

# Agenda Item 5

## Appendix 5b

2023/0399/DET

Representations – general  
comments

## Emma Greenlees

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**From:** [REDACTED]  
**Sent:** 28 October 2023 18:12  
**To:** Planning  
**Subject:** 2023/0399/DET public comment

**Categories:** Emma G, Comments

Dear ms k crearar

CNPA ref: 2023/0399/DET

LA ref: 23/02003/FUL

Title: change of use (retrospective permission) to Old Bridge Inn (OBI) car park to beer garden

I would be grateful if the following points could be taken into consideration in your decision to retrospectively provide permission for the OBI to change the use of its car park to a beer garden.

1) As a resident of Dalfaber Road I have experienced some challenges with vehicle access to my home due to the loss of the riverside car park at the OBI. This is not a problem entirely attributable to the pub users, as I believe it has been compounded by the intensive development of holiday chalets in close proximity.

2) I would like to make it clear that I am not objecting to the proposal of a beer garden in principle, as it does provide a safe place for the public (and particularly families & dogs) to sit outside in a sunny spot by the river. I would be keen to support this application if some safety issues could be addressed, namely:

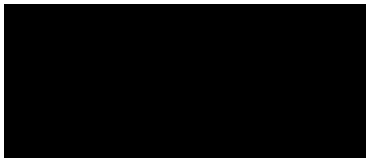
A) cyclists exiting the old bridge cycle path need a protected lane and clearer line of sight to make the move across the road. Yellow hash lines on road to prevent parking here or maybe re-routing of cycle way behind outdoor eatery may resolve this issue.

B) vehicles passing the pub to exit Dalfaber Road have been forced to drive on the wrong side of the road on a blind bend because parked cars provide no opportunity to pull over. The solution could be to address the blind bend (created by a wide beech hedge) or prevent parking on the bend.

C) cars parking half on road and half on pavement force pedestrians onto the road. The ideal solution would be to improve the width of the pavement.

My preferred planning decision would be to increase the space for off street parking for pub users by moving storage AND approve the beer garden. Many thanks for considering these points. I am happy to be contacted for any further comment, and negotiate if other solutions could be offered.

Kind regards



## Emma Greenlees

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**From:** [REDACTED]  
**Sent:**  
**To:** Planning  
**Subject:** 2023/0399/DET comments on application

**Categories:** Emma G, Comments

Re CNPA 2023/0399/DET. Application

To whom it may concern

I am making comments re the below application.

As a resident of Dalfaber Road I have no objection in principal to the use of the land as a beer garden.

The main issue is the choking of the road by cars which presents difficult access when busy and the following resulting hazards:

Pub and chalet visitors cars commonly restrict the road to single lane.

Heading south along road entails driving on wrong side of road around a blind bend and possible collision risk.

Congested road also a hazard for cyclists exiting iron foot bridge onto Dalfaber Road.

Public (all ages) crossing road between cars onto "single" lane presenting a potential collision hazard.

### **Solutions may be:**

- That use is temporary for specific functions .
- At other times parking in off Road area possible.
- Division of proposed into clear parking and function.

### **Other comments**

I would not like to see the area changed from a landscape point of view.

Aware that trees and plants and porous ground are critically necessary as a flood plain during regular flood events.

Hope this helps with thanks

Date of call-in	CNPA Reference	Local Authority Reference	Case Officer	Application Description	Deadline for Public Comments*
23/10/2023	2023/0399/DET	23/02003/FUL	Katie Crerar	Change of use of land to beer garden (in retrospect) at Land 45M SE of Old Bridge Inn, 23 Dalfaber Road, Aviemore	20/11/2023



## Emma Greenlees

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**From:** [REDACTED]  
**Sent:** 20 November 2023 00:35  
**To:** Planning  
**Cc:** [REDACTED]  
**Subject:** Access to the Spey at Old Bridge, Aviemore

**Categories:** Emma G, Comments

Good evening

I am writing, as we have been contacted by an Scottish Canoe Association member, regarding the development of a beer garden at the Old Bridge Aviemore: 23/02003/FUL. I would like to offer some comments.

I note that there is a retrospective aspect to this application. However, the proposal appears to effectively make a temporary situation permanent and access to the Spey for paddlers at Aviemore very difficult. Access at the bridge, using the beach has been an established route for decades. The Spey is of course a core path. The Spey Descent is a route that brings many visitors to the area, and has been promoted by and benefited from considerable public investment.

It is unclear from the application, whether the applicants envisage access to the river continuing. Clearly, even if access is permitted, there is a potential for problems with a crowded beer garden and canoes and kayaks being carried through the proposed garden. Traditionally, paddlers have also parked vehicles in this area. Leaving vehicles at both start and finish of a trip is an essential aspect of undertaking any section of the river. Although parking has been permissive, the fact that parking has latterly been restricted has forced paddlers to park on the street, along with the general public and customers of the pub. Loading boats after exiting on the beach past the bridge, involves lifting kayaks and canoes onto vehicles on the narrow, busy Dalfaber Road. This is potentially hazardous. Access to the river on foot, is of course by right, by virtue of the Land Reform Act 2003.

I gather consultations on this application close tonight. The S importance of maintaining access for paddling is an important principle, especially on what I understand to be a core path. These issues of access and boat loading require close consideration. In addition, for paddling, access requires a workable carry distance, so it is not simply a matter of looking at other paths adjacent to the river. It would seem prudent, that if no alternative suitable access arrangements are to be made, that access is preserved by way of a condition, should a change of use be granted. However, this in itself, should not be construed as support for this application with conditions.

I gather you are already in touch with the local paddlesport advisor for the Spey. They are probably best placed to be involved in further discussions.

Yours sincerely

[REDACTED] Access Committee, Scottish Canoe Association