

AGENDA ITEM 5

APPENDIX I

2014/0201/DET

REPRESENTATIONS OBJECTION

Comments for Planning Application 2014/0201/DET

Application Summary

Application Number: 2014/0201/DET

Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mrs Carol Sabey

Address: 5 Craigview Place Ballater

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am strongly objecting to this proposed Bus Depot site. The original details for this small site was for light industrial units, not massive double decker buses.

Not only will the noise, smell and look of a bus garage on this small site be detrimental to us the people that live here, but also the main A93 that everybody uses to come into our beautiful village. The view that would greet people arriving in Ballater will be horrendous. Wonderful for our tourist business's....

The hours and hours of buses driving in and out, re fuelling and washing will be a horrendous experience for a small quiet area as ours. The late night's and early morning starts of the buses is also going to effect the people that live here.

There are also a lot of home owners with small children who live here and a dangerous area with buses backing in and out is just not viable or safe.

I think it will also have an big effect on property values.

Comments for Planning Application 2014/0201/DET

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Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mr Colin Sabey

Address: 5 Craigview Place Ballater Aberdeenshire

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object most strongly to this planning application on numerous points I list the 4 major ones

- 1) Very poor first impression for visitors arriving in Ballater, it will be the most unsightly introduction to our wonderful rural setting.
- 2) The noise and smells from 5.30am until 11.30pm and it will also be even worse in the winter when the busses will need deicing.
- 3) It is a totally inappropriate application in such a close residential area.
- 4) The huge adverse affect it will have on property values.

Please take these points into account and reject this application

15 Pannanich Road,
Ballater,
Aberdeenshire,
AB35 5PA

John Burrows

July 14th 2014

Cairngorms National Park Authority,
Planning Department,
14 The Square,
Granton on Spey,
PH26 3HG

Dear Sirs,

**Re: CNPA Application Number: 2014/0201/DET
Aberdeenshire Ref: M/APP/2014/2412**

I wish to object to the above application on several grounds, which I will outline below

1. Fairhurst's Flood Risk Assessment plays down SEPA assessment as at January 2014, as the site proposed is in the medium risk area. They also state on page 7 that "There is no recent history of flooding of the site or in Ballater generally", they do make reference to the 1829 flood but omit to mention the severe flood on the night of 21st January 1929.
2. Living in the immediate area I know that our water table is high during the wet months and the laying of concrete on the site for buildings and service areas will add to that through reduction in flood plain capacity and displacement.
3. If the above is not valid then please explain why many insurers turn down our postal code when requesting cover.
4. The potential risk to the wild life in the River Dee and the importance of the river to the National Park is being put at risk through pollution for the benefit of financial gain of a multinational company whose only regard for the community appears to be "Do what I want or lose jobs". I would hate to bring to the Park this letter after such a pollution outrage and sadly state "We told you this was the risk"!
5. The Fairhurst Report does not recognise the impact of refuelling (storage of fuel) and management of salty/muddy/oily bus washing water full of fine grain material and submits no recommendation of protective measures.
6. The report makes no seasonal baseline hydraulic survey of the area; surely this has to be a priority so close to a major fishing river!
7. Standing water is apparent on Craigview Crescent when the river levels are high, why has this not been considered?
8. Aberdeenshire Council were prohibited from dumping ice and snow from road clearance on this site due to leakage from the site into the River Dee 100m away.
9. Building a Bus Depot in an established residential area is an outrage to the consideration of rate and tax paying residents, it will be positioned opposite to a proposed children's play area with access for almost 22 hours a day 7 days a week.
 - a. This latter brings with it noise, floodlighting and fume pollution on the amenity of the residents in the immediate area.
10. Finally there has been no other option on Upper Deeside evaluated for the bus depot which demolishes the argument that loss of this site will cost jobs, so how can this be a consideration?

July 15, 2014

Page 2

Based on the above comments I hope due consideration will be put to the bus company and suggest the numerous sites in the area around Aboyne where land is already available and a considerable distance from the river near the Aberdeenshire Council site. The bus companies can use some of the monies raised from the sale of the present depot to issue a once only payment to the drivers and crew for inconvenience and still have ample left to please shareholders.

Sincerely,

John Burrows

E-mail address:



Comments for Planning Application 2014/0201/DET

Application Summary

Application Number: 2014/0201/DET

Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: mrs lisa cox

Address: 1 pannanich road ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:the land for the proposed development was part of the ballater business park which operates with hours limitations. the applicant intends operating in exceedence of what is currently observed and will result in social nuisance.

Comments for Planning Application 2014/0201/DET

Application Summary

Application Number: 2014/0201/DET

Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: mr tony cox

Address: 1 pannanich road ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:the proposed bus depot is within the immediate vicinity of an existing residential community. the applicant intends bus movements to continue after 24.00 and before 06.00. the concerns this raises include

noise

diesel particulates (consider prevailing wind)

light pollution

snow clearance

additionally the proposed area is designated by sepa as a flood plain resulting in existing homes suffering an insurance penalty. the proposal may have an added negative impact resulting in additional penalty.

Comments for Planning Application 2014/0201/DET

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Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mr Stewart Leslie

Address: 10 Lochnagar Way Ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The site is within a residential area, (Invercauld Park) and I believe that there should be no encroachment of industry or commercial business allowed within this area. As per the burdens of my title deeds, with regards to Invercauld Park, I'm not permitted to operate a business from my premises, so therefore why is anyone else even considered. Residential area should remain residential.

roy
mckeracher

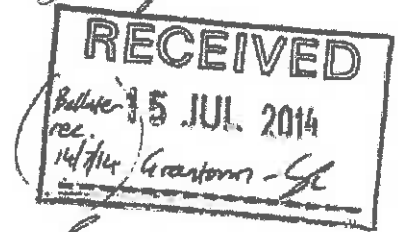
From:roy mckeracher
Sent:14 Jul 2014 16:01:39 +0100
To:Planning
Subject:planned bus station pannanich road ballater cnpa 2014/0201/Det

Dear sirs, I would like to complain re planned bus depot at this site. I feel this is totally out of character for the surrounding housing estates. when we moved to pannanich road I reasonably expected any development on this field to be in keeping with the adjacent site ;ie low level buildings with nice stone wall around.The proposed building will be high possibly noisy and smell of diesel;it would be at entrance to a lot of residents with bikes and our cars to compete with buses;why indeed does this need to be in ballater? Dr R mckeracher

11 Lochragar Way
Ballater

14th July 2014

Cairngorm National
Park Authority
Ballater.



Objection to Building of Bus
Depot on Panbanch Road
Ballater.

Dear Sirs.

Ballater is without doubt
one of the most, if not the most,
beautiful villages in Scotland.
Its location within the Cairngorm
National Park and its association
with the Royal Family make it quite
unique.

The village depends greatly
on tourism and it goes without
saying that as a community we
have a duty to protect and
enhance its reputation.

Enter Ballatier from any direction
and it is beautiful.
A large tin shed of enormous
proportions would not be the
best introduction to our village
It would not be pretty!

Not in keeping with what
Kenjae planning and history have
created.

If such a building is deemed
necessary and on that particular
site and approved then please
may it be a single story stone
building with gable ends and a
slate roof. Something appropriate to
our environment and sensitive to
local concerns.

A bus storage area will
impact on those living in the
immediate area. Buses returning
to the depot around 2 am to be
washed and re-fuelled would create

Noise and fumes until 3 a.m. Peace
may reign for a brief period
until the buses are started up
again around 4.30 a.m.

Perhaps there are alternative petrol
available when fuel tanks are
devoid are already in place. The
gauge in Braemar being available,
and of course it does not sit
on a good plane.

I will be grateful if you would
acknowledge receipt of my
objection.

Yours faithfully

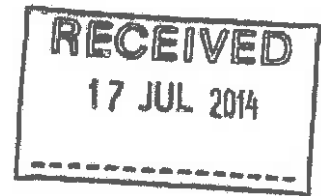


19th B.A.C.H.

15 Pannanich Road,
Ballako, Aberdeenshire
AB35 5PA

16th July, 2014

Caingorms National Park Authority,
Planning Department,
14 The Square,
Grantown-on-Spey. PH26 3HG



Dear Sirs,

Re: CNPA Application No. 2014/0201/DFT
Aberdeenshire Ref: M/APP/2014/2412

I wish to object to the above application on the following grounds

The area in question is a designated flood plain so SFA's assessment is inexplicable. The laying of such a large area of concrete and hard standing will reduce the flood plain capacity. Residents in the vicinity are regularly refused insurance due to the perceived flood risk.

There is also the possibility that the River Dee may be polluted by substances used on site for vehicle washing and re-fuelling, particularly in the event of excess surface water.

It is outrageous that consideration should be given to the building of a bus depot in a residential area. The impact on local residents will be huge by way of noise pollution, light pollution, fumes and constant traffic on site, almost 24 hours a day. A children's play area is planned in the immediate vicinity, I would suggest that the two are incompatible.

The design of the proposed bus depot will not sit well in it's surroundings and will be a blot on the landscape. Given that the nearby industrial units were the subject

of strict planning regulations and operating hours (the latter to protect local residents from excessive disturbance) it is hard to understand why no such structures are in place for the site in question. Double standards appear to be the order of the day as any alterations/add-ons to the houses in the vicinity are subject to stringent planning regulations.

The bus company seem not to have actively or strenuously investigated other sites for their new depot; merely threatening their staff with job losses and Ballaker's community with a reduced service. Bullying tactics!

Please give due consideration to the aforementioned objections which I consider to be reasonable and valid.

Yours Faithfully,



Mrs Ruth E. Burrows

Comments for Planning Application 2014/0201/DET

Application Summary

Application Number: 2014/0201/DET

Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mrs Evelyn Sunley

Address: 12 Lochnagar Way Ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the above proposal for the following reasons.

The field where this proposed Bus Depot is to be sited is forms part of the Ballater Business Park designated as "Light industrial Use" Class 4 under the Town & Country Planning (use classes) To have a Bus Park operating from early morning till late a night causing noise and light pollution would require a change of use application to "use class 5" under the Town & Country Planning (General Permitted Development) Scotland Order 1992 and "uses classes" (Scotland) Order 1997. This change of use would be contrary to any such development adjacent in a residential area See the most recent planning application on the adjacent Ballater Business Park conditions of approval app/ 2008/0020 and note the stringent conditions imposed.

It should also be noted that the proposed design and construction does not comply with the required material of construction and slate and stone gable ended buildings in keeping with the style of the building adjacent.

Comments for Planning Application 2014/0201/DET

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Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mr. James Sunley

Address: 12 Lochnagar Way Ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Building a bus depot on this site is totally wrong, this is a residential area and a bus depot and will be out of keeping with adjacent housing developments.

The buses will be arriving and departing in the early hours of the morning and arriving back late at night causing noise and fume disturbance to adjacent houses.

The buses will require de-icing prior to departure in winter, again causing noise and light pollution as well as pollution from the de-icing products.

The intention I understand that the buses will be power washed at this bus depot again causing noise and pollution from detergent products.

The fuelling of the buses is again a pollution hazard.

The design material of construction is not in keeping with the standards already imposed by Aberdeenshire Planning for the light industrial buildings on the adjacent Industrial site. A requirement by Aberdeenshire Planning for the Industrial estate in Ballater was that a high stone wall be built at the side of the A93 adjacent to the industrial site to screen the site from the road, nothing less should be considered for this proposed Bus Depot should CNPA overrule the many objections to the proposed Bus Depot

Comments for Planning Application 2014/0201/DET

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Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Mr David Horne

Address: 56 Pannanich Road Ballater

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 1. There is increased flood risk to homes within the development.

2. Bus depot to operate almost 24 hours, yet business park opposite must cease operation at 8pm because of potential disturbance for residents.

3. Entrance to bus depot should not be off a residential street.

4. There will be considerable noise from the buses especially if they are allowed to refuel and be cleaned between 1am and 5.30am.

6. There is a risk of pollution to the river by the diesel. Aberdeenshire Council were prevented from using the site for snow clearance because of the risk of salt pollution to the river.

7. The bus company should consider alternative sites where these factors are not an issue.

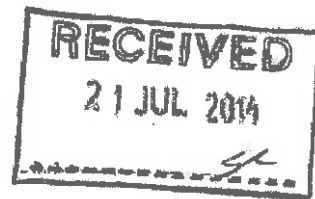
Cairngorm National Park Authority
Planning Department
14 The Square
Grantown-on-Spey
PH26 3HG

Craig Coillich
36 Pannanich Road
Ballater
Aberdeenshire
AB35 5PA
Telephone 013397 53776

16 July 2014

Dear Sirs

PROPOSED BUS STATION IN BALLATER
CNPA APPLICATION NO 2014/0201/DET



We, as residents in Pannanich Road, object very strongly to the proposal to build a Bus Station on a site bordered by Pannanich Road and Craigview Road.

Ballater is a beautiful village and the gateway to Royal Deeside. To build a monstrous structure to house double-decker buses at the entrance to the village would be aesthetically most incongruous.

There are some worrying aspects and I list them below:-

Flooding. The water table in this area is very high. Foundation construction and concrete or tarmac surfacing at this site would push and raise the water table to adjoining properties thus increasing the chances of flooding. There is a history of flooding in this area..

Noise and Light pollution. The buses would be entering the site at 01.28 and leaving at 05.25 in the morning. In between these times work would be taking place on the site, preparing the buses for the coming day's services. This would have a detrimental impact on the residents in close proximity to the site.

Traffic. This being a residential area the roads are not constructed for heavy bus traffic. I understand that there is a proposal to create a Children's Play Park on a site on Craigview Road diagonally adjacent to the proposed Bus Station. Buses entering Craigview Road from the proposed Bus Station and from the A93 would have an adverse effect on the safety of the children.

River Pollution. It would appear from the plans that precautions have been allowed for by installing foul water tanks to catch diesel spillage and other pollutants. However it is a recognised fact that these precautions are never fully adequate and at times some polluting substances will enter the River Dee

I request that you, as the Park Authority, look very closely at these objections and take note of them along with other objections that you may have received before making your final decision.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Alistair C Skene and Sheila B Skene

From:H&BWight
Sent:21 Jul 2014 17:31:00 +0100
To:Planning
Subject:Planning Ref. no. APP/2014/2412 - New Bus Depot, Ballater

21/07/2014

Dear Sirs,

We object to the above application on the following grounds.

A - Generally

1. This industrial development is totally inappropriate in a residential area.
2. This development will seriously detract from the visual impact of the village to visitors entering the village from the east, particularly as Ballater relies heavily on the tourist trade.
3. Proposed hours of operation are not appropriate for a residential area and not in accord with those imposed by Aberdeenshire Council on tenants of the adjacent business park.
4. Current (July 2014) operations are obviously workable so proves that a garage facility in this location is not absolutely necessary and want of a garage does not jeopardise employment in the area.

B - Alternatives

1. This situation is self inflicted mismanagement by disposal of existing facilities prior to ensuring replacement.
2. Alternative locations seem to have been dismissed. The A93 western route extremity is Braemar which is also the extremity of the school bus catchment area. The garage (currently for sale) at the eastern end of Braemar has been suggested by others as a more suitable alternative. Has this alternative been fully explored by the developers?

C - Particular

1. The proposed materials are totally inappropriate. The applicant's design statement states Cladding panels are of high quality This may be true but does not make them suitable for this location.
2. The application draws comparison of materials with the adjacent business park Unit 1 as a justification for metal roof and cladding. This is being very selective and reference could more properly be made to the most recently built units which have slated roofs and pink rendered walls which Aberdeenshire Council thought appropriate for this area.
3. The proposed screening is ineffective in that trees will take years to establish an effective screen. Fencing, although natural timber, is extensive and inappropriate in this location. Perhaps a living willow hedge screen would be more aesthetically pleasing.

Yours faithfully,
Harry & Barbara Wight,
8 Pannanich Road,
Ballater
Tel. [REDACTED]

Comments for Planning Application 2014/0201/DET

Application Summary

Application Number: 2014/0201/DET

Address: Land At Pannanich Road Ballater Aberdeenshire

Proposal: Erection of New Bus Depot to include Staff Welfare Facilities, Manager's Office, Fuel Pump and Bus Washing Facility and Erection of 1.8m High Fence and Gates

Case Officer: Fiona Murphy

Customer Details

Name: Ms Carol Ross

Address: 26 Pannanich Road Ballater

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

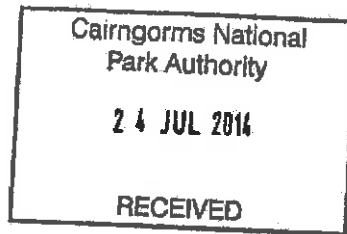
Comment Reasons:

Comment: I have some concerns regarding the proposed bus depot. The proposed site is directly adjacent to a housing estate and the unsociable hours during which the buses enter and leave the depot will impact the residents.

It was to be expected that at some point the site would be developed, but I thought when I purchased my house that any development would be in line with the existing business park, i.e. small units with restrictions on operating hours to minimise disruption.

The construction of the building is not in keeping with the business park (ie brick built, rendered and slate roofs) and although the intention is to screen it with trees, I believe it will be an eyesore to tourists arriving into the village.

Children living on the estate, and those who visit on a regular basis such as my grandson, do not currently have to worry too much about traffic coming into and out of the estate. However, if the proposal does go ahead, using the most desirable entrance children will now have to watch out for buses when entering and leaving the estate. In winter conditions when the old railway line is inaccessible this is the only route out of the estate for children walking to school placing them at greater risk of injury. If this development does go ahead, I hope that on the grounds of safety of children in the area, consideration would be given to moving the entrance away from what is described as the most desirable entrance on Pannanich Road. Surely, the cost of relocating the entrance to the main road, and filling in the existing hammer head, is minimal compared to child safety. The 30 MPH speed limit at the entrance to the village, adjacent to the site could be moved a further 200 metres to cut the speed of passing vehicles next to the entrance.



Mrs S Downie
4 Craigview Place
Ballater
AB35 5PJ

Planning Application

APP/2014/2412

Planning Department Cairngorms National Park Authority

I would like to object to the application

As I am concerned about the amount of noise I will have to live with from 4.30am until 2.00am daily and my house is approximately 25m from the site with my bedroom window directly looking on to the site. I feel these hours are unreasonable and will most certainly affect my amenity. The noise of buses starting, manoeuvring and reversing with beepers sounding at all hours is not acceptable in a residential area.

I am also concerned about the design and materials being used for the construction, is this in keeping with a national park in reading Policy 6 I don't think it is.

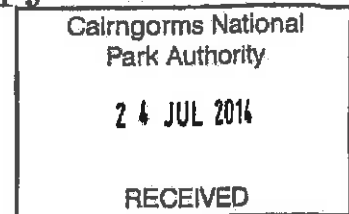
As this is a flood plane is it acceptable to cover in concrete and tar thus reducing the amount of drainage even further?



Mr and Mrs G. Mcleod
10, Craigview Place
Ballater
AB35 5PJ

Reference APP/2014/2412

23rd july 2014



In reference to the proposed bus depot at Pannanich Road , Ballater we wish our thoughts on the matter to be taken into consideration, as the rear of our house is one of the houses that is going to be directly across from the proposed site we are very concerned about many aspects of this proposal , the first being a great big building spoiling our current views of our beautiful countryside , the second concern we have is about the noise level coming from the buses when they leave the site and when they arrive at the site, we know the times the buses operate to at the moment so obviously we will hear the buses coming and going at unsociable hours, this will definitely have an effect on our sleeping patterns especially as we have two children of which one of them has their bedroom at the rear of the our house ,directly across from the proposed site. The third concern we have is traffic , currently there are several vehicles mainly cars used by people from Pannanich road going up and down that road

which is directly in line with the proposed bus depot , we feel this could be a relatively quiet road turned into a very busy road and with young children frequently going about whether they be on bicycles or running about this could be a dangerous situation.

Yours sincerely Graham Mcleod

From:victor jordan
Sent:1 Aug 2014 21:38:22 +0100
To:Planning
Subject:APP/2014/2412 Erection of bus depot at Pannanich Rd, Ballater
Importance:Normal

Comments of Victor F J Jordan of 2 Oakleigh, Albert Road, Ballater, Aberdeenshire AB35 5QL. on the application for permission to erect a bus depot at Pannanich Road, Ballater.

I object to the application and the proposed development on the following grounds:

1. The bus depot would be too close to a large area of residential development immediately on the north west side of Pannanich Road and, apart from a grassed area to the west across Craigview Road, extending round to the south west as far at least as Monaltrie Road. Part of this large area of continuous housing immediately adjoins the north east side of the site of the proposed bus depot. Noise from the operation and movement of buses would detract from the amenity of the houses close to the depot and the depot would be out of keeping with a residential area. The depot would be on roads, Craigview Road and Pannanich Road, providing the main vehicular access to most of this large residential expanse. This would not only provide an unprepossessing entrance to the residential area but could lead to bottle necks for traffic at the junction of the A93 and Craigview Road and at the junction of Craigview Road and Pannanich Road. It would not be an appropriate link between the housing estate and the business park south west of Craigview Road. A bus depot is more appropriate to an industrial estate than a business park. In short therefore the development would be contrary to the Scottish Government's policy on place making in paragraphs 36 to 39 of Scottish Planning Policy of 2014. Thus, for example, paragraph 36 says "Planning's purpose is to create better places.....This means harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people." Paragraph 37 states that the Scottish Government's policy statement "Creating Places" emphasises that " quality places are successful places." and sets out "the important role that good buildings and places play inproviding a sense of belonging, a sense of identity and a sense of community."

2.1 The proposed development would be contrary to government policy in relation to flooding in paragraphs 254 to 268 of Scottish Planning Policy of 2014, especially paragraphs 255 to 257 and the Risk Framework in paragraph 263.

2.2 According to paragraph 256 of Scottish Planning Policy of 2014 the planning system should prevent development which would have a significant probability of being affected by flooding. The site of the proposed development is subject to a significant probability of being affected by flooding. S.E.P.A in paragraph 1.1 of their advice to the Planning Authority have indicated that the majority of the site is subject to an annual probability of flooding of at least 0.5%, equivalent to 1 in 200 years. I use the words "at least" because, as is obvious and as S.E.P.A have indicated to me in a letter dated 1st May 2014, areas shown in S.E.P.A's latest maps as at medium risk of flooding are obviously intended to cover a risk of greater than 1 in 200 years up to but not including high (1:10 year return period) and, as S.E.P.A indicate in their paragraph 1.1, are to be treated as subject to medium to high flood risk, which in the Risk Framework in paragraph 263 of Scottish Planning Policy of 2014 is defined as an annual probability of

flooding greater than 0.5% (1:200 years). The medium to high flood risk is the highest category in the Risk Framework. The Flood Risk Assessment dated June 2014 done for the applicant by Fairhurst, which refers to the superseded Scottish Planning Policy of 2010, does not dispute this. Indeed at section 5.1 of their Assessment Fairhurst accept that in the event of a 1 in 200 years flood it is to be anticipated that the site would be flooded to "a relatively shallow depth" and have made their assessment on the assumption that the site may flood to a depth of one metre.

2.3 In that same section 5.1 Fairhurst say that if access to the site from the A93 is restricted by flood water there will be an "escape route" to higher ground. My comment is that that route or an alternative by Sir Patrick Geddes Way would be very tortuous and, although the higher ground would give access to alternative routes towards Aberdeen by the pass of Ballater or Strathdon, if the site itself is flooded to a depth of one metre, access to the store of fuel on the proposed site would presumably be prevented.

2.4 Fairhurst state in the third paragraph of section 5.1 and in the second paragraph of section 6 that there is no recent history of flooding of the site or in Ballater generally. My comment is that on the evidence available to me there has been recent flooding in Ballater. Three inhabitants of Ballater have informed me, one with photographic evidence, that in or about 1993 water from the Dee went up Dee Street to about Deebank Road according to two of the informants and according to third informant reached almost as far as Albert Road. Information from another informant suggests that on that occasion flood water immediately upstream of the Royal Bridge reached Bridge Street. I was also told by one person that about the 1970s flood water from the golf course flowed east along Albert Road to within 20 yards of the junction with Dee Street.

2.5 The Risk Framework in paragraph 263 of Scottish Planning Policy of 2014 indicates that land subject to Medium to High Risk of flooding may be suitable for residential, institutional, commercial and industrial development within built up areas provided certain conditions are fulfilled. S.E.P.A in paragraph 1.3 of their objection state that the site is greenfield. S.E.P.A may well mean that the site should not therefore be treated as in a built up area but even if it were treated as in a built up area I point out that the conditions laid down in the Risk Framework have not been fulfilled. It is clear from paragraphs 5 and following of section 5.1 of Fairhurst's Assessment that "flood protection measures to the appropriate standard" do not "already exist" are not "under construction" and are not "a planned measure in a current flood risk management plan".

2.6 Paragraph 256 of Scottish Planning Policy of 2014 says "Piecemeal reduction of the functional flood plain should be avoided given the cumulative effects of reducing storage capacity." Fairhurst, , in the eighth and ninth paragraphs of section 5.1 of their Assessment , accept that the site is in the functional flood plain. My comment is that unless the bus depot is built on stilts the building will deflect flood waters away from the site and thus reduce the capacity of the functional flood plain's capacity to store flood water.

Victor F J Jordan 1st August 2014

From:victor jordan
Sent:4 Aug 2014 10:40:55 +0100
To:Planning
Subject:APP/2014/2412 Erection of bus depot at Pannanich Road, Ballater
Importance:Normal

Dear Cairngorms National Park Authority.

I refer to my e-mailed message of 1st August 2014 setting out my comments on the application for permission to erect a bus depot at Pannanich Road, Ballater. I now forward a message from Mr Roger Searle of Ballater about a flood at Ballater in or about 1993. Mr Searle gave me a print of his photograph of that flood as it affected Dee Street, Ballater. I attach a copy of the photograph. Yours faithfully Victor F J Jordan 4th August 2014

Date: Mon, 4 Aug 2014 10:18:48 +0100
From: [REDACTED]
Subject: Re: Flooding in Ballater.
To: [REDACTED]

On Monday, 4 August 2014, 9:35, Victor Jordan <vfjordan@yahoo.co.uk> wrote:

Dear Roger,

I acknowledge with thanks your e-mail about the flood in or about 1993 at Ballater.
Yours sincerely Victor 4th July 2014

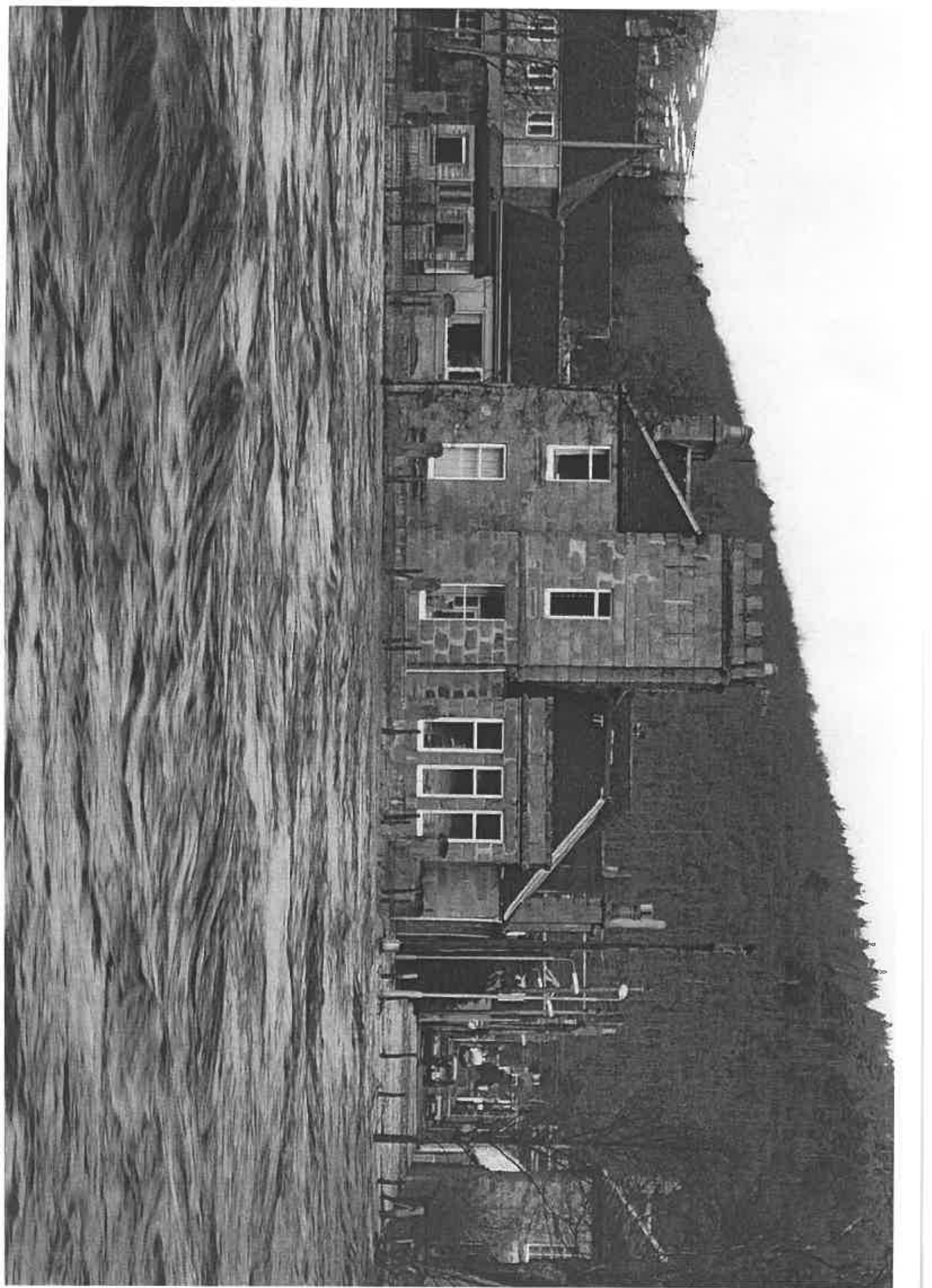
On Sunday, 3 August 2014, 11:37, R SEARLE <[REDACTED]>

[REDACTED]

We spoke this morning when you referred to the photo I took from the opposite bank of the Dee showing the flooding in Dee Street. This would have been taken after we returned to Ballater in 1992 - probably '93 or '94. I also mentioned to you that, at about the same time, the river had cut the Golf Course in half, coming over just downstream of

the Picnic Site to pass the end of Golf Road by the Workshops, following the line of the ditch from Brockies Pond sweeping away the footbridges. Flood defences (a Bund) were subsequently built around the Golf Course following modelling and a study by, I believe, Strathclyde University.

Roger.



P J Swan
30 Monaltrie Avenue
Ballater

Dear Sirs,

4th August 2014

**Planning Application 2014/0201/DET
Erection of New Bus Depot etc on Land at Pannanich Road, Ballater**

I regret that I am obliged to object to the above application for the following reasons:

1. While I initially welcomed CNPA's decision to call-in this application along with its closely related predecessor (2013/019/DET) I am sorry to observe that the integral nature of these two closely related applications (which was acknowledged by the applicant in the earlier application) has failed to deliver any joined up thinking in CNPA.
2. The proposals contained in these two applications together represent the most significant change to Ballater since before the inception of CNPA, yet your organisation's handling of the overall business has threatened the welfare of Ballater as follows:
 - a. There has not been sufficient engagement of public opinion to demonstrate legitimacy of either planning application. The need for further public debate over the whole scheme should have been recognised, sponsored and properly facilitated by CNPA. Instead, by approving the earlier application in isolation, CNPA may have legitimised a sub-optimal outcome for Ballater.
 - b. The approach by Aberdeenshire Council to the sale the land in question was, I believe ill-judged, in that no account was taken of the views of Ballater community as to the appropriateness of the use to which the land would be put. There are several alternative options that many people would find preferable. CNPA has abetted the Council's mismanagement of this sale.
 - c. On a number of occasions during public meetings, Stagecoach, or its agent asserted that it had in at least one alternative / "fallback" location within Ballater, in mind but declined to release its identity. Now SEPA, as part of its objection to the present application, has strongly recommended an alternative site for the bus depot be found. The question of the identity and location of these alternatives should be answered before any further decisions are taken.
 - d. In the face of CNPA's designation of this land for community use, the Council took a decision, again without consulting the community to sell the land for "commercial" use. The attached email from Hamish Trench to me is enclosed which indicates that, it seems, CNPA was obliged to back down.

For the above reasons I urge CNPA to refuse permission for the application as submitted.

Yours faithfully,
Phil Swan

From:Hamish Trench

Sent:26 Jul 2012 10:58:06 +0100

To: [REDACTED]; Planning

Cc:g [REDACTED]

Subject:RE: STATUS OF THE FIELD ON THE CORNER OF CRAIGVIEW AND NORTH DEESIDE ROADS

Mr Swan

In Karen's absence on leave I can confirm that Aberdeenshire Council have informed us that they are currently in the process of selling the area of ground you refer to for a business use. I also understand that commercial confidentiality prevents the council from providing details of the sale or purchaser, to us or indeed anyone else at this stage.

Through the engagement currently underway on the proposed allocations for the new Local Development Plan, the council have asked that we do not allocate the ground for a particular use, continuing what is currently the case in the adopted Local Plan. We will be considering how best to proceed with the spatial allocations in Ballater, including this one, once we have completed the current phase of engagement and received views from all interested parties.

I trust that clarifies the current position.

Regards

Hamish Trench

Strategic Land Use Director

Cairngorms National Park Authority

Direct Dial 01479 870536

Mobile 07590 230159

Get the latest news - sign up for the [e-bulletin](#) and read our [blogs](#)

www.cairngorms.co.uk

[Hamish Trench | LinkedIn](#)

From: Phil Swan [REDACTED]
Sent: 24 July 2012 15:15
To: Planning
Cc: [REDACTED]
Subject: RE: STATUS OF THE FIELD ON THE CORNER OF CRAIGVIEW AND NORTH DEESIDE ROADS

Re=sent as | was incomplete

Phil

From: Phil Swan [REDACTED]
Sent: 24 July 2012 15:11
To: 'Planning' [REDACTED]
Subject: STATUS OF THE FIELD ON THE CORNER OF CRAIGVIEW AND NORTH DEESIDE ROADS

Would you be kind enough to update me on the status of a dialogue which I hope has been had between somebody in Aberdeenshire Council and a CNPA person, to resolve an apparent difference of intention between the 2 organisations as to what is going to happen to the above mentioned piece of land?

Aberdeenshire Council apparently is in the process of selling it to an unknown buyer for an unknown purpose, while CNPA has designated / zoned / allocated / whatever this land for community use.

I understand from Peter Argyle tht this is being or has been resolved and we (Ballater & Crathie Communtiy Council need to know the answer

Thanks and regards,

Phil Swan

The information contained within this e-mail and in any attachments is confidential and may be privileged. If you are not the intended recipient, please destroy this message, delete any copies held on your systems and notify the sender immediately. If you have received this email in error, you should not retain, copy or use it for any purpose, nor disclose all or any part of its content to any other person. All messages passing through this gateway are checked for viruses but we strongly recommend that you check for viruses using your own virus scanner as Cairngorms National Park Authority will not take responsibility for any damage caused as a result of virus infection. Cairngorms National Park Authority The information contained in this e-mail is confidential and intended for the exclusive use of the individual(s) or organisation specified above. Any unauthorised dissemination or copying of this e-mail, or mis-use or wrongful disclosure of information contained in it, is strictly prohibited and may be illegal. Please notify the sender by return e-mail should you have received this e-mail in error. Virus Warning: Although this email and any attachments are believed to be free from viruses, it is the responsibility of the recipient to ensure that they are virus free. No responsibility is accepted by the Cairngorms National Park Authority for any loss or damage arising in any way from their receipt or opening

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4569 / Virus Database: 3882/7343 - Release Date: 04/14/14