me to e-mail you with the Consultation Responses to two planning applications that have come before Kincaig And Vicinity Community Council. I did try to submit these responses on the Highland Council website, but it would appear that because the Park has called both applications in, the website advises that no comments can be left!

However, having discussed both applications at our last CC meeting, we would like to have our comments noted, if that is acceptable.

Firstly – Balavil – 16/01984/FUL – Kincaig and Vicinity Community Council took a neutral stance on this application. It was considered that the development would be an improvement on what is there at present, and that it has the potential to create local employment. However, concerns were raised about access to the development, and also the possible negative effect that it might have on local businesses in Kingussie.

Secondly – Inshriach – 16/01760/FUL – KVCC gather that this is a retrospective application for work that has already been partially completed, and as such, we again took a neutral stance, but would like it noted that we are unimpressed that such works were carried out with any planning consent in the first place.

Whilst on the topic of planning, the KVCC have just been notified of another application – 16/02091/FUL –Wester Speybank. The CC are receiving numerous letters of complaint regarding this application from residents of Spey Bank, who are concerned about a) lots of trees in the ancient woodland category being felled, b) over development of croft land detracting from the very nature of a croft c) the owners already own and live in a property at Speybank, so residents cannot understand their need for another house and d) residents understand that a new house plot has just been sold on the croft as well. We will be discussing this application at our next meeting on the 14th of June, but in the meantime we have advised any residents who are making representation to us to make their opinions known to HC Planning and yourselves at the Park, which I hope was the correct thing to do.

Thank you for your attention to these matters.

Kind regards

Deirdre Falconer

Chair of Kinraig & Vicinity Community Council

aviemore & vicinity
community council

"Stand fast, Craigellachie"



'Colonsay'
12 Morlich Place,
Aviemore,
Inverness-shire.
PH22 1TH



Cairngorms National Park Authority Planning Office,
14 The Square
Grantown on Spey
PH26 3HG

10th June 2016

Dear Sir,

**APPLICATION FOR PLANNING PERMISSION - 2016/0153/DET and
2016/0143/LBC - CONVERSION OF REDUNDANT FARM BUILDINGS TO
VISITOR FACILITIES AND COMMERCIAL USE, INCLUDING
ALTERATIONS AND EXTENSION OF EXISTING STRUCTURES.
CONSTRUCTION OF NEW BUILDINGS FOR CAFE, CATERING AND
EVENTS USE, FORMATION OF VEHICLE PARKING AREAS -| BALAVIL
MAINS FARMHOUSE KINGUSSIE HIGHLAND PH21 1LU**

I refer to the above and have to inform you that Aviemore and Vicinity Community Council object to the applications for the following reasons;

1. Although the proposed development is not within the area covered by Aviemore and Vicinity Community Council it was felt imperative that the Community Council respond to the application. The development is likely to have a detrimental effect on the vitality and viability of the communities along the route of the A9. Since the A9 was constructed in the mid 1970's there has been a suspension on building services next to the road so that the economies of the communities would not be affected. This has been very successful.

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Alistair Dargie

Treasurer: Wilma Grierson

2. There is no social or community need for such a proposal. More the opposite. This is a retail development which may result in some employment for locals but will irreversibly affect the viability of settlements along the A9 by taking away custom. With this development there will be no incentive for travellers to leave the A9 to access local services. Many of the communities rely on the passing traffic that leaves the A9 to take a refreshment break, etc. The detrimental effect of this reduction in passing trade will far outweigh any positive effects of more employment locally.
3. The Balavil Estate Transport Statement, and in fact the whole application, fails to acknowledge that the A9 is due to be dualled. The Primary Principle in Transport Scotland's 'A9 PES – Junction/Access Strategy Decision Process' is that all Tier 2 and Tier 3 roads should be closed. The access to the proposed development is a Tier 3 road. There is no indication anywhere that Transport Scotland have been consulted on this matter.
4. Taking into consideration the road situation as it is now, we find that the application shows direct access on to the A9. The Balavil Estate Transport Statement, in describing traffic flows and visibility, conveniently omits to mention that there will be right turning southbound vehicles which will likely have to stop in the carriageway. There is also no mention of traffic which may approach the proposed development from the old A9 and have to cross the road. This could of course include cyclists and pedestrians. The Statement gives an anticipated 85 percentile speed of 55-60mph, which does not sound bad, however, what this actually means is that 15% of the traffic, or 1200 vehicles, are travelling in excess of the speed limit. We consider that it is imperative, in the interests of road safety, that, if this development gets the go-ahead, the applicants should be required to widen the A9 road and install a central right turn lane for southbound traffic.
5. The Balavil Estate Transport Statement also estimates an extra 200 vehicles a day visiting the development. We question why the development needs 143 parking spaces including 7 disabled spaces and 5 coach parking spaces. Is this 'overkill' or preparation for something bigger? Either way it is an indication that the applicant possibly intends to expand the operation and this will be to the detriment of all the Badenoch and Strathspey communities along the A9 corridor. It is worth looking at what has happened at House of Bruar, near Blair Atholl.

In conclusion,

Aviemore and Vicinity Community Council objects to the application. The application is contrary to the policies contained within the CNPA Local Plan in that the development will have a serious detrimental effect on the vitality and viability of the communities along the route of the A9. There is no social or community need for such a proposal. There are also road safety issues which need to be addressed.

Chairman: John Grierson Vice-Chairman: Alistair Dargie

Secretary: Alistair Dargie Treasurer: Wilma Grierson

Aviemore and Vicinity Community Council do not wish to stifle development, however, this is an inappropriate development which could result in the loss of existing facilities in nearby communities.

Yours faithfully,



Chairman

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Alistair Dargie

Treasurer: Wilma Grierson

CARRBRIDGE & VICINITY COMMUNITY COUNCIL

The Planning Team
(for attention David Allan)
14 The Square
Grantown on Spey
PH26 3HG

22nd May 2016

Dear Mr Allan,

CNPA Ref: 2016/0143/LBC
Council Ref: 16/02004/LBC
Location: Balavil Mains Farmhouse and farm buildings

Our Community Council have noted the Call-in by the Cairngorms National Park Authority on this Planning Application. We are studying the Documents so far on the CNPA Website and on the Highland Council Website, and we appreciate the upgrading of nearly derelict buildings.

However at present we want to put in a holding Objection on the grounds of Adverse Impact and Displacement affecting the by-passed villages in Badenoch & Strathspey.

Yours Truly

Kate Adamson
On behalf of Carrbridge & Vicinity Community Council

From:
Kate Adamson (Secretary)
Battanropie Lodge
Station Road
Carrbridge
Inverness-shire
PH23 3AL