

AGENDA ITEM 6

APPENDIX 4

2015/0316/DET

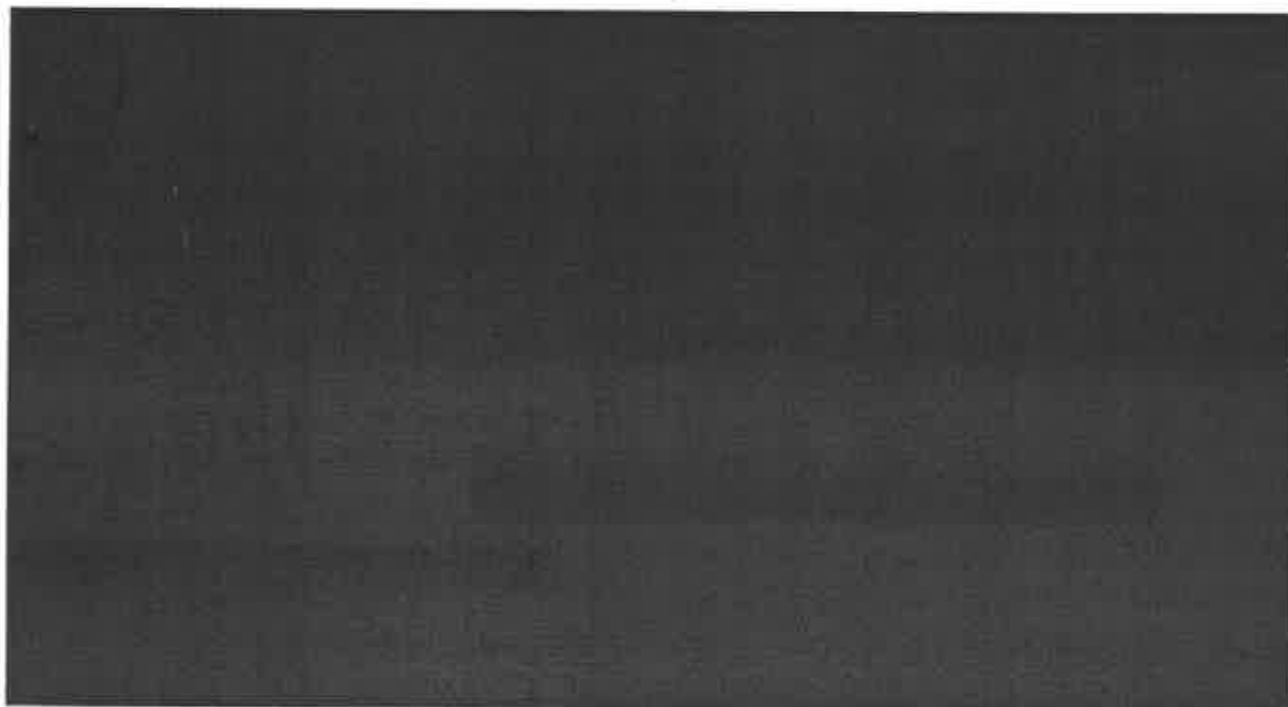
REPRESENTATIONS

From:Epc
Sent:Mon, 2 Nov 2015 09:46:50 +0000
To:Deirdre Straw
Subject:FW: About the Davall Developments Ltd.

From: ROSALLIA CAMERON [REDACTED]
Sent: 09 October 2015 14:42
To: ePlanning
Subject: About the Davall Developments Ltd.

Dear Highland Council,

I let you know I received the Letter of Notification for the Davall Developments Ltd.Your Letter Dated 25/September/2015, [REDACTED]



I am the Homeowner of My House Address:7 Kerrow Drive Kingussie PH21 1QS,full Address 7 Kerrow Drive Kingussie Inverness-Shire PH21 1QS.I Mrs.R.Cameron,full name Mrs.Rosallia R.Cameron [REDACTED]

[REDACTED]

And I wanted to rejected this Planning Notification for Davall Developments Ltd.This Developments are not good this area for

so many houses this is only a small town and affected so many local Peoples if this is going to carry on. This Developments is good for Big Cities not in a Rural Area. Council has got to think about that before accepting this Project.

Unless related to the business of The Highland Council, the views or opinions expressed within this e-mail are those of the sender and do not necessarily reflect those of The Highland Council, or associated bodies, nor does this e-mail form part of any contract unless so stated.

Mura h-eil na beachdan a tha air an cur an cèill sa phost-d seo a' buntainn ri gnothachas Chomhairle na Gàidhealtachd, 's ann leis an neach fhèin a chuir air falbh e a tha iad, is chan eil iad an-còmhnaidh a' riochdachadh beachdan na Comhairle, no buidhnean buntainneach, agus chan eil am post-d seo na phàirt de chunntadh sam bith mura h-eil sin air innse.

Listening * Open * Valuing * Improving * Supporting * Partnering * Delivering

Èisteachd * Fosgailte * Luach * Leasachadh * Taic * Com-pàirteachas * Libhrigeadh

From: Elizabeth Harkai [REDACTED]
Date: 16 October 2015 2:14:48 pm BST
To: ELIZABETH [REDACTED]
Cc: ELIZABETH [REDACTED]
Subject: Comment/ objection

Ref: 15/03582/FUL
Mrs E Harkai
Craig An Darach
Kingussie. PH21 1JE
[REDACTED]

Dear Sir,

After viewing and careful consideration, we must write a very strong objection to the planned site for Contractors compound, , and the temporary haul road for the development
Ref: 2013/0190/MS

NO1: The site entrance is too close, approx 20 Meters from our house.
The Compound is totally visible from our living room / conservatory.
We feel that it will be unbearable noise , traffic, in such close surrounding to our house will be totally unacceptable, for years to come.

NO 2: There is a Gravel Quarry next to our garden, which is already too close, but we fear
That from heavy traffic and vibration, it will collapse, and " eat " in to our garden.

NO 3: The fencing at the moment is a simple wire fence, to keep out sheep.
We would like a very substantial fencing to keep out unwanted/ work related traffic in to our garden.

NO 4: We have over the past 33 Years , enjoyed a free access to the proposed land for development . We would like to maintain that right, to do so in the future.

NO 5: The proposed affordable Housing , so close to our property, will seriously reduce
the value of our house. Would we be able to claim compensation ?

NO 6: As you know , I'm sure, there is a " river" running through the land, causing flooding on the high street, when it's raining.
The water is a problem for many years now, on the A86, just at the proposed access road. Because of this problem , our stone wall is falling apart , from the spray of water on the road. We have reported this problem several times, with no solution to date.

Thank you,
Yours sincerely, John and Elizabeth Harkai

Sent from my iPad

Comments for Planning Application 2015/0316/DET

Application Summary

Application Number: 2015/0316/DET

Address: Land To North And East And West Of Dunbarry Terrace And Kerrow Drive Kingussie Highland

Proposal: Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granded under Permission Ref 2013/0190/MSD

Case Officer: Katherine Donnachie

Customer Details

Name: Mr John Patchett

Address: Mandalay Old Distillery Road Kingussie

Comment Details


Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe that the haul road resiting so much closer to existing housing will bring unacceptable levels of noise and dust for an indefinite period. This will seriously impact on the lives of the Kingussie community generally. I also believe the resited entry point could be more hazardous than the original one due to its proximity to the A9 junction. These are clearly cost cutting measures which should not be allowed to proceed when the present conditions have been deliberately made to protect the people and the environment.

Pineacre
West Terrace
Kingussie
Inverness-shire
PH21 1HA



23/10/15

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

Dear Sir/Madam

**PLANNING APPLICATION Ref:- 2015/0316/DET
KERROW KINGUSSIE**

We are writing to object to the above application which seeks to overturn some of the conditions and constraints which were set out in the formal approval, given on appeal by the government reporter.

1. The new access entrance as proposed by the applicant is closer to the A9 junction and will increase the traffic hazards associated with this area.
2. The line of the proposed new haul road will be much closer to the existing occupied properties and will adversely affect these properties by an increase in noise, dust and other pollution.

Yours etc

DW and IM Duncan

From [REDACTED]
Sent: 23 Oct 2015 11:35:26 +0100

To: Planning

Cc: [REDACTED]

Subject: For the attention of Ms K Donnachie, Proposal of change to haul road, Kingussie -
[REDACTED]

Ms Donnachie,

With regard to the proposed change to the Planning conditions of the Kingussie Development we would like to raise our concerns and object to the proposed change of route for the haul road. Our house, Kerrow Dyke, Croila View is the last house on Croila View and therefore our boundary dyke would be closest to the haul road.

We are alarmed at the impact this road would have on us and our neighbours, in particular issues regarding Health and Safety. We are concerned about the increase in dust and noise levels that residents would have to contend with for several years. We would be interested to know what measures would be put in place to combat these.

Another concern is the drainage of water. As you will see from the attached photos, we have a sump in our garden to allow water to drain away via an undersurface stone stream which runs 365 days a year. As is evident from the photos this water does not always flow freely depending on weather conditions e.g. heavy rain, melting snow. A concern of ours is that this haul road will further impede drainage.

As a very local family who have chosen to continue living, working and raising our own family in this area we would be disappointed in the visual impact this haul road would have on our beautiful landscape and feel it would have a detrimental effect on our well being.

Kind Regards,

Karen and Davie Anderson



Comments for Planning Application 2015/0316/DET

Application Summary

Application Number: 2015/0316/DET

Address: Land To North And East And West Of Dunbarry Terrace And Kerrow Drive Kingussie Highland

Proposal: Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granted under Permission Ref 2013/0190/MSD

Case Officer: Katherine Donnachie

Customer Details

Name: Mr Anthony Hadley

Address: Auchmore House Newtonmore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I Strongly object to the proposed new route.

It will be very close to Croila Road with the potential to create nuisance, noise, dust and possible debris to the detriment of the residents of Croila Road and surrounding properties.

If the applicant was serious about the whole development it would be to his long term advantage to use the haul / distributor route as agreed in the permission already granted.

Comments for Planning Application 2015/0316/DET

Application Summary

Application Number: 2015/0316/DET

Address: Land To North And East And West Of Dunbarry Terrace And Kerrow Drive Kingussie Highland

Proposal: Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granted under Permission Ref 2013/0190/MSD

Case Officer: Katherine Donnachie

Customer Details

Name: Mr Donald Gow

Address: Dunlorn Green Lane Kingussie

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application for variance due to the loss of amenity, disruption and visual scarring.

Comments for Planning Application 2015/0316/DET

Application Summary

Application Number: 2015/0316/DET

Address: Land To North And East And West Of Dunbarry Terrace And Kerrow Drive Kingussie Highland

Proposal: Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granted under Permission Ref 2013/0190/MSD

Case Officer: Katherine Donnachie

Customer Details

Name: ms Mary Howden

Address: Dunlorn Green Lane Kingussie

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this due to direct loss of amenity, visual scarring and disruption.

Ms K Donnachie
CNPA Planning
14 The Square
Grantown on Spey
PH26 3HG

7 Croila View
Kingussie
PH21 1PG

25th October 2015

Ref: 2015/0316/DET Amended route of temporary haul road etc

Ref: 2015/0317/DET Application under Section 42 for variation or non-compliance with conditions 4 (Haul Road), 7 (Landscaping) and 8 (Re-seeding of Plots) etc

Dear Ms Donnachie

I am writing to you on behalf of myself and my wife to object to the application to vary conditions attached to the planning condition granted for the housing development in Kingussie.

2015/0316/DET:

Condition 4 was attached for the reasons of "road safety and residential amenity", and to make sure that there was safe access for construction vehicles and pedestrians. I struggle to see how re-siting the temporary haul road to run from Kerrow Farm track would be in the interests of either construction vehicles or pedestrians, because of how close it would be the northbound junction of the A9 plus the inevitable increase in traffic. I know that this was a concern when the original application was made, which is why the original access was given permission only if it was to run from further run the A86 well away from the A9 junction.

If a variation is allowed there won't be proper landscaping to protect existing properties from the inevitable noise, dust, and dirt which existing residents will face once building work starts. As this building site could last for up to 20 years this is unreasonable and totally unacceptable, and would show complete disregard for the people living here. I notice that the developer would prefer to put the haul road as close to the boundaries of the site as possible, which would cause even more disturbance to existing properties

I am also concerned about the arrangements made for drainage, as the ground where the haul road is now being planned to go becomes wet and boggy in the winter months. There are several springs which pop up when the weather deteriorates, which won't help. Once the ground has been compacted by heavy vehicles, there are bound to be problems.

2015/0317/DET:

Condition 7 was attached to make sure that a proper landscape setting was established and kept for the new development. This is good, because it would help to give existing properties a bit more protection from the noise and dust while building is going on. If the condition is varied as per this application I suspect that minimal landscaping and planting will take place before work starts, which is not acceptable.

Condition 8 was attached to make sure that the private plots are kept in a tidy condition until they are sold. As it could be years before they are sold and finally developed, this is really important as no one wants to see the site turn into an eyesore.

It seems to me that the only advantage to any of these variations would be a reduction in cost to the developers. I strongly believe that if the haul road is not correctly sited and proper planting and landscaping isn't done at the beginning, it will never be done at all. It will be a misery for residents while construction is ongoing, the new development won't look as good as it could, and Kingussie will be permanently blighted as a result.

Yours sincerely,

Mr Peter Schofield

Comments for Planning Application 2015/0316/DET

Application Summary

Application Number: 2015/0316/DET

Address: Land To North And East And West Of Dunbarry Terrace And Kerrow Drive Kingussie Highland

Proposal: Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granted under Permission Ref 2013/0190/MSD

Case Officer: Katherine Donnachie

Customer Details

Name: Mrs Sue Rowley

Address: 75 High Street Kingussie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The access road is extremely close to the houses in Croila View and Drive. I think with the numbers of HGV's using this stretch of road for reversing and manoeuvring, both noise and diesel exhaust pollution will be highly problematic.

Pip
Hadley

From: Pip Hadley
Sent: Sun, 25 Oct 2015 16:19:34 +0000
To: Planning; Katherine Donnachie
Subject: Objection to 2015/0316/DET

Dear Sir/Madam,

Kingussie Community spoke up regarding this application when it was first proposed by the developer with regard to loss of amenity - directly due to the developer wishing to overload an already full to capacity residential road with further traffic in order to save costs. The CNPA listened to the community and said NO to the application - due to the fact it did not protect an existing condition put in place to protect the amenity of existing residents (condition 4).

The developer appealed and had this decision overturned by the Scottish Government Reporter, to the huge dismay of the local residents due to be affected by the increase of traffic through the existing road network. This decision was marginally offset by the new conditions placed upon the development by the Reporter, specifically imposed to protect the surrounding residents from both noise and visual scarring to the land throughout the many years of development.

The developer is now seeking to save further costs by relocating the access road closer to residential properties, eliminate requirements to reseed plots, and significantly decrease the required landscaping and planting that is meant to protect residents from unnecessary noise and disturbance - both in this and future phases. This will have a negative impact on the amenity of existing residents surrounding the development - who will face a huge disruption to their peace, their exposure to dust and debris, and also their visual outlook if these amendments are allowed - all to save the developer money.

I wish to strongly object to this application on the above grounds of direct loss of amenity to surrounding residents. It appears to me the developer is claiming in the supporting evidence that Kingussie is a "dying town", that they are building for the sake of the community and that without this development we will be lost - this is simply not true. They are also claiming that there is an urgency to push the development through in order that they can secure access to funding from the Scottish Government for affordable housing - when the main delays caused so far to this development have been due to the developers wishing to vary conditions; in each instance pushing for more and more cost

saving measures – all to the detriment of existing residents. In my opinion this brings into question the developers financial position, and ability to adhere to landscaping commitments after the development is underway – if money is in such short supply – and may mean that ultimately the town of Kingussie is left with a new development that in no way does justice to its setting within the National Park, after suffering through years of development with little to no protection from the ensuing disruption.

Yours...

Pippa Hadley,



[REDACTED]
From: [REDACTED]
Sent: Mon, 26 Oct 2015 23:42:02 +0000
To: Katherine Donnachie; Planning
Subject: Objection 2015/0316/DET, 2015/0317/DET Kingussie - Req to Address Ctte

Badenoch & Strathspey Conservation Group
Fiodhag, Nethybridge, Inverness-shire PH25 3DJ
Tel 01479 821491
Scottish Charity No. SC003846
Email info@bscg.org.uk

26 October 2015

Dear Katherine Donnachie

**Land To North And East And West Of Dunbarry Terrace And Kerrow Drive
Kingussie**

2015/0316/DET Amended route of temporary haul road and siting of contractors compound for the servicing and construction of Phase 1 Housing Development of 37 plots and 18 affordable dwellings granted under Permission Ref 2013/0190/MS

2015/0317/DET Application under Section 42 for variation or non-compliance with conditions 4 (Haul Road), 7 (Landscaping) and 8 (Re-seeding of Plots) for Phase 1 Housing Development of 37 serviced plots and 18 affordable dwellings granted under Planning Permission Ref 2013/0190/MS

I am writing to object to the above applications.

BSCG requests the opportunity to address the committee when they determine these applications.

Our reasons for objecting include the following:

We do not see that there has been any change in circumstances to warrant varying the conditions.

From the information that has been made available, we are particularly concerned that there has not been sufficient consideration given to the environmental implications of the proposed variations.

Condition 4: (The original condition includes the statement that “no development shall commence on the development hereby approved until the new access from the A86 trunk road and the construction of the haul road have been completed in accordance with the approved plans”).

The revised route takes the haul road closer to existing properties, with inevitable negative impacts of greater disturbance, noise and dust over potentially many years.

The revised site entrance would be significantly closer to the Glebe Ponds, which would create disturbance for people enjoying this attraction. The revised site entrance would also be closer to the A9 junction, leading to a greater traffic hazard as well as a larger barrier to wildlife movement.

The plans provided do not appear to specify the revised route of the haul road beyond the line of the dyke at the side of the shinty pitch. This inhibits informed public comment.

The existing borrow pit near Craig an Darach, which is in a sunny location, is to be impacted on. There does not appear to have been any survey for invertebrates, such as mining bees, and no mitigation measures proposed.

It appears to be unspecified what habitats would be encroached into, including whether trees would be felled, for the widening of the farm track to allow for pedestrian, equestrian etc. users, and for widening the junction of the farm track with the A86.

Widening the farm track at the junction with the A86 to allow vehicles to pass, and widening the farm track, would have negative landscape impacts. This would be at an important entrance to Kingussie and would be visible from the layby used by visitors to the Glebe Ponds.

We note that the applicant indicates that construction of the new access to the A86 will still be required in connection with the development of Phase 2 and 3. Therefore, environmental impacts are increased by this application to vary conditions.

We are concerned at the environmental implications of the drainage proposals involving the borrow pit adjacent to Craig an Darach.

The site offices/compound would be visually intrusive and have negative landscape and amenity impacts. They would be constructed in what is an area of establishing valuable wildlife habitat, that provides cover and prey habitat for wildcat, cover for brown hares, habitat for hedgehogs, prey habitat for some birds of prey, habitat for herptiles, sheltered bat foraging habitat and habitat for woodland birds and invertebrates.

Conditions 7 and 8, relating to landscaping, planting and re seeding: We do not consider that there is any justification for varying these conditions. The proposed variations would have negative impacts on landscape and visual amenity in what is a prominent location. Moreover these could be long-lasting. The proposed variations would not be in accordance with the high standards of landscaping appropriate for a national park.

The original conditions specified that all landscaping and planting should be undertaken in the first planting season after completion of the haul road. This timing for all landscaping should remain a requirement, to benefit the establishment of effective landscape screening and wildlife habitat and cover.

Yours sincerely

Gus Jones

Convener