

REPRESENTATION

26 MAY 2009

ACKNOWLEDGED 27/09

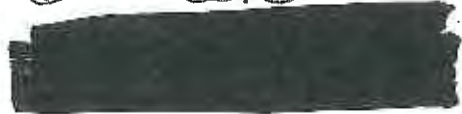
Received 27/5/9

26, Grampian View  
Aviemore  
PH22 1TF

We would like to

- object to section of 30 houses  
& construction of access road  
on the grounds of lack of green space  
in the village of Aviemore. Has  
been overdeveloped in recent years  
to saturation point (no community gain)
- 1) Previous SEPA report shows change  
of direction of Milton Burn's high  
risk of flooding & pollution of water  
course.
- ii) High density housing inappropriate  
traffic & size width Grampian View  
Road safety issues children have  
no play areas. ∴ play on street  
in Grampian View
- iii) Old mill approx 200 years old.  
should be retained & preserved  
as part of heritage of Aviemore
- iv) Area zoned as orbital path.  
As we have lost walks at High  
Burnside yours sincerely

Janis Dick



C NPA

Highland Council Bainbridge and Strathspey Planning and Building Standards	03 SEP 2009
09/153/CP	Received
11/9/09	

Donald & Linda Murray  
29 Grampian View  
Avenmore  
Calington's National Park  
Park number PH221TF  
11 SEP 2009  
1st Sept 2009

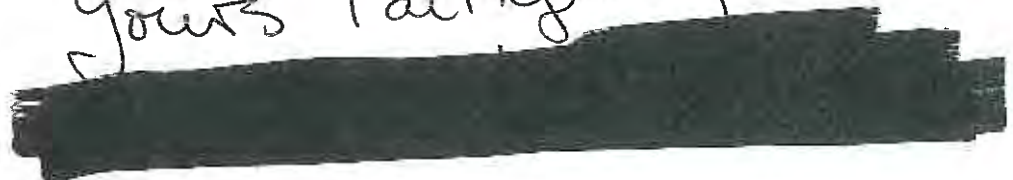
Dear Sir or Madam

As laid out in previous correspondence I would like to object on two points. Firstly, the housing density is too great, Grampian View has 33 houses on an area of around four times the area of Milton Burn. Thirty houses on this very small area is ridiculous.

secondly the housing density plus the building on the other side of the A9 will cause erosion & flooding of the Milton Burn. Trees & vegetation soak up water & this torrent in winter will most certainly flood houses already built, this has previously happened.

I realise this letter is a total waste of time as you will all do exactly as you please. The fact that houses are not selling like hot cakes & a small matter of flooding will not matter.

Yours Faithfully



09/109

<b>Cairngorms National Park Authority</b>
Planning Application No. 09/153/CP
<b>REPRESENTATION</b>
ACKNOWLEDGED 2/7/09

Mrs Jane Steinle  
 28 Grampian View  
 AVIEMORE  
 PH22 1TF  
 Inverness-shire

16 May 2009

Highland Council Badenoch and Strathspey Planning and Building Standards
19 MAY 2009 ach 22/5 Received

Area Planning and Building Control Office  
 100 High St  
 KINGUSSIE  
 PH21 1HY

Dear Sirs

**RE: PROPOSED RESIDENTIAL DEVELOPMENT ON LAND BETWEEN AVIEMORE BURN AND AVIEMORE ORBITAL PATH OPPOSITE GRAMPIAN VIEW AVIEMORE**

In respect of the above proposed development I would like to express the following concerns.

1. I feel that the proposed number of dwellings for which application is being made is too high for the area in question. A previous application made in 2004 for 25 dwellings in an area which included Milton Wood was refused. This application is for 30 dwellings in a much smaller area than the previous application. This sort of density seems inappropriate given the site, which I believe my subsequent concerns, reinforce.
2. I have very serious concerns about what implications there would be as a result of this development on Butcher's Burn which runs alongside the back of Grampian View. Any major development in such close proximity to the burn could have a major impact on the banking on the west side of the burn and the flow of the water, possibly resulting in major problems both in this area and further downstream, particularly in times of spate. There have been well documented incidences in the past of such problems.
3. I am concerned that the Aviemore Orbital Path which is a local amenity (of which there are very few and getting fewer) valued and well used by local people will be even further compromised than it has already been by current developments taking place on the other side of the A9 trunk road as well as the section bordering the north side of the Robertson Development.

In conclusion I would also like to make the point that the 'explosion' of development in Aviemore in a very short number of years with an apparently endless number of different developments still being worked towards has created a stressful environment for the people of Aviemore who live and work here, bringing up their families and making their life here. Local amenity areas which don't require a car or a long walk to access have been gradually eroded. The well-being of the local community never appears to be a priority when planning decisions are made. This may or may not be true but it is certainly the perception and as such I would hope that planners would take this into consideration when making their decisions.

Yours faithfully



Mrs Jane Steinle



Julie Millman

From: Anne Forbes  
Sent: 13 June 2009 08:24  
To: Planning  
Subject: Building

Cairngorms National Park Authority

Planning Application No. 09/153/CP

REPRESENTATION

ACKNOWLEDGED

15/6/09

Dear Sir / Madam

I have learned recently about the proposed housing development on the edge of Milton Wood.

As a frequent visitor I strongly object to this plan. It is clear that there will be damage to the natural habitat which visitors currently return regularly to enjoy and which is also part of why people choose to live in this area.

This development should not be allowed and I hope that the planning department are able to preserve the natural value of this area.

Regards,  
Anne Forbes

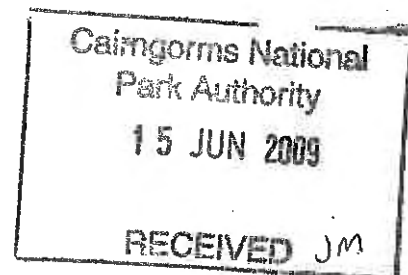
19 Inch Marnock  
St Leonards  
East Kilbride  
G74 2JQ

Cairngorms National Park Authority

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received by email.

Douglas Graham  
A'Anside Guest House,  
Aviemore,  
Inverness-shire.  
PH22 1QD.

Cairngorms National Park Authority	
Planning Application No.	09/153/CP
REPRESENTATION	
ACKNOWLEDGED	15/6/09

10<sup>th</sup> June 2009

CNPA planning office,  
Albert Memorial Hall,  
Station Square,  
Ballater,  
AB35 5QB

Cairngorms National Park Authority	
12 JUN 2009	
RECEIVED	JM

HRC ref Number 09/00109/FULBS  
CNPA ref Number 09/153/CP

**Re: Planning application for erection of 30 houses and  
construction of access road at land south east of Millside  
House, Milton, Aviemore**

Dear Sirs,

One of my main objections against the last planning application (07/393/CP) for the development of this site by building houses in close proximity to my rental flats as been alleviated and the risk of financial hardship reduced. For this I am very relieved and grateful to Mr Grant.

However, I continue to have the following objections:-

No matter the planned layout, I would consider 30 houses excessive. This concern appears to have been borne out, as the previous application for only 12 houses was indeed deemed to be too many.  
(04/00216/OUTBS)

If you compare the area of this site (1.15HA) with a similar area of Grampian View, or the Croftside development, the housing density is very much greater by a large margin.

Under these new proposals the millpond and surrounding trees which in part, form a site of archaeological and historic interest will be lost.

One of the conditions of approval of the previous application, was that the mill and its environs would be safeguarded. At the time, this was clearly documented by Andrew Tait to be all of the western side of the site up to the orbital path.

Another restriction and condition of building at the southern end of the site was that it required the ground level to be lifted by some 2.3 meters at the lowest point. This was to reduce the risk of flooding in the future. There is no mention of this in the new proposal. Therefore houses built at this level are at serious risk of flooding in the future.

The hydrology report submitted with the application has absolutely no new data to address the concerns in the original report from SEPA and is based on the same data that SEPA used last time around. These concerns are unaddressed and appear to remain valid reasons for rejection.

Where does the water from the underground stream that continuously runs into the millpond go?

According to the new application it will be culverted away, but I am unclear as to where. If directly to the burn, then there will be increased bank erosion, which is something which was deemed unacceptable, or if diverted to the other side of the footpath will cause increased flooding in that area.

What would happen in the event of the culvert choking up?

I have cleaned out the culvert under the footpath several times now to prevent the millpond getting too deep and flooding over the lower end of the footpath.

The millpond serves as small reservoir absorbing high rainfall and seasonal snow melt from the surrounding area discharging slowly into the burn and feeding the trees that are dipping their roots into the pond. Removal of the pond and trees, will result in a higher volume and flow of water discharging in a shorter time into the burn causing more bank erosion and greater risk of flooding downstream. The new hydrology reports states that the pond and the burn are not hydraulically connected. If you follow the outfall of the pond it meets with another stream from higher up in Milton woods and at this time of year, they meander down through the lower part of the woods and run into the burn at the rear of 16 Morlich Court. Therefore the burn and the pond are indeed hydraulically connected.

This brings me on to the two rather large houses of two and a half stories on the western boundary with the Aviemore orbital footpath. There are no details on the plans to indicate how these houses are going to be accessed or serviced. On the submitted plans there is a small mention of using the existing track. This single width track already serves the maximum number of houses permitted.

This track stops at the former site of two cottages located roughly where Millside House garage is at present.

Just to be clear the Aviemore orbital footpath is separate from this track and runs alongside it, so to upgrade and extend the track to adoptable road standard would cause major disruption to the orbital footpath.

There will be many financial and logistical implications for my business and my properties if this happens, especially during the construction of a new service road and bridge that would be required. Never mind the disruption caused by building the houses and the upheaval to the orbital footpath, trees, plants, wildlife etc. The full impact of these houses cannot be adequately assessed until more detail is provided. I believe the application should be resubmitted with the appropriate level of detail.

In addition, one of the finest photo opportunity spots on the Aviemore orbital footpath will be lost forever. A photo taken at this spot looking over Aviemore with the Cairngorms in the background is something to behold.

The design and layout of the houses in the "homezone" would be more suited to a new town rather than a rural part of a highland village.

In summary: -

I and many other folk in and around Aviemore area have not seen the evidence that demands we need this additional housing so desperately.

There are other housing projects and developments in the area coming to fruition, which are or will be more affordable.

Consequently I believe the proposed planning application for this development should not be given approval.

I would very much appreciate if you were able to outline the perceived need for this development and the manner in which it will address the reasons for its previous rejection.

Yours sincerely,  
Douglas Graham



28 May 2009

The Highland Council  
Planning Committee  
100 High Street  
Kingussie  
PH21 1HY

Gairngorms National Park Authority	
Planning Application No.	09/157/cp
REPRESENTATION	
ACKNOWLEDGED	2/7/09

Highland Council Badenoch and Strathspey Planning and Building Standards
- 1 JUN 2009
Received

Dear Sir/Madam

**RE: NO. 09/00109/FULBS Erection of 30 houses and construction of access road on land between Aviemore Burn and Aviemore Orbital Path opposite Grampian View, Aviemore.**

I am writing to lodge objection to the proposed planning application for the above. My grounds for objection are as follows -:

1. The flat I occupy is south facing and the dwellings will seriously block my light and encroach on my privacy.
2. Access to my property will be seriously affected during construction of the road alongside *MILLSIDE* Moorside House and Aanside House.
3. The Aviemore Orbital Path used by me, other locals, dog walkers and holidaymakers allowing easy access into Aviemore town along with the natural woodland will be destroyed. This is a serious environmental issue and one that cannot simply be ignored.

I believe that there is a serious need for affordable housing and that this particular application will not only severely affect my property and outlying area as detailed above, it does not fit the criteria in terms of social need.

Yours faithfully



Russell Morris  
Flat 2  
Millside House  
Aviemore PH22 1QD



**Andrew McCracken**

Highland Council  
Badenoch and Strathspey  
Planning and Building Standards  
26 MAY 2009  
Acknowledged 27/5/09  
Received

**From:** eplanning@highland.gov.uk  
**Sent:** 26 May 2009 09:37  
**To:** Andrew McCracken  
**Subject:** Application Comments for 09/00109/FULBS

Planning Application comments has been made. A summary of the comments is provided below.

Comments were submitted at 9:43 AM on 26 May 2009 from [annestewart@homecall.co.uk](mailto:annestewart@homecall.co.uk).

## Application Summary

Address: Land South East Of Millside House Milton Aviemore

Proposal: Erection of 30 Houses and Construction of Access Road

Case Officer: Andrew McCracken

[Click for further information](#)

## Customer Details

Name: Ms anne stewart

Address: millside house, aviemore ph221qd

## Comments Details

Commenter Type: Neighbour

Customer objects to the Planning Application

Comment Reasons:

Comments: 1. The density of housing is excessive. Outline planning permission was given on current local plan which allocated 20-25 houses with 13 in birchwoods (Milton Wood since protected) which leaves 7 - 12 in the remaining site, further reduced in size by constraints of the the outline planning permission granted by CNPA. 2. The layout, design and density does not respect the surrounding settlements, and does not enhance the character and amenity of the community. 3. The development is non-compliant with the conditions of the outline planning permission granted by CNPA on application 07/393/CP 4. Outline planning permission was only sought and granted on one access road. 5. The hydrology report enclosed with the application is flawed. I'll follow this up with a more detailed explanation by email or letter as advised by Kingussie planning office as eplanning isn't fully up and running as yet.

(c) IDOX plc

**Julie Millman**

**From:** Tony Young [REDACTED]  
**Sent:** 16 June 2009 13:03  
**To:** Planning  
**Subject:** Planning application 09/153/CP

Cairngorms National  
Park Authority

16 JUN 2009

RECEIVED *jm*

The above planning application for a housing development has come to my attention via friends who live in Aviemore.

Although not resident in Strathspey I have been visiting the area and Aviemore for some 40 years for skiing and latterly as a member of the Strathspey Railway Association and have to say that in my opinion the continued proliferation of housing in and around Aviemore risks detracting from the reason visitors find the area attractive to visit.

This latest proposal would **impact on an existing open area** and as I understand it, would also **affect the orbital path** around the north side of the "village".

If this is the case that would amount to a **loss of amenity** to those who enjoy the existing walkway and its pleasant views of the Cairngorms.

I enjoy walking into Aviemore from the Burnside area and appreciate the open aspects as no doubt do the locals and visitors.

As is the case elsewhere in Scotland Aviemore and the villages of Strathspey have a **preponderance of second homes** which **has many negative impacts** on the community.

How many of the dwellings in this proposed development will become second homes ?

Furthermore I understand that there are **non compliance issues with original conditions** set by the CNP when outline planning permission was granted.

Looking at the plans, the **density of the proposed development** seems to be at odds with the other houses in the immediate vicinity.

No doubt this layout is commercially driven and pays little attention to amenity.

If this and other similar developments continue Aviemore risks becoming an even more densely built up area detracting from its appeal to visitors and becoming a less attractive environment for its inhabitants. If visitor numbers decline so will the local population many of whom rely on the visitors for a livelihood.

Please take these views into consideration when deciding on the pros and cons of Aviemore remaining a holiday village with open spaces or becoming a conurbation of predominantly second homes.

Regards  
 Mr J.E.Young  
 The West Steading  
 Skene  
 Westhill  
 Aberdeenshire  
 AB32 6SQ

Cairngorms National Park Authority

Planning Application No. 09/153/CP

REPRESENTATION

ACKNOWLEDGED


17/6/09.

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16/06/2009

Cairngorms National Park Authority	
Planning Application No	09/153/CP.
REPRESENTATION	
ACKNOWLEDGED	09-06-09.

Marie Duncan

**From:** Graham Forbes   
**Sent:** 08 June 2009 17:28  
**To:** Planning  
**Subject:** CNPA reference is 09/153/CP, the Highland Council reference is 09/00109/FULBS

Dear Sir / Madam

I have learned recently about the proposed housing development on the edge of Milton Wood.

As a frequent visitor I strongly object to this plan. It is clear that there will be damage to the natural habitat which visitors currently return regularly to enjoy and which is also part of why people choose to live in this area.

This development should not be allowed and I hope that the planning department are able to preserve the natural value of this area.

Regards,

Graham Forbes

19 Inch Marnock,  
 St. Leonards  
 East Kilbride  
 Glasgow  
 G74 2JQ

Regards,

Graham Forbes

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C NPA

MR C SUTHERLAND

Cairngorms National Park Authority  
 Planning Application No. 09/153/CP  
 REPRESENTATION  
 21 June 2009  
 ACKNOWLEDGED 25/6/09

27 Grampian View  
Aviemore.  
PH22 1TF

Cairngorms National  
 Park Authority  
 25 JUN 2009  
 RECEIVED JM

The Manager/Senior Planning Officer.  
 Badenoch and Strathspey Planning and Building Standards Office  
 100 High Street  
 Kingussie  
 PH21 1HY

Highland Council  
 Badenoch and Strathspey  
 Planning and Building Standards  
 23 JUN 2009  
 Received

Dear Sir,

I would like to officially object to the proposed residential building on the land between Grampian View and the A9 public road.

My considered objection concerns the following reasons ;

1. The current amount and density of housing already in place in Aviemore is at saturation level and there is a distinct lack of space and facilities for residents.
2. The current and future river and flooding problems, as indicated by SEPA, will only increase with continued construction in this area of Aviemore. The quality and pressure of the water supply to current residents has already deteriorated.
3. There does not seem to be the need for further development in Aviemore, previous developments have failed to complete full occupation, Robertson nor Tulloch.
4. The current developer applying for this planning previously objected when another company were interested and submitted their planning application.
5. The negative effect on the local wildlife, as previously mentioned and evidenced during the application to construct houses in the adjacent Milton Wood.
6. The unsuitability of Grampian View for access to so many houses and resident/visitor motor vehicles.
7. The local community have already expressed dismay at proposed building across the Milton Burn and were assured any building would be sympathetic to site but it appears that this development changes existing paths and is not respecting this assurance.
8. The style of housing proposed is very urban and does not take account of the surrounding properties and how they would blend together.
9. Building work to cross the Milton Burn and so close to Milton Wood could damage habitats and ecology of area.
10. The applicant could develop existing empty sites on the Grampian Road, presently an eye sore when entering the village and leave this site for continued community use.

In conclusion I feel that this area, as with Milton Wood should not receive any planning approval for construction and should re-zoned for a public amenity, there is less and less areas in Aviemore for public to enjoy.

Sincerely,

[Redacted signature]



Marie Duncan

**From:** Dougie & Anne [REDACTED]  
**Sent:** 09 June 2009 10:58  
**To:** Planning  
**Subject:** Objection to planning application 09/153/CP  
**Attachments:** objection.pptx; ATT55327.htm

<b>Cairngorms National Park Authority</b>
Planning Application No. 09/153/CP.
<b>REPRESENTATION</b>
ACKNOWLEDGED 9-6-09.

F.A.O. Andrew Tait

In my comment via eplanning to Highland Council regarding the planning application for Land South East Of Millside House Milton Aviemore 09/00109/FULBS, I indicated that I would follow the email up with more detail. Please find attached more detail.  
Could you please confirm that you have received the attachment and it has opened up successfully.

Regards  
Anne Stewart  
Millside House  
Aviemore  
PH221QD

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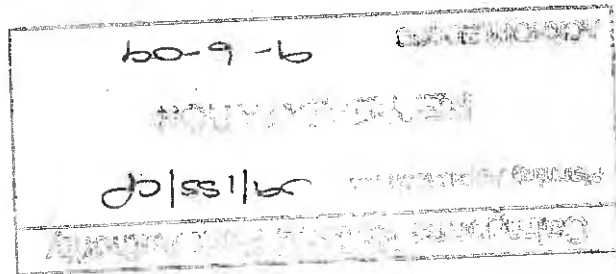
# Objection to Planning Application

09/00109/FULBS

09/153/CP

Land South East Of Millside House

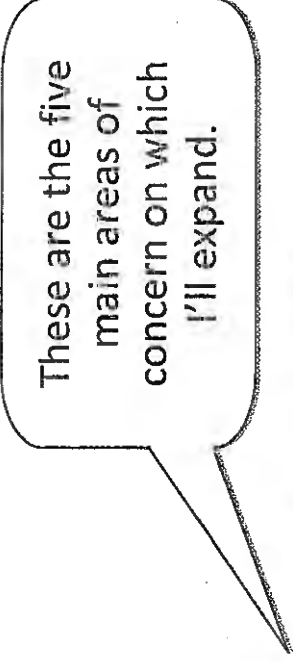
Milton Aviemore



I wish to object to the proposed development on the grounds that:-

- There is non-compliance with the conditions set by the CNPA when granting outline planning permission i.e. ground height, developing the western part of the site, including a second access route.
- There are too many houses planned for the site.
- The design and layout does not fit with existing settlements.
- The second access road does not comply with Policy H8.
- There is an increased flood risk downstream of the site.

# Case for Refusal



These are the five main areas of concern on which I'll expand.

- There is non-compliance with CNPA conditions
- The site would be overdeveloped in comparison to existing settlements.
- The design/layout does not protect the character of neighbouring settlements.
- There are access constraints to the west of the site.
- There is a flood risk to properties downstream of the site.



# Non-compliance with CNPA conditions as set out on outline planning consent 07/393/CP - Evidence

## CNPA Conditions

- The western part of the site containing the Mill remains and treed environs are to be excluded from the development

Plots 7 – 13 are sited on the excluded area as outlined in para. 4 of CNPA planning conditions.

Finished floor levels do not exceed the minimum level of 222.7m AOD as set by planning condition 12.

- Ground level to be raised

- Outline permission was only sought for one access road

Access was granted for one new road extended across the burn from Grampian View. The new plans now include access via the orbital path. Further comments on the second access road are made under 'Access constraints'

# Overdeveloped - Evidence

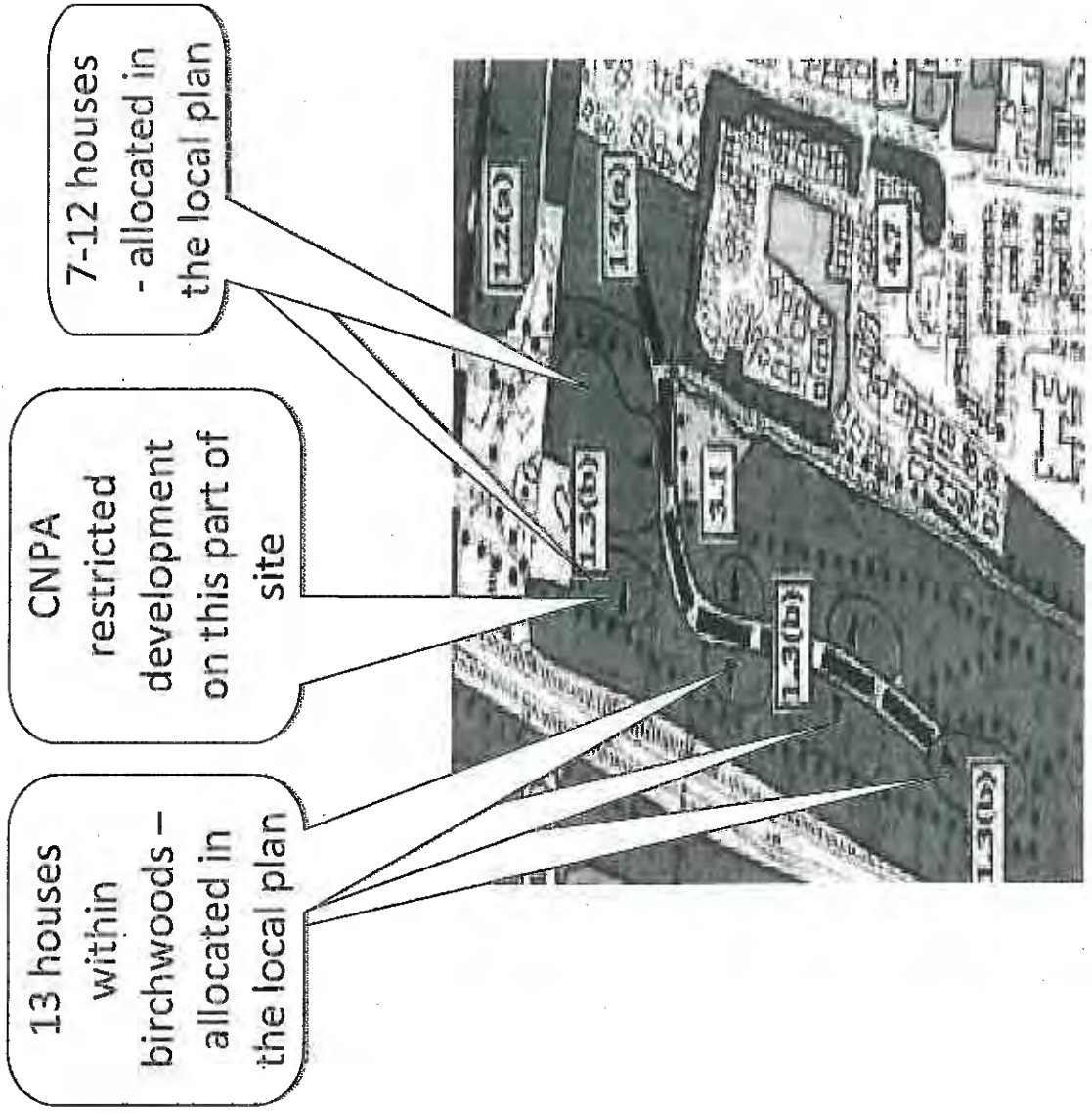
The applicants background information states:-

“The use of the site for housing was established by both the current (Badenoch & Strathspey) Local Plan and the granting of outline planning permission for housing by the CNPA planning committee.”

The local plan, referred to above, allocated 20-25 houses to be built in the combined areas labeled 1.3(b) (Map taken from the Local Plan 1997) 13 to be constructed within the birchwoods, otherwise known as Milton Woods, leaving 7 – 12 houses to be constructed on the site now being considered. Milton Woods has since been protected from development.

With the CNPA restriction on developing the western part of the site, as part of outline planning application 07/393/CP, the site allocation must therefore be further reduced.

Please refer to extract from the Local Plan on following page:



# Overdeveloped - Evidence

## Infill Housing

6.1.3 Land in the following locations is allocated for housing development (RS4 applies);

Area	Location	Size	Capacity	Requirements
(a)	Tarmac site	0.5 ha.	16 houses	second phase, substantially complete
(b)	west of burn	1.8 ha.	20-25 hs. Approx. 13 plots within the birchwoods	setback from A9 and tree safeguards
(c)	rear of Milton Park	0.2 ha.	14 houses,	
(e)	Centre lands	4.6 ha.	120 houses	See following box

With the land available to develop now reduced to <1ha, the number of plots must be reduced accordingly

## Overdeveloped - Evidence

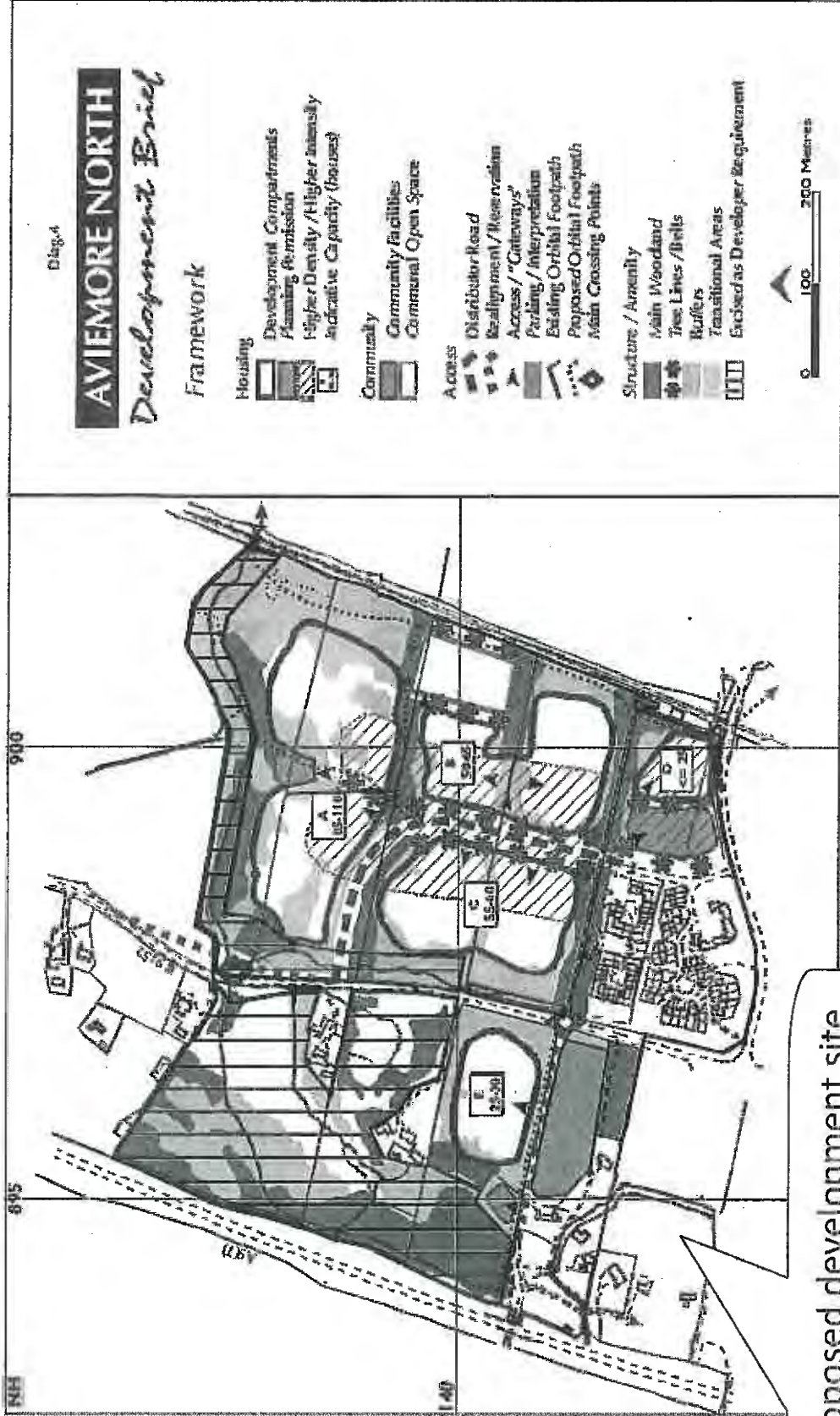
The applicants planning support statement makes reference to Highland Council's Aviemore North Development Brief 2000 for setting the layout of the more densely developed portion of this site.

Please refer to the map on the next page, taken from the Aviemore North Development Brief 2000 which clearly shows that this site is NOT part of the Aviemore North Development Brief 2000.

The high density remit is also situated within a more dense settlement as shown on the hatched area.



# Overdeveloped - Evidence



Proposed development site  
in not part of this brief

## Overdeveloped - Evidence

Scottish Planning Policy 3 - Planning for homes  
(revised 2008) paragraphs 61, 67, 69

Emphasise the importance of maintaining an  
appropriate density to neighbouring settlements.

Spp3 is referenced in the applicant's planning  
support statement.

# Overdeveloped - Evidence

Scottish planning policy Spp3  
(Revised 2008)

61. The appropriate density of new development should be determined in relation to the character of the place and its relative accessibility, with higher densities more appropriate in the most central and accessible locations. Through good design it is possible to achieve a variety of forms of high-density living environments without overcrowding or loss of amenity. The right density, alongside high design standards, a good mix of dwelling types and accessible green spaces are more likely to create communities that are self-supporting and socially diverse.

This site is not central to the village, has limited accessibility and therefore doesn't meet the criteria for high density living.

This is an infill site between areas of much lower density and should therefore respect its environment.

67. Infill sites within existing settlements can often make a useful contribution to the supply of housing land. These opportunities might range from relatively smallscale undeveloped sites within otherwise built-up frontages or larger areas of land in urban, suburban or village locations. Planning authorities should ensure that where infill sites are assessed as suitable for development, proposals respect the scale, form and density of the surroundings and enhances the character and amenity of the community. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development. In particular, care should be taken not to erode the open space and green networks in an area

It borders a quiet recreational area of high amenity value used by locals and visitors which must be preserved.

69. Development plans should specify how the character and setting of an existing settlement is to be protected, guide new development to suitable sites, and, where appropriate, provide for the phased release of land.

The development plan does not protect the character and setting of the existing settlements

# Overdeveloped - Evidence

- I'd like to draw your attention to a similar development in Blairgowrie, although not in the National Park, is none the less subject to the same Scottish planning rules. The planning application was for 21 dwellings in 1.9ha of overgrown meadow surrounded by low density housing. The site also benefits from various points of access from existing roads, easy access to services and no woodland or archeological remains.
- The application was refused primarily because the development would be significantly at odds with the density, character and amenity of the area.
- Planning application 06/00434/FUL
- The developer appealed the decision, but the Scottish Executive Reporter upheld the planning department's decision and dismissed the appeal.
- A subsequent application for 13 dwellings is currently being considered.
- [http://www.scotland.gov.uk/planning/seiru/seiruDocs/PPA\\_340\\_518.pdf](http://www.scotland.gov.uk/planning/seiru/seiruDocs/PPA_340_518.pdf)
- The application for the site at Milton Burn, taking into consideration the land available for development as outlined by the CNPA, the existing local plan and government policy, should therefore be restricted to 6-8 dwellings



## Design/layout does not protect the character of neighbouring settlements- Evidence

The planning advice notes listed below, except PAN 44, are referenced in the applicant's planning support statement.

- PAN 44 Fitting New Housing into the Landscape paragraphs 7, 9, 54
- PAN 52 Planning in Small Towns - Introduction
- PAN 65 Planning and Open Space, paragraph 1
- PAN 67 Housing Quality, paragraphs 14, 15
- PAN 76 New Residential Streets, paragraph 11

All emphasize the importance of good relationship between old and new settlements. The proposed development fails to satisfy much of the criteria advised.

# Design/layout does not protect the character of neighbouring settlements- Evidence

## PAN 44 Fitting New Housing Development into the Landscape

7. These points are also taken up in NPPG 3: *Land for Housing, which calls for greater weight to be given to design both to improve environmental quality and to achieve greater energy efficiency. In seeking to protect and enhance the quality of the environment, NPPG 3 asks developers to aim for a high standard of design and landscaping in new housing development, with particular emphasis on:-the shape, layout and form of the development and its impact on the surrounding area;the choice of materials, with colours and textures that complement development in the locality;well designed schemes that respect both the local environment and the landscape setting; and the visual impact of new developments as seen from major roads and rail routes.*

9. Scotland enjoys a long and distinctive tradition of urban design, with urban form closely fitted to the landscape. The pattern, evolved over centuries, has now seen some additions at best mediocre or indifferent in quality. Lack of integration with the landscape is particularly noticeable on the edges of our small and medium sized towns. Many new housing developments have been planned and carried out without evident regard to existing urban form and the local landscape, or to their wider visual impact particularly when seen from road and rail approaches. Insensitive development can undermine the special environmental quality of towns and their setting in the countryside which have drawn people to live and invest in them in the first place.

54. It is evident that change is required if the issue of environmental quality is to be seriously addressed. *In regional planning, landscape capacity and the relationship of new to existing urban form should be primary factors in determining the desirability of settlement expansion. In the development of sites, environmental quality objectives require to be prioritised and good practice on position, setting, form, layout and colour followed by planning authorities and developers. Suitable staff skills in the areas of landscape architecture and urban design will be needed by certain planning departments to ensure that implementation of development achieves environmental quality objectives. The current system of residential land supply and valuation should take account of the design standards and environmental quality objectives that are now expected of new housing developments in the 1990s and these should be reflected in land values.*

The proposed development is not sympathetic to the surrounding settlements and does not flow as an extension to Grampian View.

Blue Baggeridge bricks are commonly used in the Midlands. The bricks used should be similar in colour to those used locally.

This type of development is more suited to a new town environment such as East Kilbride, Livingston or Cumbernauld or as part of a stand-alone development, not to be squeezed in between two traditional settlements.

To maintain Aviemore's village identity, the design should reflect traditional housing design.

# Design/layout does not protect the character of neighbouring settlements- Evidence

## PAN 52 Planning in Small Towns

### Introduction

Small towns are important in Scotland. Almost 2 in 5 of the population live in towns with a population of between 1000 and 20,000. Some have grown and prospered; others have experienced stagnation or decline. However, some development that has taken place, in terms of scale or design has not been particularly sympathetic to the character of the towns; as a result, their identity has been eroded. This Planning Advice Note (PAN) is intended to encourage local councils, the enterprise network, Scottish Homes and Historic Scotland and other organisations involved in small towns to work together with local community and business groups to:-

- **retain, restore and enhance what is best**
- **remove, improve or rehabilitate what is worst**

The overall aim is to provide the context within which opportunities for positive change can be identified and promoted to help reinforce the character and identity of small towns.

### Provision for Regeneration and Expansion

Sites should not be seen in isolation but, instead, should form part of an integrated approach to regeneration related to the needs and opportunities in the town as a whole and respecting local setting, character and sense of place.

As part of the decision making process of this application, I would urge planners to take a walk through the new developments in north Aviemore, then take a walk along Grampian View then on to the Orbital path and ask yourselves is this close, high density type of development right for this site.

The area is quiet, semi-rural and offers a quiet haven for locals and visitors. This development would increase noise levels with the sheer increase in number of households.

Most homezones are created as part of a regeneration program and its concept has its merits but its location also has to be considered. A homezone would be out of place in this site with no sense of connection to its surroundings.

# Design/layout does not protect the character of neighbouring settlements- Evidence

## PAN 65 Planning and Open Space

### SCOTLAND'S OPEN SPACE: AN INVALUABLE ASSET

Open spaces are important for our quality of life. They provide the setting for a wide range of social interactions and pursuits that support personal and community well-being. They allow individuals to interact with the natural environment and provide habitats for wildlife. They can also be important in defining the character and identity of settlements. Connecting them in a green network can provide enhanced benefits for people, the environment and biodiversity. New areas of open space of enduring quality and value have, however, been the exception rather than the rule and existing spaces are under pressure not just from physical development but also from poor management and maintenance.

The proposed development does not satisfy the requirement of planning and open space.

The proposed siting of the development is particularly unfortunate: it is adjacent to the orbital path used by many villagers and tourists for recreation and walking dogs. Building here would diminish the quiet rural ambience. Infilling with such an overcrowded estate could ruin and overwhelm the character of the open space.

Plots 9/10 would obliterate the best and most striking view of the Cairngorms from the orbital path.



# Design/layout does not protect the character of neighbouring settlements- Evidence

## PAN 67 Housing Quality

14. The design of a successful place will begin with understanding how new housing can be connected to the movement patterns (street and routes) and settlement patterns (street blocks and layouts) of an area. The combination of layout of buildings, streets and spaces should create local identity, and contribute positively to the character of Scotland's cities, towns and villages.

The proposed development fails to connect to the movement pattern of Grampian View and detracts from the character of the village.

15. Layout

The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood.

This site has been considered in isolation and does not integrate well with the wider neighbourhood

# Design/layout does not protect the character of neighbouring settlements- Evidence

## PAN 76 New Residential Streets

### i. Local character

Each place has a distinctive character. This can be identified through its history, style of buildings, the relationship of the buildings to spaces, materials, type of street furniture, signage and lighting.

**It is important that the local character is recognised, understood and referenced within any new street design.**

The design and layout of the proposed development is at odds with the existing settlements that surround it. The style of building is not conducive to the character of Aviemore. The view for the surrounding residents will be a blanket of grey tiled roofs, with little greenery.

Allit Mor and Croftsides, although unwelcoming in their approach from Grampian Road, have succeeded with the varied house design and unregimented street layout.

# Access Constraints - Evidence

- A note on the plans regarding plots 9 and 10 states:-  
“ The two western houses are accessed via the orbital path and track. Track to become adopted road up to the point where access is supplied to TighnaBruach and Corriegorm”

This does not comply with 'Policy H8 Access arrangements for new and existing development' 4 dwellings already exist on the single track road, therefore the track and bridge would require to be upgraded to adoptive standards.

In which case I would be concerned about:-

- The height of the road as the road out of Millside house already has a steep gradient.
  - Surface water drainage from the road.
  - Any loss of trees and shrubbery that currently acts as a noise and visual barrier to the A9.
  - The road's proximity to Millside's garage.
  - Increased traffic beside the orbital path.
- The orbital path currently runs alongside the track, but is fairly overgrown as people just tend to use the track which is not a problem as traffic generally crawls along. Upgrading the track to an adoptable road will encourage traffic to speed up. The orbital path should remain exactly that – a path, not a pavement at the side of a road.

# Flood risk - Evidence

- The aim of the photographs in the following pages is to give an indication of levels the burn can reach and the effects of culverting in order to validate conserving the pond. The pond currently acts as a reservoir helping to reduce surges of water to the burn in times of continued rainfall and snowmelt. Without this, there will be increased risk of flooding further downstream.
- Upstream of the site, between bridges 1 and 2, there is a noticeable increase in bank erosion since culverting the burn at Highburnside. Many trees are hanging on by their fingernails, most of their roots exposed. Some have already keeled over, which can cause a problem when they land on the track. There is also a higher risk of flooding to A'anside and Tighnabruach where the burn changes course after bridge no.1. The walled defences at A'anside have had to be increased.
- The pond in its quiescent state is 19m x 5.8m with a depth of 0.5m. The pond at saturation measures 41m x 15m with a depth of 1.4m and at this, the existing culvert under the footpath can't cope and the lower part of the orbital footpath becomes flooded. Will the road gullies and drains cope with this excess volume of water if the drains become blocked or the one way valve on the culverted spring fails.
- The hydrology report gives no indication of how the spring will be culverted. Culverting to the south side of the orbital path following its current route would be the natural choice as this has a greater fall but would risk flooding the pathway into the lower reaches of Milton Woods and below the electricity pole or will the culvert be extended south all the way to the burn?
- "Designing for sustainability in the Highlands" advises avoiding destruction of wetland and meadow habitats and altering water flow in ponds to minimise disturbance to habitats and species and to use ponds as part of a sustainable drainage system.



# Flood risk - Evidence

- Unfortunately I do not have photographs of the water level in the burn in December 2006, but the average daily rainfall data below proves that levels can get significantly worse than shown in the photographs.  
In Dec 2006 the burn was high enough to reach the underside of bridge 1 and overtopped bridge 2

- Rainfall data December 2006

Mon 11<sup>th</sup> – 4.4mm

Tues 12<sup>th</sup> – 13.8mm

Wed 13<sup>th</sup> – 5.0mm

Thur 14<sup>th</sup> – 4.0mm

Significantly higher than in  
March 2008

- The following pages contain photographs taken on 8<sup>th</sup> March 2008 on the 3<sup>rd</sup> day of rain when the average daily rainfall recorded was:-  
Mon 6<sup>th</sup> – 1.4mm  
Tues 7<sup>th</sup> – 3.6mm  
Wed 8<sup>th</sup> – 6.8mm.

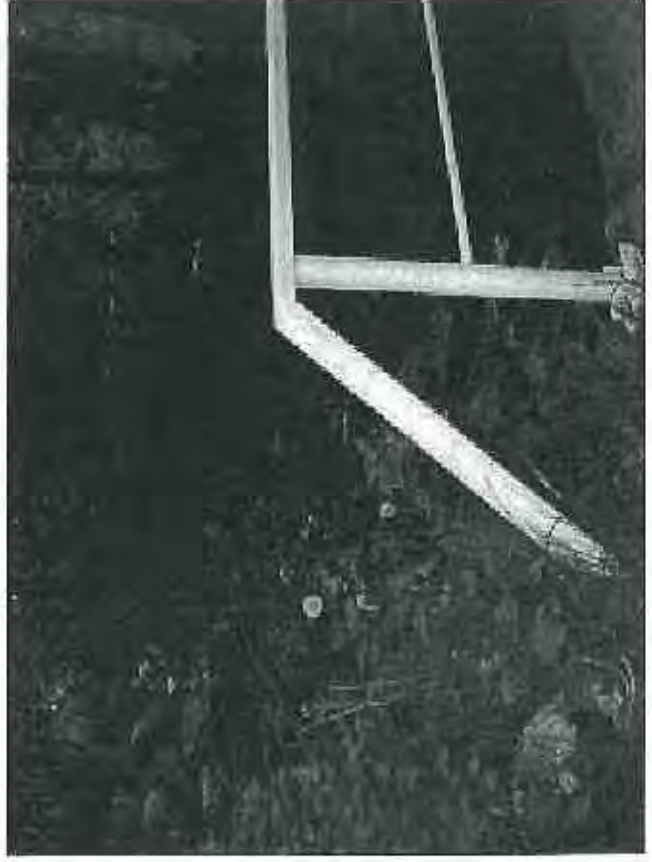
- Rainfall data obtained from <http://www.strathspeyweather.co.uk>

# View of Milton Burn A9 underpass



This is Bridge 1 upstream of the site, as referred to in the hydrology report. (the photograph labeled bridge 1 in the hydrology report is incorrect)

This photograph was taken on 8th March 2008. In December 2006, the water reached the middle spar of the fence directly in front of the tunnel and hit the underside of the bridge.



This shows the burn at a low level taken on 2nd June 2009. Foliage is obscuring the view of the tunnel.



# Milton Burn at bridge to Corriegorm & TighnoBruach



This is Bridge 2 upstream of the site, as referred to in the hydrology report. (the photograph labeled bridge 2 in the hydrology report is incorrect) In December 2006, the burn overtopped this bridge.



The level of the burn beside the orbital path and track leading to A'anside & Millside.



# Milton Burn at north east corner of site



Looking up towards Burnside Farmhouse and 29 Grampian View, taken from the southern end of the site. Please note, this photograph is taken from the lower, southern end of the site, not from an elevated position.



The same photograph magnified to show the burn up to ground level



# Milton Burn at Grampian View



This is close to where the access bridge will cross the burn, taken on 8th March 2008. How will the installation of services affect the burn ?



The burn at a low level taken on 2nd June 2009.

# Flood risk - Evidence

I see no reason why this report should supersede the SEPA evaluation that the site is classed as Flood Zone 3, Med – high risk.

- The hydrology report is flawed.
  - It states:- “ Due to the lack of data on Milton Burn, it has not been possible to refine any of the hydrological parameters of the catchment” It must therefore be based on the same data available to SEPA.
  - The storm duration was set at 2.3 hours. The storms in the 2<sup>nd</sup> week of December 2006 were significantly longer.
  - The photographs it shows of upstream bridges are actually downstream bridges
  - It states:- The pond is not hydraulically connected to the burn. Follow the stream, it flows into the burn.

I believe the CNPA should apply the precautionary principle to protect the pond and marshy areas from development and to retain it as a natural habitat for the wildlife that surrounds it.

- Policy G8 Highland Structure states:-

In the relatively rare situation of assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle.

Precautionary principle: The principle that authorities should act cautiously to avoid damaging the environment or the wellbeing of communities (in a way that cannot be reversed) in situations where the scientific evidence is not proven but the possible damage could be significant.



# General Observations

- If this development is granted permission as applied, then I see a few problems for future residents.
- Plots 9/10 are situated too high and will suffer road noise nuisance from the A9. Even though Millside House sits lower down, you can't leave windows open at night due to traffic noise.
  - Millside flats 1 and 2 will suffer lack of privacy from plots 9/10.
  - If the finished height of plots 7 & 8 is within 3.5m of the overhead power line, extra development costs will be incurred in moving the line, which subsequently increases the house price.
  - Plots 11/12/13 and more importantly 7/8, being so low down and in the shadow of Milton Woods will be starved of light in the winter months, receiving little or no solar gain.
  - Plots 11/12/13 will suffer lack of privacy from Millside House.
  - The bird's eye view plan fails to show the correct shape of Millside House or its extended position overlooking said plots.



The trees that have grown up in the pond to the south and those to the east not only serve to offer some screening protection to Millside House, they also screen the house from the residents of Grampian View and those using the orbital path, offering a more green and natural outlook, not detracting from the landscape. Remove all the trees and Millside House will become a huge blot on the landscape. The photographs are taken from the footbridge and from the path looking towards the pond. Limiting the scale of the development will help to retain the natural environment surrounding the orbital path.



# In conclusion

- This development plan fails to satisfy the principles of structure and hierarchy within the community. It does not make a positive contribution to the appearance and character of the area.
- The policies, planning advice and precedents exist to warrant refusal of this application and/or limit the site to a much lower density development in keeping with adjacent properties, local character and to preserve a natural environment.
- There may be a need to provide low cost affordable housing in the highlands, but there has to be a balance between housing and amenity. Aviemore is an attractive place to live, but too much overdevelopment and what attracts and keeps people here will no longer exist. I doubt whether this site can deliver affordable housing, purely by the costs involved in draining, raising, accessing and servicing this site.
- There are numerous developments still ongoing that are yet to provide affordable dwellings:-
  - 50% at Frank Spaven Drive
  - 25% + at Aviemore Highland Resort
  - 25% at flats on old Burnside Farm
  - 25% ? at Highburnside
  - and at An Camus Mor when hopefully this goes ahead.

Please consider this application within the guidelines of The Highland Structure Plan, Policy G2 “Design for sustainability” to ensure sensitive siting and high quality design in keeping with local character and historic and natural environment. The document “Designing for sustainability in the Highlands”

<http://www.highland.gov.uk/NR/rdonlyres/32586135-70EC-40E3-8F7B-DE45B158B501/0/designingforsustainabilityinthehighlandsnov2006.pdf>

offers excellent guidance to developers in addressing some of the issues raised in this objection.



**Andrew Tait**

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**From:** Anne Stewart [annestewart@homecall.co.uk]  
**Sent:** 09 November 2009 00:14  
**To:** Andrew Tait  
**Subject:** Re: L(00)011 rev D Site Plan as Proposed (Ground).pdf

Thank you for your emails. The attachments didn't cause any problems.

My original objections remain unchanged with this latest revision. The plans are still in contravention of the conditions set at the outline planning stage. At both the site visit and the outline planning determination, it was agreed that there would be no development allowed on the western part of the site including the treed area. A reduction of one house makes no inroad to satisfying the allocation of 7-12 houses specified in the 1997 local plan.

I also note that the revised plan fails to include any upgrade to the road and bridge. Is the developer still unaware that the unadopted track cannot be extended in its present form as confirmed in the road engineer's response? I cannot make any further comments until the details of the upgrade are known.

In addition, constructing a road and dwelling on the orbital path is detrimental to the first 3 aims of the National Park. The site of the proposed house is the best viewing point of the Cairngorms as seen from the orbital path and is a popular stopping point for the numerous people who use the path. The countryside rangers department can quantify the actual number and frequency of people using the path as they have recently collected the data from a counter buried in the orbital path shortly after the end of the track.

Further to my previous objections, I wish to raise the issue of increased noise levels. The proposed layout shows eight gardens bordering Millside House, seven of which border the garden itself. To go from one neighbouring garden to nine with the associated increase in noise levels is excessive. I note the extra tree plantings, but I would imagine that these would readily be removed by owners to improve light to their north facing living rooms.

Your very own description of a "scheme" is very apt and conjures up a vision of "Glasgow housing schemes." In fact I saw a similar development yesterday as I drove through Glasgow close to Dennistoun. High density inner-city type housing adjacent to a well used orbital path/woodland detracts from the very nature of Aviemore as a haven for people who enjoy the great outdoors. The Woodland Trust advises against developments close to woodland and suggests a buffering of around 15 to 20 metres to help make existing woodland more resilient to outside impacts. Have a look at their [Neighbours from Hell](#) report that details the types of negative impact that a development can have when sited next to woodland.

I am putting my trust and faith in the CNPA to do the right thing and uphold the planning policies that will prohibit this development in it's proposed form, which if allowed to go ahead will create a concrete eyesore in an otherwise natural setting bordering a woodland area. The outlook from existing adjacent properties and the orbital path will be that of industrial units rather than a residential area.

Regards

Anne Stewart

Millside House

02/12/2009