

2013/0073/MSC & 2013/0074/MSC

APPENDIX 4

Representations to Amended
Proposals (2014)

35 Callart Road, Aviemore, Inverness-shire, PH22 1SR

Cairngorms National Park Authority
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

Date: 30th April 2014

Application Nos : 13/00740MSC & 13/00741/MSC – Matters Specified In Conditions

Dear Sir/Madam

I would like to make the following comments on the above applications.

1. The road that is needed to access the north end of the site requires land raising to occur as this passes through an area that falls below the 208.55m AOD. The reporter has stated that no land raising should occur. The developer seems to have ignored this completely. This road cuts through an existing path, which would restrict access across the golf course.
2. I understand that an agreement has been made regarding the level crossing and the junction of Grampian Road and Dalfaber Road. There is no reference to this in any of the paperwork. The Reporter stated that these works must be carried out prior to any onsite works being carried out.
3. In regards to Dalfaber farmhouse, the reporter has stated that *“the planning authority shall have approved in writing detailed arrangements for the restoration of the building to residential use and its integration into the layout of the development at Dalfaber North, not later than simultaneously with that phase of the development”*. The developer has shown no interest at all in restoring this building as there seems to be no access to this building. This should have been included as part of the planning decision.
4. The reporter has stated the development shall be carried out in a particular order, starting from the north end of the site. This seems to have been ignored by the developer.
5. There has been no archaeological survey carried out on the site despite it being shown on the Park website as being done. This document is a Written Scheme of Investigation, and therefore an evaluation still needs to be done to fulfil the terms of the condition. A submission should be made and agreed before any decision to grant full consent can be given.
6. There is a concern the small wet area close to the boundary of the golf course may be destroyed during construction and therefore there is a need for protection of this area of the site.
7. The design document is nothing more than a sale brochure, providing very little information as to the type of building that would be allowed. Some of the photographs of the site are out of

date and need to be updated to give a more accurate impression of the site. An example of this the cottage, as this now has modern windows.

I would like make it known that I would like to address the planning committee regarding this application.

Yours

Martin Reed

From:Sam Wainwright
Sent:2 Apr 2014 12:01:26 +0100
To:'NIGEL BEANEY'
Bcc:Jane Shepherd
Subject:RE: 2013/0074/MSC

From: NIGEL BEANEY [<mailto:nigelandjanbeaney@gmail.com>]
Sent: 29 March 2014 17:19
To: Planning
Subject: ref: 2013/0074/MSC

Dear Sir

I refer to your recent communication regarding the above planning application.

I have reviewed the latest site plan layout and note that my comments provided previously have not been addressed in the latest plan, namely that at the end of the road there exists a "double hammer head". As an engineer the use of "hammer heads" are used for the purpose extending the road layout at a later date.

My understanding of the approval to proceed with this development was that it was to be a compromise between the environmental needs of the community and those of the developer and that provisions for future development should not be allowed. Therefore the hammerheads should be changed with a turning circle.

Regards

Nigel Beaney

26 Dalfaber Park

Aviemore

From:Sam Wainwright
Sent:2 Apr 2014 15:44:12 +0100
To:'BSCG info'
Cc:Fiona Murphy;Jane Shepherd
Subject:RE: Objections to Dalfaber applications

From: gus.jones00@gmail.com [<mailto:gus.jones00@gmail.com>] **On Behalf Of** BSCG info
Sent: 01 April 2014 22:41
To: Planning
Subject: Fwd: Objections to Dalfaber applications

----- Forwarded message -----
From: **BSCG info** <info@bscg.org.uk>
Date: Tue, Apr 1, 2014 at 10:38 PM
Subject: Objections to Dalfaber applications
To: Fiona Murphy <fionamurphy@cairngorms.co.uk>

Badenoch & Strathspey Conservation Group

Fiodhag, Nethybridge, Inverness-shire PH25 3DJ

Tel 01479 821491

Scottish Charity No. SC003846

Email info@bscg.org.uk

Fiona Murphy
CNPA
Ballater

1 April 2014

Dear Fiona Murphy
APPLICATIONS FOR APPROVAL OF MATTERS SPECIFIED IN CONDITIONS
REIDHAVEN ESTATE
REF. 2013/0073/MSC – LAND NORTH-WEST OF DALFABER FARM, DALFABER DRIVE, AVIEMORE
REF. 2013/0074/MSC – LAND NORTH-WEST & SOUTH OF FORMER STEADINGS, DALFABER
FARM, DALFABER DRIVE, AVIEMORE

BSCG would like to reaffirm our request to speak to the committee when these two applications are discussed.

I am writing to advise you that BSCG is maintaining its **objection** to both applications. BSCG's reasons for objecting relate to impacts on European Protected Species, other protected species and other species of conservation significance, including cumulative impacts; the absence of adequate natural heritage surveys and information, notwithstanding the recent survey work and taking account of our own recent observations; the extent of the proposed footprint of the developments; and what appear to us to be failings in procedure relating to the validity of these applications as well as the time scale within which work on the ground needs to have started to conform with the appeal decision.

We were unable to establish the deadline for objections (phone call with Simon Harrison 1.4.14) and we are therefore providing this brief, holding objection meanwhile.

Yours etc

Gus Jones

Convener

16 Dalfaber Park
AVIEMORE
PH22 1FQ

Director of Planning
Cairngorms National Park Authority
14 The Square
GRANTON ON SPEY PH26 3HG



22 April 2014

Dear Sir

**Ap 2013/0073 MAC & 2013/0074MSC
Dalfaber Farm**

As a property owner on the north boundary of the proposed development I am disappointed to be out of the area until early May and therefore unable to view the above plans within your time restrictions. I am also surprised not to have been given Neighbour Notification of the further consideration of this application.

I have attempted to understand the current position from your web site but am sure you will appreciate the difficulties this presents. Local contacts tell me that in his report, which I have been unable to find on line, the Reporter set a number of conditions which require to be fulfilled if the application is to be approved. I am particularly concerned that if the development is to go ahead – and for the reasons stated in my previous objections, I sincerely hope it will not – account is taken of the Reporter's requirement in relation to the road on the western boundary of the development site. I understand that there are specific requirements in the report which relate to the volume and nature of infill which would be acceptable, and it is important that these requirements are rigidly adhered to. It is difficult to see how, if the reporter's conditions are met, access can be obtained to the proposed housing in the north western part of the site. I would appreciate your clarification on this point.

My objections to the proposal, as stated to you in writing in 2010, still stand. In addition I have serious concerns that the proposal has been re-advertised over the Easter period with a very short deadline and without individual notification.

It would be helpful if you could advise me urgently where I can obtain a copy of the Report as I have been unable to find this on line.

Yours faithfully

Fiona Carrick-Anderson

Pawprints
Dalfaber
Aviemore
PH22 1QD
27 April 2014

Cairngorms National Park Authority
Albert Memorial Hall
Station Square
BALLATER
AB35 5QD

Dear Sirs,

Planning Applications 2013/0073/MSC and 2013/0074/MSC

I wish to reaffirm my previous objections to the above applications and would respectfully ask the CNPA Planning Committee bear in mind my comments during their deliberation.

Conclusion

Reluctantly I have to accept that development in some form or other is allowed on this site despite the original application being unanimously rejected by the Planning Authority. However, I maintain that this is quite simply the wrong development and that whilst Planning Permission in Principle has been granted for these contiguous sites this does not mean that these proposals, as detailed, are acceptable in their present form. The applicant has completely failed to take on board comments from the public and consultees and by doing so has continued to present proposals which are one of the worst examples of conspicuous over-development within the National Park.

The applicant, in his design guide rightly so makes reference to “*the special qualities which are appropriate to this place*” and the “*magnificent setting*”

However the excessive urbanisation of this highly sensitive site, visible for miles around, is particularly evident in the layout of the southern section (plots 3 through 32) which appears to take its inspiration from the ‘*rabbit hutch*’ school of architecture and results in little more than urban sprawl.

The applicant continues to pay no more than lip service to the Conditions laid down by the CNPA and the DPEA Reporter and appears to consider these conditions as some form of ‘*pick and mix*’ system choosing to ignore some completely and twist others to suit his application. This is quite accurately detailed by the then Planning Officer Mary Grier in her letter to the applicant on 24 May 2013. Despite some relatively minor tinkering by the applicant in the intervening period her concerns remain fundamentally valid today.

Development in the National Park should be exemplary and innovative.

Clearly this application is neither and in no way does it meet the primary aim of the Cairngorms National Park

“To conserve and enhance the natural and cultural heritage of the area”

General

Detailed drawings provided by the applicant are, at best, inaccurate and inconsistent. They, for example, fail to show the correct boundary to my property despite it having remained unchanged since my house was built over 30 years ago.

The indicated site boundary to the north of the access road appears not only to be within the curtilage of my property but also appear to cut through part of the building at No1 Corrou Road.

Surveyed trees on plans marked either for retention or removal simply do not exist.

The DPEA Reporter states quite clearly in Condition 11 that the development “*shall be carried out in phases*”.... “*Phasing shall be undertaken generally in a north to south direction*”. This condition applies to both parts of the site (2013/0073/MS and 2013/0074/MS) whether the development is carried out as a single entity or an individual plot development. Despite this the applicant continues to completely ignore the Reporter's decision. Were development to be allowed in contravention of this condition then it would produce an unacceptable level of nuisance over a protracted period of many, many years.

The much lauded, by no one other than the applicant, Design Guide remains little more than a sales brochure providing insufficient detail as to the type of building to be constructed and fails fundamentally to satisfy Condition 12 in which the DPEA Reporter clearly states “*the design statement shall include design guidance (including sample house types where appropriate) and shall cover details of height, materials etc. etc.*” No such details are provided.

The applicant now claims, possibly in yet another vain attempt to circumvent the Reporter's decision, that this will be a development of individual plots. Clearly this will not be the case as Condition 21 states that “*The development shall not begin.....for the provision to a registered social landlord of not less than 22 dwellings.*” Therefore in at least part of the site this will be a single development therefore full details of these 22 dwellings must be provided prior to any final approval being granted.

Whilst I understand from other sources that agreement regarding the provision of a barrier crossing across the steam railway line and the junction of Dalfaber Drive and Grampian Road has been reached there appears to be no confirmation that this is the case. I should, however, make it quite clear that the required improvements to this dangerous level crossing must surely be made prior to any construction taking place. Merely agreeing a commitment at some time in the future is wholly unacceptable.

The provision of public open space and play areas is woefully inadequate and could be much improved by the deletion of plot nos. 29, 30, 31 and 32. The houses provided in this area are likely to be family homes, homes with children and yet there is only a tiny area set aside as a play area. The whole developed area to the south of the railway line which has been previously in the control of the applicant and now contains several hundred dwellings has only one tiny play area. The development should include at the very least a kick-park of substantial size in addition to an extensive play-park with equipment suitable for differing age groups.

There would appear to be insufficient stand-off between plots nos. 1 and 2 and the Scottish Water twin main sewer line. Confirmation should be obtained from Scottish Water as to the acceptability of proposals in this area.

Road Layout.

There is no necessity whatsoever to have a pavement to the north side of the access road from Corrou Road outside my property since the only dwelling it will service is mine there being no other dwellings to which it is connected either directly or indirectly.

My property slopes down from rear to front by some two meters the front garden and drive being at the same level as the access road. Provision of a raised pavement at this point will result in water run-off from my garden and drive being contained by the pavement this will produce a 'ponding' effect potentially making my drive unusable in winter and having a severely detrimental effect on my garden.

One sensible solution would be, as I have previously suggested, deleting the pointless footpath and instead using the space to provide some form of screen planting to the benefit of both myself and the future occupants of plots nos.1 and 3.

Conditions in previous planning permissions (Golf Course and access) required the introduction of speed control humps immediately beyond the junction with Corrou Road. These appear to have been deleted. This is clearly unacceptable especially bearing in mind the rapidly increasing volumes of traffic from the golf course as testimony to which the golf course operator has sensibly introduced a 5mph speed limit on the access road in addition to the required humps. Without continued traffic calming measures in addition to the road narrowing point the main access road will become little more than a race track.

Some minor traffic management in the form of road narrowing is suggested but the frequency of these measures is insufficient to control traffic speed. Further consideration should be given to both an increase in number of these measures and also to combine them with prominent raised traffic calming measures similar to those used, extremely successfully, at the nearby Robertson's development.

The road connecting both sites 0073 and 0074 clearly passes through an area which is below the level of the flood plain. This appears to be yet another of the conditions the developer has conveniently chosen to ignore. There are no details of how the applicant intends overcome this problem since no land raising shall be put in place below 208.55m AOD. Any suggestion that the temporary access could be used for anything other than emergency vehicles is preposterous and could potentially result in disastrous consequences were some form of emergency take place during a flood event when emergency access could be blocked by private vehicles.

There are no pavements in the development beyond plot 37 an fact ignored by the applicant despite it being brought to his attention on a number of occasions.

DPEA Reporter's Condition 10(a) includes a requirement to extend the path along the golf course boundary to cross the gully and link with the Fisherman's Car Park Drive. Whilst these are plans to extend this footpath there is a discrepancy between the updated Road Revision Layout B (07/04/14) and the Design Guide Updated (01/04/14)

Landscape

The proposals particularly in the southern part of the site (plots 3 through 32) and those elsewhere in other parts of the site (plots 38 through 45 and 68 through 71) remain excessive over development.

The design guide fails to demonstrate how the visual impact will be softened sufficiently “*to avoid creating an impression of hard-edged angular urban sprawl within the National Park, at a location highly visible from the adjacent golf course and from the hills and mountains beyond*”

These proposals do little to satisfy the requirements laid down by the Reporter in Conditions 1, 2 and 3 in that the Design Guide continues to provide insufficient detail to allow evaluation of the application.

ENDS

Jennifer M. Lobban

From:JML
Sent:29 Apr 2014 10:25:41 +0100
To:Planning
Subject:Objection to 2013/0073/MSC & 2013/0074/MSC
Importance:Normal

Cairngorms National Park Authority
Albert Memorial Hall
Ballater
AB35 5QB

Planning applications 2013/0073/MSC & 2013/0074/MSC

Dear Sirs,

I wish to object to the above applications on the grounds that the developer has failed satisfy the conditions laid down by the Scottish Government's Reporter Emma Brown particularly with respect to –

1. Siting and Design and Appearance of proposed buildings
2. Landscaping especially in the southern part of the site
3. Phasing
4. Flooding. e.g. the road connecting 0073 and 0074
5. Improvements to the Dalfaber Drive Level Crossing and Grampian Road / Dalfaber Drive Junction
6. Access. There are insufficient measures to control the already existing problem of excessive speed on the main access road.

Yours sincerely,
Alice Martin
30 Corroul Road
Aviemore
29 April 2014