

APPENDIX B

Paper I

Letters of Representation

Name: LUCIE BAXTER

Address :- 31 CORBETT PLACE
AVIEMORE

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority	
Planning Application No.	10/062/CP
REPRESENTATION	
ACKNOWLEDGED	25 MAR 2010

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority
24 MAR 2010
PWS RECEIVED JM

Signed 

Name: NOEL BAXTER

Address :- 2 LOCKHART PLACE
AVIEMORE

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority	
Planning Application No. 10/062/CP	
REPRESENTATION	
ACKNOWLEDGED	25 MAR 2010

I/We object to the above planning application because:-

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority	
24 MAR 2010	
PWS	JM

Signed 

Name: *JOAN BREWNER*

Address: *6 Moorlick Place
Arisma
PH 22 1TH*

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority 23 MAR 2010 PWS RECEIVED JM

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments: -

*I confirm we have at lot of Ducks, Red Squirrels
Pheasants Deer and many other birds in this wood land*

Cairngorms National Park Authority
Planning Application No. 10/062/CP
REPRESENTATION
ACKNOWLEDGED 23/03/10

Signed



Name: P.A. CORRIGAN

Address: 20 CAMPION VIEW AVEEMORE

PA 22 176
Cairngorms National
Park Authority
25 MAR 2010
-FWS RECEIVED JM

Planning application 10/01021/FUL 10/062/CP

~~It~~ object to the above planning application because:

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

a) There is a 'considerable' amount of ongoing development in the local area: Cupfield North, ROK water system at Kinross, Edinhillie chabls etc etc. This is all having a detrimental effect on the little remaining 'free space' in the local area.

b) Now that the Live Path Plan has been approved, this proposal has an adverse effect on the Orbital/CPA agreement.

Signed

Cairngorms National Park Authority
Planning Application No.
REPRESENTATION
ACKNOWLEDGED 25 MAR 2010

Cairngorms National
Park Authority

29 MAR 2010

Name: Raymond, Anne Bowbrey

Address: Seavrig 37 Skathopey Avenue Wickmore PH22 1SN

PWRS ... ED JM

Planning application 10/01021/FUL 10/062/CP

~~I~~We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Changes to the Milton Burn, as will be inevitable with this development, are likely to have a detrimental effect in both short term and long term, on the burn and properties adjacent to it, lower down.

Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED 29.03 10

Signed



Name: ALLAN DICK

Address: 83 BURNSIDE AVE

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED 25 MAR 2010

I/We object to the above planning application because: -

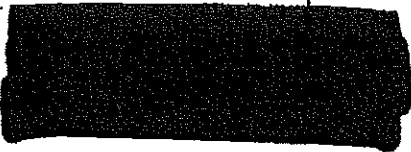
1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments: -

Cairngorms National
Park Authority

24 MAR 2010

PWS RECEIVED JM

Signed



Name: CLAIRE DINWALL

Address :- 83 BURNSIDE AVENUE,

Cairngorms National Park Authority	
Planning Application No.	10/062/CP
REPRESENTATION	
ACKNOWLEDGED	25 MAR 2010

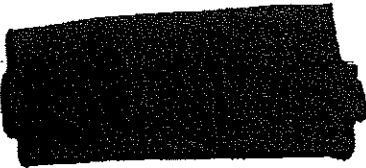
Planning application 10/01021/FUL 10/062/CP

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority	
24 MAR 2010	
PWS	RECEIVED JM

Signed



Name: MR & MRS. N. EDWARDS

Address: 34 STRATHSPEY AVENUE, AVIEMORE PH22 1SN.

Cairngorms National Park Authority
Planning Application No. 10/062/CP

Planning application 10/01021/FUL 10/062/CP

REPRESENTATION

We object to the above planning application because:-

ACKNOWLEDGED 24.03.10

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

5. Totally against this Planning application

Cairngorms National
Park Authority
24 MAR 2010
PWS RECEIVED JM

Signed



(MR. N. EDWARDS)

(MRS. N. EDWARDS)

Marie Duncan

From: [REDACTED]
Sent: 29 March 2010 19:16
To: Planning
Cc: 'Graham Forbes'
Subject: Objection ref 10/062/CP

Cairngorms National Park Authority
Planning Application No. 10/062/CP.
REPRESENTATION
ACKNOWLEDGED 30.3.10.

To whom it may concern,

Please register my objection to the proposed housing development in Milton Wood, beside the orbital footpath. (ref 10/062/CP)

I believe that it would be an irrecoverable loss of prime wildlife habitat to permit such a development. Also from the plans, it seems that the local environment would be badly affected as the housing density appears to be high for this area.

The two story house on the Orbital footpath would impact the quality of this public amenity, which is enjoyed by visitors and local people alike.

I do not see how this development can be in the best interest of the community.

Thank you for your continued vigilance in this matter.

Regards,

Graham Forbes

[REDACTED]

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 Spam. This e-mail has been scanned for Spam. However if you feel that this is Spam please forward this to mailmanager@cairngorms.co.uk

Cairngorms
Park Authority
30 MAR 2010
PWS. RECEIVED

Name: MRS. MARGARET FRASER

Address :- 35 STRATHSPEY AVE. AVIEMORE

Cairngorms National
Park Authority

26 MAR 2010

Planning application 10/01021/FUL 10/062/CP

PWS RECEIVED JM

I/we object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

As I reside in very close proximity to the burn which could be in grave danger of flooding due to land changes on proposed building site; my worries are quite considerable.

Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED

26 MAR 2010

Signed



Cairngorms National Park Authority
06 APR 2010
RECEIVED PWS

Name: ALAN DENISE FROST

Address :- 14, MORLICK PLACE ABERMORRE

PH 221777

Ar

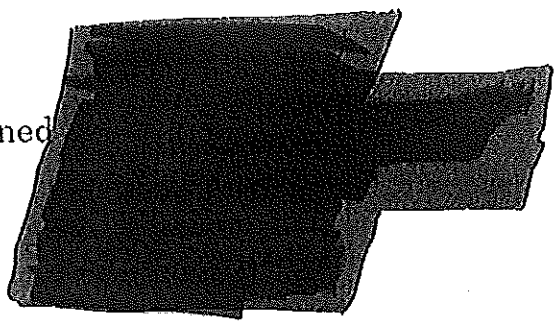
Planning application 10/01021/FUL (10/062/CP)

I/We object to the above planning application because :-

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority
Planning Application No. 10/062/CP
REPRESENTATION
ACKNOWLEDGED 6/4/10

Signed



Cairngorms National Park Authority
06 APR 2010

4th April 2010

Cairngorms National Park Authority

Planning Application No. 10/062/CP.

REPRESENTATION

ACKNOWLEDGED 6/4/10.

RECEIVED PW SR

Gerard & Vicki Gosling
10 Morlich Place
Aviemore
PH22 1TH

Mr Don McKee,
Head of Planning & Development Management,
Albert Memorial Hall,
Station Square
Ballater

Dear Mr McKee,

**PLANNING APPLICATION - 10/062/CP - LAND SOUTH EAST OF MILLSIDE
HOUSE, MILTON, AVIEMORE**

I refer to the above application in respect of land south east of Millside House, Milton, Aviemore and have to inform you that Aviemore and Vicinity Community Council wish to object to the application.

The Community Council wishes to point out that the proposed development does not fulfil the current Badenoch and Strathspey Local Plan which we submit is, in this case, still correct and fit for purpose.

Before going on to the reasons for our objections I would like to quote an objector to a previous application, by another developer, to site 13 houses on the same area less than six years ago.

"It can be further argued that the type of housing is greatly out of character with the adjoining properties as they are large detached houses set within extensive gardens. The introduction of smaller detached and in particular small detached houses is totally contrary to the existing character of the immediate area and an issue of material planning consideration that must be taken into account in determining this application."

I make no excuse for quoting this objector because it was the present developer, Alistair Grant.

It is the same bit of ground with the same neighbours and, apart from the fact that he is now the developer; little has changed except for the number of houses proposed for the site.

21 House Part of the Development

Density

The bulk of the housing is in the lower part of the application site and is for 21 houses. The application shows the density of housing is approximately 15.7 units per hectare. However, this figure is based on the size of the whole site which includes an area where the developer cannot build. This figure is misleading. The house at the top of the site is completely separated from the lower part of the site by the archaeological area. There are no paths or roads between it and the rest of the site and the design is completely different to the lower houses. The inclusion of the archaeological area and upper house make the site artificially larger. The upper house and the archaeological area should be discounted when making the calculation. When doing the calculations for the other areas in Aviemore it has been done but not for this development.

The actual site area for the 21 houses is about two thirds (0.97 hectares) of the whole site making a density of approximately 21.5 units per hectare.

The new builds on the west side of Grampian Road at the north end of the village are all larger houses with good garden space that give a general ambience of openness and of the rural. The proposed development is tight, enclosed and while it may look good in a coastal village or Holland, it does not fit well into its surroundings at the north end of Aviemore. The outlook from the houses will be at other houses accentuating the hemmed in feeling.

The developer states that the development has a degree of visual impact on individual and community residential amenity. The use of the word degree by itself has no real meaning as it does not actually convey how much visual impact there will be. However, the developer helps us with his objection to the previous application for **13 houses**. This is what the developer said,

"The proximity of the proposed houses creates a considerable detrimental effect on the privacy of the houses to the north and north west of the development site. A considerable loss of amenity will result should this development proceed as proposed, and again in my view, a material planning consideration".

We were in total agreement with the developer's objection to the previous application and cannot see how it is possible for a tight development with 8 more houses, as is now proposed, to be any less detrimental.

Parking

A planning condition is that where in-curtilage parking is provided, it shall include parking and manoeuvring space for at least 2 cars such that each car may enter and leave the plot independently. Where communal car parking is provided, it shall be at a rate of at least 1.5 spaces per dwelling. It is a sensible condition which will alleviate the need for parking in the street. In this lower development none of the houses comply with the in-curtilage parking condition.

Each house has a garage and this may be viewed as the second space, although how a car in the garage could enter or leave independently is puzzling. It is inevitable, as is apparent all over Aviemore and elsewhere that, because the houses are small, the garage will be used for other things such as storage or converting, usually without planning permission, to an extra room.

In view of the tight nature of the site and the narrow roads it is essential that this condition be adhered to.

There is a car parking area shown next to the archaeological site. The intention is that it will serve visitors to the archaeological site. This is not a sustainable part of the development. The aim should be to encourage people to visit the site by foot or cycle, not using a vehicle. The car park is more about making up for poor provision elsewhere in the development and will result in the loss of valuable wildlife habitat in the form of the pond and stream.

SSP3

We submit that the site is in open space that contributes to local needs and community enjoyment. Although it appears to all intents and purposes to be just a grass field, it is an open space in the middle of a built up environment. It is occasionally used by locals for keeping ponies and regularly by dog owners for exercising dogs. The fencing round the site is, contrary to the developers claim, poor and dog owners are easily able to let their dogs into the field, and in any case it is land to which the public have a responsible right of access under the Land Reform (Scotland) Act 2003. The removal of the area would not make a positive contribution to the built and rural environment, more the opposite.

Environmental Concerns

The Developer's Summary states that development will not impact on habitat freshwater system. We dispute that.

- Milton Wood

The development does not minimise adverse effects on the bio-diversity. Part of the proposal involves the filling in of a pond below the archaeological site. The flooding report talks of the pond being spring fed but goes on to say that it is also affected during times of rainfall. The report then goes on to say that the outfall from the pond goes under as culvert into Milton wood where it appears to soak into the subsoil and disappear or lie in isolated pools. What the report doesn't say is that if surveyors had walked a short distance into Milton Wood they would have found that when the ground is saturated, a stream flows out through Milton Wood and joins the Milton Burn some 400 metres south of the culvert. The stream does not flow in the summer when it is only spring fed. It is during times of high rainfall that it flows. Before going into the Milton Burn the stream passes through a large shallow pool which maintains a well used breeding area for frogs and toads. Common toads also use the pond within the site .The common toad is a UKBAP Priority species because of its decline due to habitat loss and other factors. The otters live at the River Spey and travel up Milton Burn to feed. The otters don't just swim and feed in the burn. They use the pond and Milton Wood for foraging the water from the spring is not enough to maintain the stream in Milton Wood. Any proposal to divert surface water from the pond would have a serious impact on the biodiversity of Milton Wood.



Stream leading from pond in to Milton Wood (19/3/10)



Outflow in to Milton Wood showing flow (mainly surface water runoff) (19/3/10)



Outflow of stream into Milton Burn 400 metres downstream of site. (27/3/10)

The possible environmental effects of the development, particularly pond removal, on Milton Wood have not been properly considered by the developer or any of the agencies. Under European Directives there is a requirement on the Planning Authorities to ensure that proper assessments are made. There are a number of species present in the wood and in the development site that are priority species, of conservation concern or locally important. Appendix I is a report which was compiled for an objection to the application by a previous developer. The removal of habitat, whether breeding or residential will have an adverse effect on the animals and plants using it.

The pond is seen by the developer as a health hazard, or is it an obstruction to the development. The archaeological site is next to the pond and there a mature trees around it. The pond itself is used by frogs, toads and newts for breeding and by dragonflies and other insects. It has many wild plants, including Bogbean, a plant of local importance.

There are ways that any danger posed by the pond can be mitigated. There is an opportunity to integrate the pond area with the archaeological site to give a more rounded experience to the visitor and locals. The burn leading out of the pond could form a feature by the path leading into Milton Wood. The pond could also be developed as a dipping pond and be used by the local school for their environmental education. We cannot see how filling in the pond and diverting vital water away from Milton Wood is sustainable and fulfil the first aim of the National Park or contribute to local needs and community enjoyment. The problem with UKBAP species and Cairngorm LBAP species is removal of habitat. The removal of the pond is hardly incorporating wildlife habitats as part of the development, as required in the outline consent conditions.

Milton Burn

A condition is that Milton Burn is not to be channelized. This is exactly what the proposal for the burn will do. It will increase the rate of flow downstream of the site and possibly increase damage to the bed of the burn or the banks. There is no mention of this possibility in the report and no indication that it was even considered. There are well used spawning beds for salmon and sea trout downstream of the site, opposite Milton Wood.



Salmon spawning runs 400 metres downstream of site (29/3/10)

The surveyors appear to have been blinkered and have confined their deliberation to maintaining passage for salmon and sea trout upstream when, in fact, spawning also takes place downstream close to the development site. At least 3 salmon and 6 sea trout were seen spawning downstream of the site this winter.

Has an appropriate assessment been done?

Under the European Directives planning authorities are required to be able to show that there will be no damage to a designated area such as the River Spey SAC. In view of the burn's link to the River Spey SAC and its importance as a spawning burn, we suggest that the precautionary principle should apply until the likely impacts of the changes to the burn downstream are fully assessed.

Site Safety

We do not agree that the pond, if properly protected and incorporated into the site, would be a health hazard. As already explained there are other alternatives to filling it in which would remove the safety issues at the same time as maintaining the amenity of the area.

There is a far more serious safety hazard that receives no mention. That is Milton Burn. We find it interesting that the pond is felt to be a danger yet there is no mention of Milton Burn being a serious hazard at times or of any action to mitigate that danger. At times of flood Milton Burn becomes a raging torrent and the developer's engineering report gives good example of the power of the water.

Amenity Area

We note that the developer has used up all the space with houses and is offering to make a contribution in lieu of providing amenity space within the site. The proposal is to make a financial contribution to the play area at Strathspey Avenue. **The planning committee should note that the play area is already there and well used.** The area shown on the map is a clear grass area used by local youngsters to play football. In the south corner there is a small children's play park with a swing and climbing frame. There is, however, another children's play park 30 yards away which has a play castle, slide and swings. We feel that such a financial contribution is not tenable and feel that a better financial contribution to maintain the amenity would be to pay for path improvements within Milton Wood in line with proposals made by Aviemore and Cambusmore Enhancement Company Ltd. (Aviemore and Cambusmore Community Company Ltd was formed the Community Council)

Affordable Housing

Apart from a debatable assertion by the developer that the smaller units are aimed at a different market sector and will be more affordable, there is no affordable housing. We feel it is dangerous to leave it to a developer to supply affordable housing through its own pricing. It is to be expected that the developer will want to maximise on his investment but, with the housing market as it is in Aviemore, we are of the opinion that there will be no truly affordable housing unless the condition made in the outline planning permission with respects to affordable housing is strictly applied.

Upper House - Plot 7

The upper house is to all intents and purposes completely devolved from the rest of the site. Its only link is that it borders on the archaeological area.

Much of the Planning Support Statement is taken up, as would be expected, with the details and reasoning behind the 21 house part of the development and Plot 7 is effectively glossed over.

Plot 7 will be an imposing four bedroom, two storey building. The roofline will be 2.2 metres higher than the house next to it (Millside House). The house will stand out above the development, the archaeological site and the house beside it. The house does not appear to have any garden space around it.

The house will be accessed via the Aviemore Orbital and a track which leads to Millside House. Contrary to the developers statement our information, from the occupier and the voters role, is that there is the house with two occupied flats at Millside House and one flat let for holidays. A'anside has two occupied flats. This will make a total of six occupied dwellings at the end of the access road, not two. The developer is being simplistic in the calculation of dwellings when he says there are only two, e.g. in a block of eight flats, if the owner lives in one does that make it one dwelling?

We also dispute that the Highland Council is satisfied that the upgrading does not need to be done. Has this from the Highland Council Planning Department or Roads Department? The requirement for the road upgrade is enshrined within Policy H8 of the Highland Structure Plan, published by the Highland Council and approved by Scottish Ministers. There are some opportunities to work round the Policy however they refer to rural circumstances. This development, in the biggest settlement in the Park by far, can hardly be termed rural. It is, of course not just a

hard track. There is a bridge of questionable quality over the Milton Burn. We are concerned at the effect of extra traffic over the bridge, particularly heavy traffic during the construction stage. We feel it is unfair on the present occupiers of A'anside and Millside to be put in a position where if the extra traffic damages the bridge they will be stranded and have to take the cost of repair.

Our understanding is that Planning Permission has already been refused by Highland Council for the conversion of a holiday flat at Millside House into a residential flat. The refusal was based on the need to have a road to adoptable standards.

The notion of trying to help the Highland Council by not burdening them with having to adopt a longer length of new road is laudable but a red herring. Although the road has to be built to adoptable standards but the council does not necessarily have to adopt them. This situation is prevalent already in Aviemore where housing developments have roads to adoptable standards but they have not been adopted.

In Conclusion

Aviemore and Vicinity Community Council objects to this development on the following grounds;

- The proposed development is contrary to the Local Plan in that the number of houses is well in excess of number allowed for.
- The development design does not fit well with the surrounding housing developments.
- There is insufficient in curtilage parking. The parking does not comply with the outline planning conditions.
- Parking near the archaeological site should be discouraged by removing parking. We should be promoting walking not encouraging laziness.
- The design does not accord with SSP3
- The removal of the pond and the surface water entering Milton Wood will adversely affect UKBAP priority species and Cairngorm LBAP species in Milton Wood and the pond.
- Milton Burn flows into the River Spey SAC. No appropriate assessment has been done on the effect of the development on the salmon runs downstream or on the effect of removing or damaging foraging area of otters.

- There is no cognisance of the danger posed to residents or visitors from the Milton Burn.
- The play area referred to in lieu of an amenity area within the site is already there and well used. Rather than the developer saying what he makes provision for the community should be asked what they would like.
- There is no provision for affordable housing. The condition in the outline planning permission should be strictly applied.
- House at Plot 7 is too high. It will tower over the existing houses and will be a prominent feature against the Monadhliaths.
- The house will be the sixth dwelling along the track, not the third and there is a bridge on the track of questionable quality.
- Highland Council is under no obligation to adopt the road and have already not done so in other developments in Aviemore. The requirement is there to ensure that roads are built to a standard which is not going to disadvantage others on the road.

Yours sincerely,

Gerard & Vicki Goslings

MILTON WOOD, AVIEMORE

Cairngorm LBAP key: (C) - UK Species of Conservation Concern
(P) - UK Priority Species
(L) - Locally Important

PLANTS

Blaeberry	Daisy
Bog asphodel	Cuckoo flower
Wood aven	Dandelion
Lady's bedstraw	Red dead nettle
Birds foot trefoil	Dock
Bog myrtle(L)	
Bugle	Fat hen
Butterwort	Shepherds purse
Buttercup – bulbous	Foxglove
Buttercup – creeping	Common fumitory
Red campion	Woodruff
Celandine – lesser	Ground ivy
Chickweed	Groundsel
Cleavers	Hardheads
Clover - red	Cross leaved heath
Clover - white	Bell heather
Colts foot	Ling
Cow wheat - common	Honeysuckle
Cowberry	Marsh marigold(L)
Nettle – common	Sneezewort
Thyme	Sheeps sorrel
Stitchwort	Sundew – round leaved
Tormentil	Melancholy thistle
Valerian(L)	Lousewort
Violet – common	Milkwort
Violet – bog	Nipplewort
Wintergreen – chickweed	Orchid – fragrant
Wintergreen – common	Orchid – heath spotted
Wood sorrel	Pearlwort
Wood anemone	Petty whin
Yarrow	Pignut
Broom	Rib wort plantain
Broad leaved pond weed	Primrose
Ragwort	Raspberry
Rush – common	Dog rose

Wood sage
Devils bit scabious
Speedwell – germander
Speedwell – common
Silver Birch
Willow – goat
Alder
Mosses
Grasses
Vetches – tufted
Lichens
Juniper(P)(L)
Sycamore

Perforated St Johns wort
Spearwort - lesser
Mountain ash
Bird cherry
Willow – white
Scots pine
Aspen
Ferns
Thistles - other
Vetches - other
Umbels
Bogbean(L)

FUNGI

Common hedgehog
Orange birch boletus
Bitter boletus
Chanterelle
Horn of plenty
Common puffball
Razor strop
Milkcap species

Stink cap
Brown birch boletus
Fly agaric
Honey fungus
Jews ear
Jelly antler
Russula species
Common Grey saddle

BIRDS

Chaffinch (nests)(L)
Greenfinch (nests)(C)(L)
Waxwing
Great tit (nests)(C)(L)
Mallard
Woodpecker–gr. spotted(C)(L)
Song thrush (nests)(P)(L)
Collared dove
Tawny owl(C)(L)
House sparrow
Robin (nests)(L)
Tree creeper (may nest)
Garden warbler(C)
Carrion crow (nests)
Jackdaw
Common buzzard(C)(L)
Dipper(C)(L)

Bullfinch(P)(L)
Brambling(C)
Blue tit (nests)(C)(L)
Long Tailed tit (nests)(C)(L)
Pheasant
Mistle thrush
Blackbird (nests)(L)
Woodcock(C)(L)
Hedge sparrow (nests)(C)
Wren (nests)(L)
Siskin (may nest)(C)(L)
(C)(L) Tree pipit (nests)(C)
Willow warbler (nests)(C)
Rook
Sparrow hawk(C)(L)
Heron
Wagtail – pied(C)(L)

Wagtail – grey (nests)(C)(L)

Blackcap(C)

Pied Flycatcher

Chiffchaff(C)

Coal Tit (C)(L)

MAMMALS

Roe deer(C)(L)

Fox(L)

Shrew(C)

Pipestrelle (P)(L)

Short Tailed Vole

Red deer(C)(L)

Red squirrel(P)(L)

Rabbit

Wood Mouse

Brown Rat

REPTILES

Lizard – common(L)

Slow worm(C)(L)

AMPHIBIANS

Frog – common (breeds)(C)(L)

Newt – palmate (breeds)(C)(L)

Toad – common (breeds)(P)(L)

INSECTS

Kentish glory(C)(L)

Meadow brown

Common blue

Small tortoiseshell

Large white

Burnet – six spot?

Silver Y

Caddisfly

Common wasp

Wood ant(P)(L)

Midge

Common bluebottle

Ground beetle

Dor beetle

Ladybird species

Great diving beetle

Grasshopper

Garden spider

Centipede

Pond skater

Scotch argus(L)

Northern brown argus(P)(L)

Red admiral

Orange tip

Privet hawk moth

Garden tiger

Stonefly

Damselfly species

Bumble bee species(L)

Common froghopper

Hoverfly

Green tiger beetle

Sexton beetle

Devil's coach horse

Soldier beetle

Whirligig beetle

Earwig

other spider species

Woodlouse

Water boatman

Cleg
Cockchafer
Birch Sawfly **Rannoch Sprawler(C)(L)**
Cousin German(P)(L)
240+ Moth Species (Records Available)

MOLLUSCS

Garden snail Great black slug
Keeled slug

FISH

Brown trout (L) **Salmon (C)(L) (Spawns)**
Brook lamprey(C)(L)(Breeding) **Sea Trout(L) (Spawns)**

Compiled by John Grierson BSc

December 2006

Refs: The Concise British Flora in Colour - W Keble Martin

The Wild Flower Key - Francis Rose

Field Guide to Moths of Great Britain and Ireland - Paul Waring
and Martin Townsend

Moths of the British Isles -- Bernard Skinner

Collins Bird Guide -- Lars Svensson and Peter Grant

Collins Field Guide to Mammals of Britain and Europe -- David

MacDonald and Priscilla Barrett

Cairngorms National
Park Authority

23 MAR 2010

PW RECEIVED J.M.

by email

Douglas Graham
A'Anside Guest House,
Aviemore,
PH22 1QD

Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED 23.03.10

Date: -23rd March 2010

Reference: -10/01021/FUL Milton Development

Dear Sirs,

I have several concerns over the development of 22 houses on this site. It is however, a marginal improvement over the developer's previous applications.

No matter how eloquent and frilly the developer and their consultants paint a rosy, glowing, glossy, picture and carefully cherry pick small pieces of planning policy to enhance their proposal, the fundamentals for this application are flawed.

Overdevelopment

The developable area of this site can reasonably sustain 7 to 12 houses according to the 1997 local plan. This is the local plan, under which outline planning permission for this site was granted. I think that it is only reasonable that any development should stick to that criterion.

Misleading, at best, housing density calculation. To achieve 1.45ha area of this site you would need to include Millside & A'anside ground area. If you calculate the area of the proposed houses, it is just over half that area, you effectively double the density, takes it to 27-28 houses per ha.

6 Dwellings on an unadopted track, is contrary to planning policy H8.

To state that Highland Council are in agreement and ok with building a house on the orbital path and extending the track to access it is perhaps a tad optimistic. Senior Planning Officer Andrew McCracken has not had any contact or correspondence from the developer and is of a different opinion.

House design

House type and design, is something that is subjective, I personally can see that this has potential, under certain circumstance, outskirts of a small to medium concrete jungle i.e. East-Kilbride, Cumbernauld, Dunfermline, Erskine and probably some other places that I haven't visited:

But surely not for a popular highland village, not for Aviemore, and not for a small infill site on the outskirts of Aviemore.

Large house on the orbital track.

Fine big house to all intents and purposes, perhaps a bit bland on the front elevation. Not really the kind of huge 2 storey building that you want plonked down at the side of the orbital path towering way above Millside garage, in fact it towers 2 meters or there about above Millside House's roof ridge. I believe that Millside House ridge height had not to exceed neighbouring properties.

This has got to be a rather large no no, to build a house, and such a large house at that, directly on the orbital path blocking fantastic and beautiful panoramic views of the Cairngorms.

Access Road

The Access track from the old underpass into Millside, Millside flats & A'Anside including the bridge are maintained by me, at my expense. I have accepted this is the way it is. I do not mind this as it is my tenants and guests that primarily use the road, with the exception of the walkers who tramp along the road totally unaware that the orbital path runs along at the side of the road. I have no problem with this either, absolute minimal damage by comparison to my own, guests, and tenants vehicles running over it. However I think it is totally wrong for me to maintain a road and bridge for a developer to damage with heavy construction machinery, service vehicles and other traffic, over a bridge that was never designed or built with this in mind.

For a developer to come along and build a house along the track, this has to be very good case for them to take control over the road and bridge and in so doing, bring them to an adoptable standard.

Correction to a misleading comment in the developers planning support statement regarding Millside House.

Millside House was planned and purpose built as a main house and two self contained flats. The integral garage was later turned into another self-contained flat. Full planning consent for this flat was turned down. The reason was due to the road construction not being of adoptable standard as per planning application BS/97/39.

If the developer is successful in obtaining planning consent to build this house on the orbital path, it makes a mockery of the planning policies and introduces double standards.

The developer is very well aware of how precious this small area is to the people round about and in his heart of hearts knows that the objectors have many valid points, having used most of them himself against a previous smaller development on this site.

We are trying real hard to stop a small piece of greenery, trees, water, nature and wild life getting lost forever from our village doorstep under a slab of developer's mono-block, concrete and profit margin.

I sincerely hope the park planners will look at this application and appreciate that a lot of the objections and concerns raised are totally valid ones. There are many good, valid reasons to turn down or at least tone down planning consent of this proposed development to the 7-12 houses as per the outline planning permission based on local area plan.

Yours sincerely

Douglas Graham

Name: Jim HAIG

Address :- 23 GRAMPIAN VIEW

Cairngorms National Park Authority
Planning Application No. 10/062/CP
REPRESENTATION
ACKNOWLEDGED 25 MAR 2010

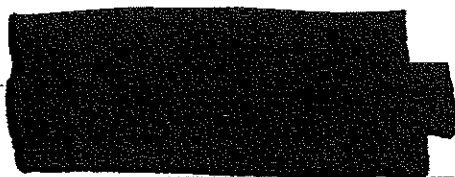
Planning application 10/01021/FUL 10/062/CP

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority
24 MAR 2010
PWS RECEIVED JM

Signed



Cairngorms National
Park Authority

14 APR 2010

PWRS RECEIVED JM

Name: ROY &
ELIZABETH HENDERSON

Address :- 8 MORLICH PLACE, ABERMORRE
PH22 1TH

Planning application 10/01021/FUL 10/062/CP

We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Our property backs onto Milton Burn and we have concerns that further development upstream could further affect the nature of the burn on our boundary.

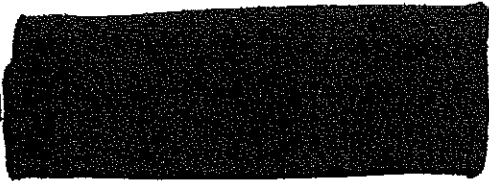
Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED 14/4/10

Signed



4/4/10

Name: DARRIN HENRY

Address: 31 COBBETT PLACE
ANIMORE

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority

Planning Application No. 10/062/CP

REPRESENTATION

ACKNOWLEDGED

25 MAR 2010

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments: -

Cairngorms National
Park Authority

24 MAR 2010

PWS RECEIVED JM

Signed



Cairngorms National
Park Authority
29 MAR 2010
PWRS REVED

Name: AVRIL & ARTHUR LAY

Address :- 46 CRAIG-NA-GOWER AVENUE, AVIEMORE PH22 1RW.

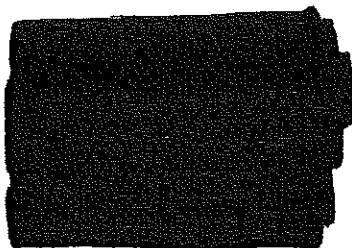
Planning application 10/01021/FUL 10/062/CP

~~/~~We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

Cairngorms National Park Authority	
Planning Application No.	10/062/CP
REPRESENTATION	
ACKNOWLEDGED	29.03.10

Signed



23-3-2010.

Name: Mr + Mrs Marcus MacBean

Address :- 16 Morlich Place,
Avenmore
PH22 1TH

Planning application 10/01021/FUL 10/062/CP

Cairngorms National
Park Authority

12 APR 2010

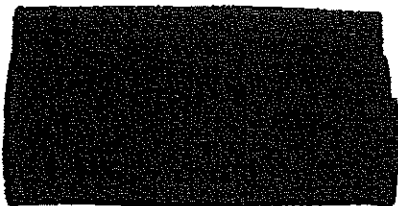
PWRS RECEIVED Jm

1/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

The "Village" is already over populated and struggles with the influx of ~~people~~ people already. How is building more homes going to ease the congestion that the "village" is struggling to cope with now??

Signed



Name: Mr Eric Mathews

Address: 19, Grampian View

Cairngorms National Park Authority	
Planning Application No. 10/062/CP	
REPRESENTATION	
ACKNOWLEDGED	25 MAR 2010

Planning application 10/01021/FUL 10/062/CP

I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments: -

Cairngorms National Park Authority
24 MAR 2010
PWS RECEIVED JM

Signed



Flat 2
Millside House
Ayiemore
PH22 1QD

Highland Council
Economic and Strategic
Planning and Building Standards
23/03/2010
Received

Calngorms National Park Authority
Planning Application No. 10/062/CP
REPRESENTATION
ACKNOWLEDGED 26.3.10.
23/03/2010

Ref planning application 10/01021/FUL

Dear Sirs,

I would like to object to the above planning application on

Calngorms National
Park Authority
26 MAR 2010
PWS RECEIVED MD
several points

1. The trees and flooded area should be protected from development as this provides a natural environment on the edge of Milton Wood, an area that is used on a daily basis by myself and may other dog walkers. I see walkers, joggers and cyclists all making good use of the orbital path. Alder trees improve soil fertility through their ability to fix nitrogen from the air. As a deep-rooted species, it reduces the effects of erosion. Alder foliage provides shade and its leaves, which are relatively quick to decompose in water, provide nutrients for invertebrates.

Because it is the most common tree in riparian woodlands, which often form the ecological linkages between different forest patches, alder is an important species in the Caledonian Forest, and its survival and expansion is essential to the health of the land.

2. I do not need any more traffic on the road into my flat. We've just had one of the worst winters for years and access into my flat was limited with us all jockeying for a parking space at the end of the road, as the track took several days to clear. I have quite a steep incline to get out, which would be hampered having to stop to check for traffic.

3. On the subject of the large house, it seems to be perched rather high on the hillside with a large expanse of brickwork exposed beneath the ground floor, which will make it look like a three storey building. I only have southwest facing windows and so light is limited to my flat as it is, without the imposition of a tall building.

4. The number of houses proposed is excessive, greatly out of proportion and extremely contrary to the existing character of neighbouring houses.

Yours sincerely



Russell Morris

Name: Linda & Donald Murray

Address: 29 GRAMPIAN VIEW
AVIEMORE PH22 1TF

Planning application 10/01021/FUL 10/062/CP

Cairngorms National Park Authority
Planning Application No. 10/062/CP
REPRESENTATION
24.03.10

I/We object to the above planning application because:

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

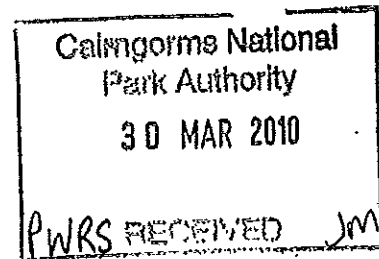
My primary concern is flooding. The Milton Burn has already flooded & caused serious damage. The large number of houses on this small site must affect the risk of flooding. My husband is very disabled & wheelchair bound & flooding is my great fear.

Signed



Cairngorms National Park Authority
24 MAR 2010
PWS CEIVED IM

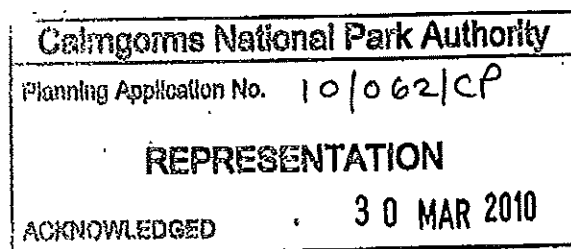
Name: Mr & Mrs A Ross
Address :- 31 Strathpey Avenue
Abermote
PHOOLISN



Planning application 10/01021/FUL 10/062/CP

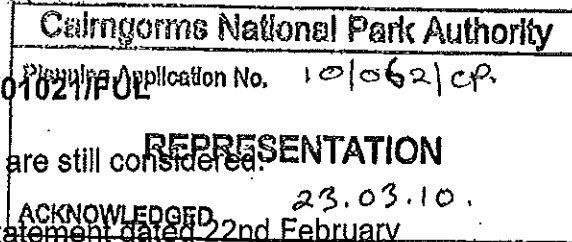
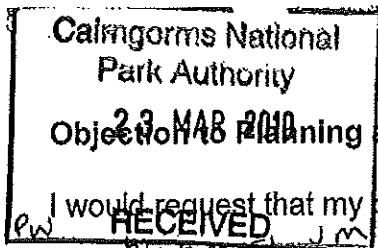
//We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2-story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-



Signed





Objection to Planning application 10/062/CP

10/01021/FOL

I would request that my previous objections to 09/153/CP are still considered.

Additionally, in response to latest the Planning Support Statement dated 22nd February 2010 (Document 40 in the eplanning application to Highland Council), I would like to highlight the following inaccuracies and observations.

Inaccuracy No 1: -

On page 12 it states that the proposed development is for 22 houses on a 1.45 hectare site giving a housing density of 15.7 units per hectare. This figure is incorrect. 1.45ha is the approximate area of the development site PLUS the area of ground comprising Millside House and A'anside Cottage. Previous application 09/153/CP quotes 1.15ha as the development area. Is this accurate?

From the OS map provided by the applicant for outline planning permission in October 2007, I have made the following calculations: -

Development site + Millside & A'anside = $123 \times 120 = 14760 \text{ sq. m} = 1.476\text{ha}$

There is a small triangular area at top right hand side that would bring this figure closer to 1.45ha, but for the sake of this argument have considered the whole area as a square.

Millside + A'anside (these are taken from actual measurements given on the map)

$61.874 \times (42.672 + 29.00) = 4434.633328 \text{ sq. m} = 0.4434633328\text{ha}$

Therefore the actual size of the development site is

$1.476 - 0.4434633328 = 1.0325\text{ha}$

The western side of the site, comprising the proposed single house, Meall Mill and pond/treed area, measures app $50 \times 50 = 2500 \text{ sq. m} = 0.25\text{ha}$

This radically changes the density figures quoted.

Taking the whole development site, $22 \text{ units} / 1.0325 = 21.3 \text{ units per ha.}$

Then considering the lower area only with the proposed 21 houses,

The whole site minus the western portion $1.0325 - 0.25 = 0.7825\text{ha}$ calculates as $21 / 0.7825 = 26.83 \text{ units per hectare.}$

I do understand that measurements that I have taken from the scale drawing are an approximation, but the stated development area of 1.45ha is overly exaggerated and this is the figure that has been used to calculate the stated density figure of 15.17 units per hectare.

This density fails to satisfy SPP3, section 67 that states: -

67. Infill sites within existing settlements can often make a useful contribution to the supply of housing land. These opportunities might range from relatively small-scale 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.

Inaccuracy No 2: -

Page 35. The statement regarding Millside House is incorrect.

Fact: - Millside House has never been a single house and has not been subdivided for holiday lets.

It was built as a 1.5 storey house with 2 rental flats and an integral garage in the basement. At some point after completion, the garage was converted to a flat to accommodate the owner's parent. Before the house was sold to its current owner, planning permission was sought for the converted garage, but only received limited planning permission due to policy H8 of the Highland Structure Plan.

The planning permission states: -

" because of the construction and unadopted nature of the access road to the premises, use as a permanent dwelling would not accord with the Council's policy on the number of dwellings which may be served by an unadopted road, and as agreed with the applicant."

This document BS/97/39 is available to view on request.

The two rental flats are managed by Allan Munro Letting agency and are used as permanent residences and not holiday accommodation.

In a conversation on 8th March 2010 with Andrew McCracken, Highland Council Senior Planning Officer, who is the case officer dealing with this application, he stated that planning policy remains unchanged in that the 3rd flat cannot gain full planning permission unless the access road is upgraded and this policy would be applied to any other application that he had to consider. Andrew McCracken has not been contacted or consulted by the applicant regarding the access road. Considering that Andrew McCracken is the Highland Council case officer for this application, would he not be the person to contact.

This creates an interesting discrepancy between Highland Council and the Park Planners. Could I request that the Park Planners consult with Andrew McCracken to formally clarify the H8 4 house rule to ensure that the same conditions apply to both the developer and flat 3 Millside House.

There is also a question over the bridge that was built by the previous owner of Millside House and is currently maintained by the current owner. The crossing over the burn started life as a ford and was replaced by a bridge when Belcast (since renamed A'anside) was built. Improvements were made to the bridge during the construction of Millside House, then the handrails were added when A'anside had a change of use to a Bed and Breakfast. Seafield/Reidhaven Estate takes no responsibility for the bridge or the road for that matter and it's up to the current owner/residents to carry out repairs, which have been done in the past.

Who will take responsibility for repairing the bridge and road damaged by construction traffic?

Part of the ground to the lower side of the orbital path above Millside House garage is unstable which I think may have been the site of the former Millside Cottages or outbuildings? A retaining wall has been built at the rear of the garage as the ground sometimes collapses, possibly when the hydro board truck goes past or just with rain washing down from the path. It is unlikely to survive construction traffic.

I would also request that no trees or shrubbery is removed if a track and/or road is built as this offers Millside House some screening from the A9. There is also no mention of where the orbital path will be resited. The developer may be unaware that the current track does not constitute part of the orbital path. The orbital path does run alongside the track, but has become overgrown.

Observations: -

On page 8, it states that the local plan envisioned 12 units on this site and the statement goes on to suggest that these would consist of 12 larger 4 bedroom detached houses.

This is purely speculative and as the local plan allocated 7 - 12 houses, this would give a developer scope for a variety of house sizes, either 7 large or 12 smaller or a mixture of both. In fact, the previous application 04/216/OUTBS submitted by Goldcrest opted for 6 detached and 6 semi-detached houses. As this was only outline planning, actual sizes are unavailable.

Page 16. Criticism is made on the layout of Grampian View, which does have houses of varying shapes and sizes to suit differing needs. It would help immensely if the statement referenced the actual paragraphs in SPP3 that discouraged non-geometric layouts, as other builders in the area don't seem to be guided by it. SPP3 is vague and open to interpretation on what it actually means by best use of the land, but is clear and definable when talking about infill sites (see section 67 above). Another thing to consider is that these houses will not be able to grow. Perhaps a garage conversion, but then this would leave more cars on the street.

On page 13, aerial images of Grantown-on-Spey and Tomintoul are shown to highlight geometric design in Highland villages. This layout does already exist in Aviemore at Milton Park. Since then, Aviemore has moved away from this regimented layout utilising a much more relaxed layout i.e. Grampian View, Dalfaber, Croftside, Allt Mor which have all worked well and are pleasant to walk through.

I am concerned about the intention to have the Meall Mill so accessible to the public. With easy access from the development, there is a risk that it could become a playground and be a danger to children. Would it not be safer and wiser to have the Meall Mill viewed only from the southerly orbital path, without direct access, retaining the pond and treed area as a barrier. It seems crazy to remove a natural habitat that enhances the natural heritage of the area and satisfies the first aim of the National Park. Filling in the pond and replacing with a car park could also have a detrimental effect on the remaining alder trees. One may argue that the pond is also a danger to children, but that same argument applies to the burn.

With regard to the single house on the western side, the ridge height is 2 metres higher than Millside House and will become an eyesore on the orbital path. It is described as stepping down in scale to a single storey in the section closest to the path. The western elevation shows that it is only the garage that is single storey with the house behind still 2 storeys high on the path. Certainly, as stated, the house will have no effect on the views on the Monadhliath Mountains, but the views of the Cairngorms will be obliterated from the orbital path. Millside garage was intentionally lowered to reduce its impact on the path as it was used at the time. The plans also show the intention to remove all trees from the eastern side of Millside house. Three silver birch trees have been identified, (nos 748/749/750) that according to the report by Oliver Macfarlane MCFOR, BSc, (Hons) Arb. Scottish Arboricultural Services as being of high category and recommended to be retained. These would be sited in the gardens of plots 11/12. These are already established and offer screening that makes Millside House less prominent on the hillside. Would it not be more prudent to retain these, rather than wait several years for replanted trees to become established?

On page 10, claims are made that the development will not impact on habitats, species, landscape and scenery. Developing this site as proposed will have an enormous effect.

Just as a comment on highly airtight buildings, mentioned on page 38, these are better served with a heat recovery system to control moisture, minimise energy loss and maintain good air quality within the house, otherwise serious mould conditions can arise if houses are not properly heated or ventilated.

On page 36, the use of renewable energy systems is discounted. However the

Government has recently published a consultation document for the Renewable Heat Incentive, which is intended to be launched in April 2011. This will dramatically reduce the payback period for ground and air heat source pumps.

It is my understanding that the Cairngorms National Park Deposit Local Plan has this area designated as a white zone and also that the Reporter recommends that this area is rezoned as environment.

In conclusion, I fully understand that local people need housing to satisfy both the rental and low cost home ownership market, but I believe that this development will not satisfy either need. To allow this development to proceed as proposed is in violation of numerous regulations and planning advice

e.g.

The 1997 local plan allocation

Policy H8

The Highland Structure Plan

The Highland Council development Plan

SPP3 and associated planning advice notes.

The Park deposit local plan and the Reporter's recommendations.

Surely people who have worked hard all their lives and have chosen to live in a quiet peaceful part of the world have a right to be protected by the planning regulations that exist to stop bad planning decisions being made. I cannot find one piece of legislation that endorses overdevelopment. Considering that outline planning permission was granted based on the 1997 local plan allocation, then it is only right that full planning permission is granted under the same conditions. 22 houses is way in excess of the 7-12 houses allocated.

This planning application should therefore be refused.

Yours sincerely

Anne Stewart
Millside House
Aviemore
PH22 1QD

Name:

MR & MRS C. SUTHERLAND

Address :-

27 GRAMPAN VIEW
AVEMORE PH22 1BT

Cairngorms National Park Authority

Planning Application No. 10/062/CP

Planning application 10/01021/FUL 10/062/CP

REPRESENTATION

ACKNOWLEDGED

25 MAR 2010

We object to the above planning application because:

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-

OTHER OBJECTIONS

AS PER PREVIOUS EMAIL

CORRESPONDENCE.

- AREA USED BY RAINIER AND
OTHER LOCALS, WALKERS ETC.

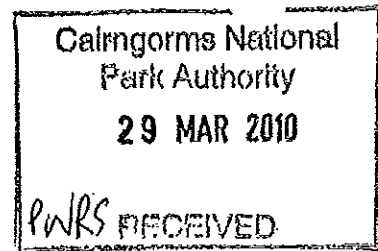
Cairngorms National
Park Authority
24 MAR 2010
PWS RECEIVED JM

Signed

Name: Erica M. Sutherland.

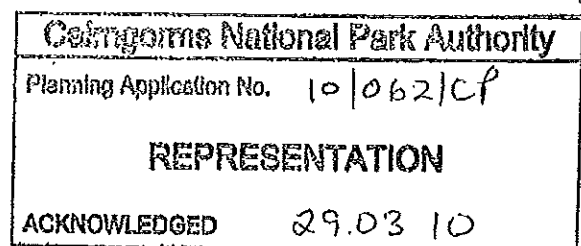
Address :- Birch Rock
Craig-ma-Gower Ae,
Abernethy.

Planning application 10/01021/FUL 10/062/CP



I/We object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments :-



Signed



Name: MR DAVID WARREN

Address: 24 GRAMPIAN VIEW
AVIEMORE

Cairngorms National Park Authority	
Planning Application No.	10/062/CP
REPRESENTATION	
ACKNOWLEDGED	25 MAR 2010

Planning application 10/01021/FUL 10/062/CP

I/~~We~~ object to the above planning application because: -

1. The planned number of houses constitutes overdevelopment in excess of the numbers allocated in the 1997 local plan. It is also understood that the Reporter advising on the new Cairngorm park plan recommends that this site be protected from development.
2. Removing the wetlands and trees, a natural habitat for the local wildlife, is in contravention of the 1st aim of the National Park i.e. to conserve and enhance the natural and cultural heritage of the area.
3. Building a 2 story house directly on the orbital path disregards the 3rd aim of the national park which aims to promote understanding and enjoyment of the special qualities of the area by the public. This particular site gives panoramic views of the Cairngorms on a path that is used by many visitors and local people on a regular basis.
4. Any other comments: -

Cairngorms National Park Auth.
24 MAR 2010
PWS RECEIVED JM

Signed 