

PAPER 12

APPENDIX I

ENFORCEMENT ACTIONS &
REGISTER

CNPA Enforcement - Actions and Register 2011

Date of Origin	Reference Number	Address of Property or Land	Details of Breach	Type of Notice or Action	Date Served	Ongoing	Complaint/Comment
15th August 11	021/11	Croftromans	Excavation on croft	Visit for photo soon. Digger still on site on 260911.			MEO
16th Aug 11	07/309/CP	Dalwhinnie Quarry	Activity on site before DN	Email to remind appl of respons			MEO
23rd Aug 11	022/11	Cluny Estate, Laggan	Unauthorised hill track	Contacted HC - gave permission under Class 18 - PDR Order			Complaint from walker
24th Aug 11	09/116	Faegour Extraction	Many susp cond. Before wks commence	240911 No activity. 080911 trees felled. Numerous emails Compliance 210911			MEO
29th Aug 11	08/287/CP	HighBurnside, Aviemore	Unauthorised signs after PP time passed	Letter to appl 290811			MEO
31st Aug 11	10/153/CP	Aviemore Primary School	Issues with landscape boundary treatments, roads, misc enf issues	Plannng App 300911 Visit 300811. Site tour with project manager Visit 010911 Meeting with HC architect. Letter to HC 080911			MEO
7th Sept 11	09/250/CP	Weisha, Kinchurdy Rd. BoG	Unauthorised gate/fence	Response 200911. Meet with RG Visit 070911. Revisit & photos 080911. Letter to appl 290911			Complaint from resident
7th Sept 11	023/11	Tomintoul & Glenlivet	Excavation and track works	Letter to appl 091211, Responded for date to visit with FP. Meeting GoS FP & MG 230112. Letter to appl 300112. Fence down 2802			Complaint from Board Member
7th Sept 11	07/494/CP	Tign Na Fraoch, N. Bridge	Unauthorised works	Visit Glenlivet 080911 - Did not find track. Visit Tomintoul 290911 Visit 130911 & 150911 No Res available. Visit 290911			Complaint from CNPA staff
8th Sept 11	11/179/CP	Waltzing Waters, Newtonmore	Start dev before issue of DN & PP	Letter to neighbour and resident - no action as is 101011 Visit 080911 No works. 130911 Works taking place. Contractor asked to stop. Photos. Spoke to appl. 140911. Met appl on site Served TSN at 9.00. Email agent Applic det at Comm 160911. 4X Suspensive cond compiled 200911 Cheques paid. DN issued TSN rescinded 200911	140911		Comment from Higland Council
9th Sept 11	024/11	Craigendarroch, Ballater	Issue of tree protection	Advice to resident. Email to AC tree officer 280911			Comment from resident

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15th Sept 11	025/11	Sluigan, Invercauld	Possible unauthorised works	Photo from 2X walkers AT to look 071011. Email to Factor 111011 raising issues Factor to demolish. SNH no concerns Visit + photos 290911 Letter to appl 111011. Protection of trees before further dev			Comment from walker
15th Sept 11	07/408	Duach Lodge, Nethy Bridge	Damage to trees & poss breach of conditions	Visit & photos 280911 Email AC Visit & photos 280911 Email AC			Comment from HC officer
16th Sept 11	026/11	A939 Gairn Rd	Unauth caravan & works				MEO
19th Sept 11	027/11	Glen Girmock, Ballater	Possible unauthorised works - new fence	Visit & photos 280911 Email AC			Comment from resident
20th Sept 11	028/11	7 Craigendarroch, Ballater	Permission for felling trees	Advice given. No TPO, not in Cons Area no Conditions on PP			Request by occupier
20th Sept 11	029/11	Allargue Estate, Corgarff	Permission for new forestry track	Advice given. No need for appl but could contact SEPA & AC			Request by owner
20th Sept 11	030/11	Balmoral Estate, Crathie	Poss unauthorised bridge	Visit after 101011. Visit 081211 Letter to factor - no appl but tick-off			Comment from SNH
27th Sept 11	08/084/CP	Dalriaber Golf Club park	Trees dying	Response back 231211 Letter to appl 111011 - new trees for replacement under Cond		X	Local resident
9th Oct 11	031/11	Woodside Avenue, GoS	Possible CofU breach	Response indicates progress Highland Landscaping Design 7876355585 To visit. HC aware. Visited & photos 151111. RG to speak to HC. McCr to visit		X	DMO
9th Oct 11	032/11	11 & 21 Monaltrie, Ballater	Possible CofU breach	To visit. AC aware. AC request CNP handle case. Visit & photos 131211 Letters to owners seeking retro app		X	DMO
27th Oct 11	06/402; 06/404; 06/405; 07/153/CP	Laggan WTW	Landscaping issues	Visit & Photos 031111. Visit rep for Laggan CA 081111. Letter to SW 041111. Meeting with SW 241111. Letter to Co appl - Grant SW to take forward. Email to SW 220212 for update. Programme agreed. Visited 081111. Temp use whilst hostel repaired. Advice/no action		X	Laggan CA
28th Oct 11	033/11	Station Rd, Dalwhinnie	Possible unauthorised 3 caravans				Local resident

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4th Nov 11	04/296/CP	Lochan Mor Dev, Aviemore	No Welcome sign on B9152	Email to Robertsons. Spoke to AvBusAss 04111. Visited 071111		X	Aviemore Bus ass	
7th Nov 11	11/179/CP	Waltzing Waters, Newtonmore	Possible breach of PP	<p>HC contacted re complaint from neighbour on loss of sight lines</p> <p>Visited site & photos 081111</p> <p>Bus Shelter repositioned - poss NMV & poss new cladding. Spoke to neighbour 101111. Letter to appl/agent 151111. Visit 161111</p> <p>Need for NMV app. Visit neighbour 221111. Email to agent. Applic for power plant to HC</p> <p>Meeting on site 260112. Letter to agent 010212 Visit/photos 260212.</p> <p>Transerv agree lower req for visi</p> <p>HCEHO agrees warm screen op</p> <p>Email to complis 130312</p> <p>MG to agree NMV if Bus shelter resolved. Meeting 250412 -</p> <p>All matters may now be resolved</p> <p>PP refused in Nov 09, Email HC 101111 Visit 090112 Photos</p> <p>Letter to appl & HC 100112</p> <p>HC visited. PDR 070212</p> <p>Advise contact HC Tree Officer</p> <p>Visited site & photos 211111</p> <p>Visit & photos 151111 No action</p> <p>Visit and Photos. To HCI and RG</p> <p>Visit & photos 251111. Sent to AC</p> <p>Contacted MS about other breach</p> <p>es from AC's appl</p> <p>Visit 221211 Maybe FCS. Spoke to factor- no knowledge. Walked both OS points - no evidence</p>				Highland Council
10th Nov 11	034/11	8, Mackay Avenue, GoS	Poss unauthorised shed				Anon neighbour	
11th Nov 11	035/11	Mossie Rd, GoS	Felling trees in Cons Area				House Owner	
15th Nov 11	06/230/CP	Garth Hotel - owner	Poss breach of conditions				MEO	
17th Nov 11	036/11	Duthil	Poss Change of use to Garden Ground from wood				DMO	
23rd Nov 11	037/11	The Crofts, Glen Muick	New track been constructed from public road				Local resident	
5th Dec 11	038/11	Pattack Fall, Ardverikie Est	Poss track & bridge build				CNPA staff	

Date Served Ongoing Complaint/ Comment

Type of Notice or Action
 Visit & photos 131211. AC passed to CNPA for assist. Letters to owners 191211. Email to AC re date for enf 040212 Email to AC - no action yet. Email from AC to say apps coming. Spoke to architect 260312. Appis not valid 100512

Address of Property or Land Details of Breach
 7, Monairie Avenue, Ballater Possible CoU breach
 46 Craighendarroch Walk

Date of Origin Reference Number
 13th Dec 11 039/11

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6th Jan 12	05/402/CP	10A Abergeldie Rd, Ballater	Non Compliance with Approved Drawings	Visit 090112. Met neighbour Photos to agent re windows. To apply for NIMV	MEO
9th Jan 12	2011/0308/ADV	Highburnside, Aviemore	Unauthorised signage	Letter to developer 090112	MEO
17th Jan 12	10/438/CP	Urlamore Chalet, Tomintoul	Non compliance with DN by 140112	Letter to owner - 17 days over - will seek to enforce 200212 Email saying demolish 200212 Demolished 270212. Mats piled	MEO
23rd Jan 12	001/12	Cromdale	Unauthorised mat dump	Photo & email to HC	MEO
23rd Jan 12	002/12	Highburnside Creep, Aviemore	Flood damage due to runoff	Meet with AvCC 240112. Photos Spoke to Tullochs re solution emailed ACC 210212. Meet with cont on site 070312. Action agre Email ACC 130312	AV CC
24th Jan 12	003/12	Dalfaber Rd, Aviemore	Unauthorised signage	Visit & Photos 240112 To contact developer. Email to ACC 210212 Appl approved Dec 2011. Sign erected	AV CC
24th Jan 12	004/12	Croftonrains, Boat of Garten	Possible engineering wks	Visit, photos 240112 Monitor	MEO
24th Jan 12	005/12	Ballinluig, Grantown	Unauthorised caravan	Visit & photo 240212. Email to HC HC view is a repl caravan. Do nil Emailed appl and complainant 60212 Email to GoSCC and JD 120320. Prices & email to JD 260312. CC to contact appl	HoP
2nd Feb 12	10/112/CP	Strathspey Hotel, Grantown	Unsignightly site/fencing	60212 Email to GoSCC and JD 120320. Prices & email to JD 260312. CC to contact appl	X GoS CC
6th Feb 12	006/12	Old Line Rd, Ballater	Spread of site	Visit & Photos 170212. Plan to AC ACDMO visited 290212. Monitor Visited 050312. No action by con	X CNPA staff

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7th Feb 12	007/12	A939 Tomrintoul	Derelict & untidy site	Visit & Photos 170212 Email to Moray MEO			Local resident
7th Feb 12	008/12	Cromdale Hills from Milton	Unauthorised activity	Visit & Photos 090212. Email to Adam SS/Will 160212			Local Resident
20th Feb 12	009/12	Lebhall, Crathie	Unauthorised activity and scrap heaps	Visit 270212. Letter to complainant & owner. No action. Response & reply to obj 060312. Monitor Container for scrap 040512			Neighbour
21st Feb 12	010/12	Abergain, Ballater	Works activity to Abergain	Visit 280212. Spoke to owner No action			Neighbour
21st Feb 12	11/097/CP	Drumguish Agric Shed	Start before Condition 5 compliance	Email to agent 210212. Visit on 230212. Wrote to agent & appl			NID receipt
24th Feb 12	011/12	Baddengorm Woods, Carbridge	Unauthorised works damage to ant nests	Visit & photos 270212. Email to complainant and agent 290212 Karen C on site. Spoke to agent 120312. Email HC 130312. MH email to expert. Spoke to HC 290312. Letter but no appl.			Ant Expert
24th Feb 12	2011/038/ADV	Highburnside, Aviemore	Unauthorised signs on A9	Enf Notice issued. Appl appealed Letter to appl puttin EF in abeyance DPEA point out no action date on AEN. Mistake on EN-Resc 260412 Appl to remove by end of May Removed	240312		MEO
28th Feb 12	012/12	Abergain Castle, Ballater	Unauthorised works/tank	Visit & photos 140312 No action Locked gate. Email MF 120320 Email to Compl and AC 210312			Resident
2nd Mar 12	013/12	Queens Rd, Ballater	Work yard in garden. Shed & dormer issues	Site visit 060312. Photos 120312 Email to AC. Unauth dormer Lack of tree planting. Retro appl			Resident
6th Mar 12	014/12	Station Square, Ballater	Old contractor sign	Email photo to Les Allan. Req removal.			Local resident
20th Mar 12	015/12	Ardoch, Crathie	Unauthorised dumping	Visit and photos 200312. Spoke to contr 210312. No evidence of pollution to water supply. Speak to tenant, contractor & estate 290312. Contr to visit tenant			Bd Mbr
22nd Mar 12	07/312/CP	Invershie House, Kincaig	Unauthorised track works	Visit & Photos 220312. Meeting 290312. Note to appl. Recomm plg appl. Stopped works New appl 110512			HC

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27th Mar 12	016/12	Sluggan Drive, Aviemore	Unauthorised dumping H&S issues on site	Visit & photos 270312. Email to developer 280312. In hand visited 120424. Some issues addressed. Email dev 260412			Local resident
27th Mar 12	11/179/CP	Waltzing Waters	Unauthorised works to gables with window openings.	Photo 270312. Letter to agent seeking new PI App no NMV 290312. No BW. New appl to be made 260412			Neighbour
10th April 12	017/12	The Crofts, Glenbuchat	Poss unauthorised erection of bridge	Visit & Photo 220412. No action as considered PDR			CNPA Staff
10th April 12	018/12	Auchgourish Gardens, BoG	Possible unauth works. Caravans	Visit 150512. 2x Caravans unoccc			Local resident
20th April 12	2011/0245/DET	Shelter Stone, Aviemore	Burning rubbish and poss demolition of part LB	No action			Local Resident
25th April 12	07/444/CP	A93, Braemar, Springfield site	Complaint about drainage basin	Spoke to complainant, agent & applicant 230412. No action as LB not affected. DN not sent yet Email HC. Visited to check on 240412		X	Local Resident
25th April 12	019/12	West of Golf club rd, Braemar	Poss unauthorised works	Contacted K Shand 260412			CNPA staff
25th April 12	020/12	Strathspey Av. Grantown	Fencing off amenity ground	Num emails. Visit & photos and meet compl 270412. Meet eng & compl 300412 Letter to neighbour 30512. Arrange a meet on pipe issue			HC
30th April 12	2011/0194	Lagganlia, Feshie	Non compliance with landscape condition	Visit 260412 Likely drainage works pre planting. No action			HC
30th April 12	10/331/CP	Invercauld Gdns, Braemar	Poss incorrect house height	Visit 080512. HC involved & Fran HC to req an appl			HC
5th May 12	06/043/12	Fuaran Bhan, Balgowan, LaggNon	compliance of conds	Visit 010512. Appl complied 080512. Letter to appl 090512			MEO HC/MEO
10th May 12	021/12	Ravenswood, Ballater	Poss unauth felling of trees and works	Visit 300412. Foundation height correct. Compliance agreed			CNPA
14th May 12	022/12	Track to Gaick Lodge Glen Tromie	Concern on track issues	Visit 080512. Letter to appl 100512 Resp back 010612			Kingussie Res
				Meeting 310512 with appl. Letter 010612 for compliance and req for access track by 311212			
				Visit 110512. Letter to AC & agent			
				From FP. Visit 150512. Letter to complainant 160512 & 170512			

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21st May 12	023/12	Croft 20, Skye of Curr	Unauthorised caravan & lean-to	Visit 310512. Email to crofter/HC 060612. Appl for house & Temp caravan. Lean-to extra. Meeting with crofter 080612. Photo & email HC 120612		X	Sk of C res
28th May 12	09/015/CP	Corriechullie, Grantown	Starting const before compl with conditions	Meeting with agent 310512			MEO
29th May 12	07/024/CP	Highburmside, Aviemore 3, Lodge Lane	Unauthorised access con	Visit 310512. No one in. Visit & photo 080612. Visit 1930612 Letter to HH 200612. Visit 020712 HH to make an appl.			HC
31st May 12	024/12	Tomidhu, Crathie	Unauthorised activities	Visit 080612 Photos. Email to AC			Crathie resident
6th June 12	025/12	Old Line Rd, Ballater	Bike jumps	Visit & photos 120612 Email to AC & Landowner factor 180612			Local resident
14th June 12	2012/0124/DET	Boat of Garten Village Hall site	Concern of poss demol	Visit 190612. No action		X	DMO
14th June 12	026/12	Grampian Rd, Aviemore	New unauthorised signs	Photo from ACC, Spoken to HC Reply to ACC. Meet HC & AHR 020712. AHR to make proposal		X	ACC
14th June 12	11/179/CP	Waitzing Waters, Newtonmore	Unauthorised fans	Visit & photos 140612. Spoke to neighbour. Email to agent 150612 60712 Letter to agent. Giving time for removal - 030812		X	Neighbour
19th June 12	027/12	Croftonan, Boat of Garten	Unauthorised heaps of construction materials	Visit & photos 190612. Letter to owner 210612		X	MEO
20th June 12	028/12	Railway line - Blair Atholl area	Query on large masts etc on rail line	Responded with attach of outcome of consultation - Network Rail July 11. Contacted P&K - PDR Spoke to Member on tel 210612			Board Member
20th June 12	11/157CP	Lecht Ski Centre, Strathdon	Poss unauthorised excav for turbine base	Visit 200612. Letter to manager 210612. Manager confirmed action 290612. No further action			MEO
5th July 12	029/12	Spittal, Glen Shee	Unauthorised track const	Visit & photos 060712			Board member
5th July 12	030/12	Lary Farn, Ballater	Possible unauthorised felling	Laying water pipe. No action			Contractor
6th July 12	031/12	Street of Kincardine	Possible too high fence on roadside	Visit & Photos 120709. Email to CNP Landsc Off. FC- no fell lic Photos and email to HC 110712 HC aware			MEO

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18th July 12	032/12	71 Dalnabay, Aviemore	Garden ground taken- Change of Use	Visit and photos 190712 sent to HC. HC visited			Neighbour
18th July 12	033/12	67, Dalnabay, Aviemore	Garden ground taken - Change of use	Visit and photos 190712 sent to HC. HC visited			Neighbour
29th July 12	10/153/CP	Grampian Rd, Aviemore Safe Routes to School	Possible wrong place for Pelican crossing	Speak to complainant 290712 Email HC agent. Visit 010812 Compromise reached with HC Roads. Letter to MSP rcd Compromise rescinded. Xing to be installed as previous.			Neighbour
1st Aug 12	11/179/CP	Waltzing Waters, Newtonmore	Wall too high for sightline on Church Terrace	HC Roads reported to MEO Email to agent 020812 Visit 100812		X	HC Roads
6th August 12	08/443/CP	Aviemore Nursing Home	Possible unauthorised storage of cons mats			X	Local Resident