

Paper I
APPENDIX

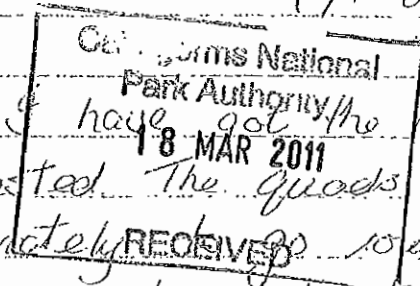
Noise Assessment Report
from applicant

and

Representations

17. 03. 11

Dear Mr. Toit,



The quads take two minutes approximately to get to the track and they run for twenty to twenty five minutes.

I hope you can work it out how often they pass the houses. Last year I only got four groups who came to my paint ball and only three used the quads. Unfortunately they will not be going that often.

I would be delighted if I got one group per week but I can't see it.

cutting the hay takes a lot more time and also baling it, is much noisier than any quads.

If you are not satisfied with the noise test provided feel free to send your own noise assessor to the Croft.

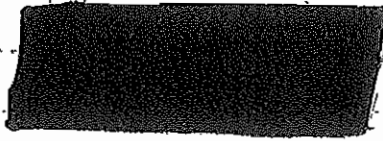
I will be glad to help him or her as much as possible.

As I said before to yourself and
Mr. Luffman I am willing to put
my nose bugs as necessary.

I am willing to co-operate with
any suggestions you come up with that
will help me get my planning as
not to disappoint my supporters.

Thank you, look forward to hearing from
you.

Regards



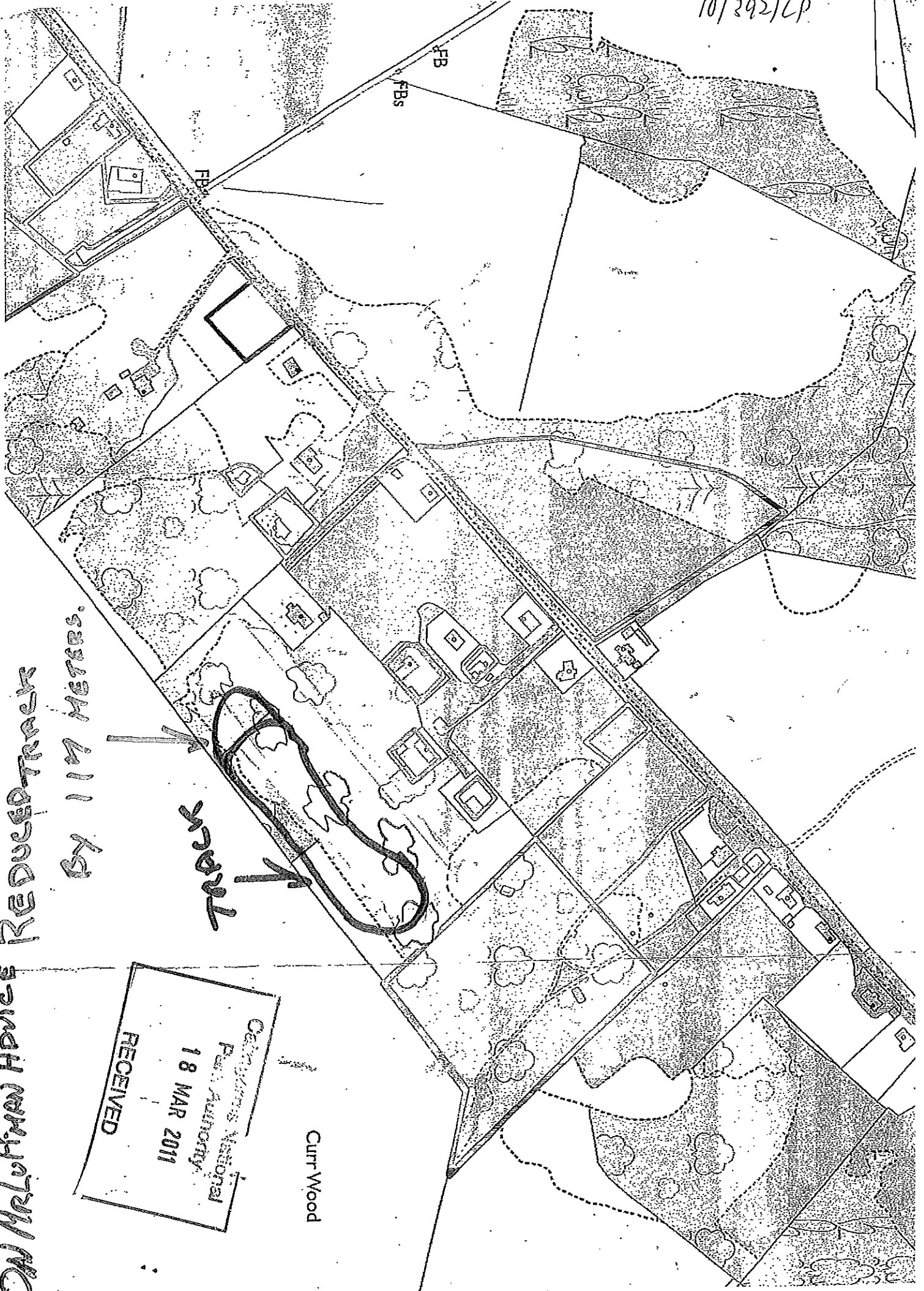
10/292/CP

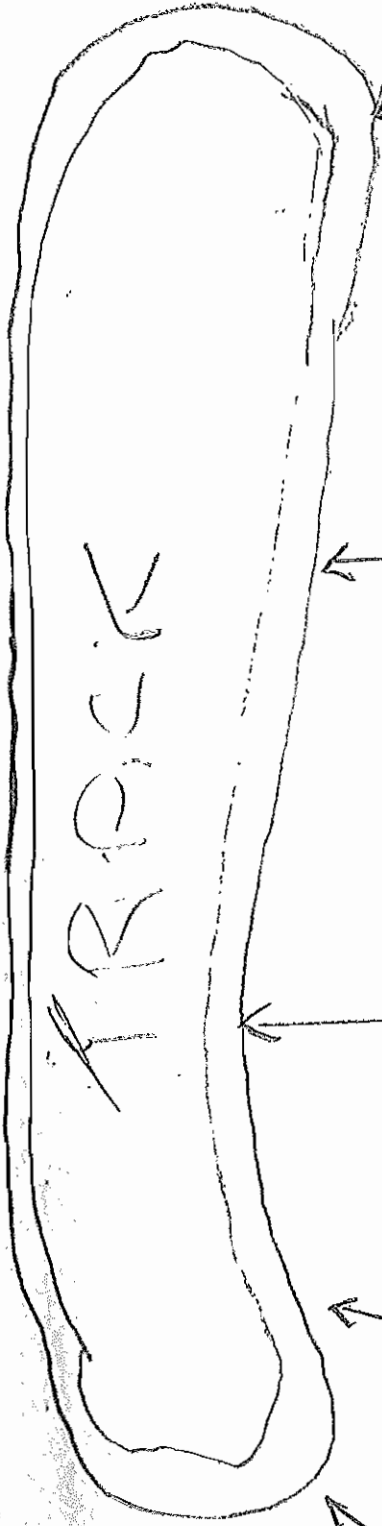
ON Mr. Hoffman Advice REDUCED TRACK BY 117 METERS.

TRAIL

RECEIVED
Oceana's National
Park Authority
18 MAR 2011

Curr Wood





TRACK

DISTANCE 35M
NATURAL 46.1
NOISE WITH QUAD 54.8

DISTANCE 25M
NATURAL 42.5
NOISE WITH QUAD 49.8

DISTANCE 40M
NATURAL 42.5
NOISE WITH QUAD 48.6

DISTANCE 110M
NATURAL NOISE 39.9
NOISE WITH QUAD SIKES 41.8

DISTANCE 70M
NATURAL NOISE 46.5
NOISE WITH QUAD BIKE 49.5

CARRIVAN

D McAFFEY (ENR)

FIONA McAFFERTY

D McAFFEY SEN

Coisrim National
Park Authority
18 MAR 2011
RECEIVED

MR. CAIRNS

Andrew Tait

From: Pauline Ryan [REDACTED]
Sent: 27 December 2010 11:08
To: Andrew Tait
Subject: Cairngorm Paintball

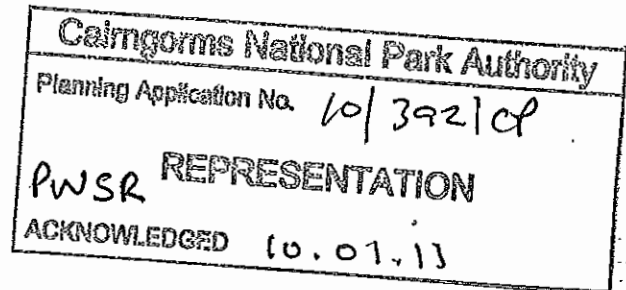
Dear Sirs,

It has been brought to my attention that there are several people complaining about Cairngorm Paintball situated in Dulnain Bridge and have signed a petition wanting it closed down.

My son had his Birthday Party there last September with several of his friends, (who have already said they want to have their party there) had a great time. It was well managed, and given half a chance they would have stayed there the whole day. It would be a great shame if this facility was no longer available, as the nearest one to this is in Inverness. It was my belief that the Cairngorm National Park, was there to encourage new ventures and to attract new visitors to the area. There are so many shops and such that are closing down due to the economic crisis that we are in. Cairngorm Paintball is one which I hope will be here for many years to come.

Yours

Pauline Ryan



SUPPORTING

QUAD TRACK



PAINTBALLS

AT

PARKVIEW

ROOF

Calngorms National Park Authority
 Planning Application No. 10/392/cp
REPRESENTATION
 ACKNOWLEDGED 02.02.11

Calngorms National
 Park Authority
 - 2 FEB 2011
 PWSR RECEIVED JM
 Handed to Andrew Tait
 on site by applicant.

Planning Application 10/392/CP
Parkhead Quad Bike Track

Signed Petition Supporting the Application received on 2 February 2011

| | |
|--------------------------|--------------------|
| Mandy Sim | Lewis Sim |
| T L Mackintosh | Kevin Mackenzie |
| Andrew Beckley | Ross Kelman |
| Stewart Kelman | Barry Campbell |
| Colin Semmell | Mark Bissett |
| Charlotte Bissett | Chris McKenzie |
| Signature Indecipherable | Jack Lark |
| Ryan Jamieson | Billy Grant |
| Signature Indecipherable | Suzanne McCafferty |
| Amber McLennan | Lola McLennan |
| Kirstin McLennan | Sarah Lowe |
| Signature Indecipherable | Kev McCafferty |
| Ewan Mackintosh | M A Miller |
| Carly Allan | Benj Wilson |
| Joe Watt | Stewart Mackie |
| Shawn Brown | Johanna Bishop |
| Steven Jamieson | Ian Shearer |
| Iain Shneeve | Graeme Cuthbert |
| Gav Grant | Jason Grant |
| Barry Green | Hayden Gray |
| Lian Anderson | Kevin Murray |
| Josh Rattray | Robert Gordon |
| George Duff | Dan James |
| R H Ryan | A McCafferty |
| J Hunt | H Taylor |
| D McCafferty | |

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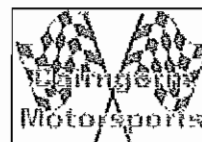
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Support the Construction of Quad bike Track and paintball at Dulnain bridge

Published by Kevin Mackenzie on Dec 24, 2010

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66 Signatures



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Target: andrewtait@cairngorms.co.uk

Region: Scotland

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Background (Preamble):

http://www.cairngorms.co.uk/planning/planningapplications/results.php?application_id=3690

Petition:

Everyone who has signed this petition believes that a quad track and paintball will be beneficial to people of all ages and all of the local community.

Support the Construction of Quad bike Track and paintball at Dulnain bridge

[Sign the petition](#)

The Support the Construction of Quad bike Track and paintball at Dulnain bridge petition to andrewtait@cairngorms.co.uk was written by Kevin Mackenzie and is in the category Miscellaneous at GoPetition. Contact author [here](#). Petition tags: dulnain bridge, cairngorms, cairngorm national park, quad bikes, quad track, cairngorm motorsports

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|----|-------|--------------------|------------------|------------------|----------|----------------------|--------------|
| 26 | Mr | Kerr Douglas | Inverness | N/G | UK | View | Dec 28, 2010 |
| 25 | Mr | Chris MacBean | Aviemore | N/G | N/G | N/G | Dec 28, 2010 |
| 24 | mrs | sian carling | BANGOR | Gwynedd | N/G | N/G | Dec 28, 2010 |
| 23 | N/G | charlene omalley | inverness | N/G | N/G | N/G | Dec 28, 2010 |
| 22 | N/G | chris mcinnes | carrbridge | N/G | N/G | N/G | Dec 28, 2010 |
| 21 | Ms | Karen Ligertwood | Grantown-on-Spey | Moray | UK | N/G | Dec 27, 2010 |
| 20 | mrs | caroline crozier | grantown on spey | grantown on spey | UK | N/G | Dec 27, 2010 |
| 19 | mrs | Jackie fiddes | grantown on spey | N/G | Canada | N/G | Dec 27, 2010 |
| 18 | Mrs | Margaret Mary Ross | Grantown on Spey | N/G | N/G | N/G | Dec 27, 2010 |
| 17 | Mrs | Jennifer Smith | Carrbridge | Highland | UK | N/G | Dec 27, 2010 |
| 16 | N/G | Sean Airey | Grantown on Spey | morayshire | UK | N/G | Dec 27, 2010 |
| 15 | miss | Pauline Ryan | Grantown on Spey | morayshire | UK | N/G | Dec 27, 2010 |
| 14 | miss | KAREN MCLEOD | GRANTOWN ON SPEY | N/G | N/G | N/G | Dec 27, 2010 |
| 13 | Mr | Graeme Mackie | Dulnain bridge | N/G | N/G | View | Dec 27, 2010 |
| 12 | Mr | Andrew Chalmers | Aviemore | Inverness Shire | UK | View | Dec 27, 2010 |
| 11 | Mrs | Annette MacDonald | Ballindalloch | N/G | UK | N/G | Dec 27, 2010 |
| 10 | N/G | fiona mccafferty | dulnain bridge | N/G | N/G | N/G | Dec 27, 2010 |
| 9 | mr | robert ryan | dulnain bridge | N/G | UK | N/G | Dec 26, 2010 |
| 8 | mr | dave mackenzie | nethybridge | highland | Scotland | N/G | Dec 26, 2010 |
| 7 | mrs | fiona cameron | dulnain bridge | Inverness-shire | UK | View | Dec 26, 2010 |
| 6 | N/G | H Taylor | grantown | N/G | UK | View | Dec 26, 2010 |
| 5 | Mrs | Elizabeth Love | Grantown-on-Spey | N/G | UK | View | Dec 26, 2010 |
| 4 | mrs | ann mccafferty | dulnain bridge | N/G | N/G | N/G | Dec 25, 2010 |
| 3 | mr | david mccafferty | dulnain bridge | N/G | N/G | N/G | Dec 25, 2010 |
| 2 | N/G | Callum Mackenzie | Grantown on Spey | N/G | N/G | View | Dec 24, 2010 |
| 1 | N/G | Kevin Mackenzie | Grantown on Spey | N/G | N/G | View | Dec 24, 2010 |

[1](#) < Previous 1 2 > [1](#)

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 O S/C/P - State, County or Province
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 O A comment in red indicates that the signer has hidden their comment from public view. [?] [\[?\]](#)

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Published by Kevin Mackenzie on Dec 24, 2010

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| # | Title | Name | Town/City | S/C/P | Region | Comment | Date |
|----|-------|----------------------|------------------|------------------|--------|----------------------|--------------|
| 66 | Mr | Doug Harris | Stockton-on-Tees | Cleveland | UK | View | Feb 10, 2011 |
| 65 | miss | carley rae | dulnain bridge | morayshire | UK | N/G | Feb 06, 2011 |
| 64 | N/G | Rebecca Buchan | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 63 | N/G | Diane Buchan | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 62 | N/G | Iesley Mclelland | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 61 | N/G | Lindsay Mclelland | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 60 | Mr | William Mclelland | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 59 | Mr | Cameron Mclelland | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 58 | Mr | Don Buchan | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 57 | Mr | Scott McClenaghan | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 56 | Mr | Craig Buchan | Dulnain Bridge | N/G | UK | N/G | Jan 29, 2011 |
| 55 | Mrs | Amanda Waller | Dulnain Bridge | Grantown On Spey | UK | View | Jan 26, 2011 |
| 54 | mr | Irene galass Jun98r2 | gromdale | N/G | N/G | N/G | Jan 26, 2011 |
| 53 | mr | John galass Jun98r2 | gromdale | N/G | N/G | N/G | Jan 26, 2011 |
| 52 | mr | John galasso | gromdale | N/G | N/G | N/G | Jan 26, 2011 |
| 51 | Miss | Heather Tait | Boat of Garten | N/G | N/G | N/G | Jan 17, 2011 |
| 50 | Mr | Mark Campbell | Carrbridge | Invernessshire | N/G | View | Jan 14, 2011 |
| 49 | Mr | Adam McInnes | Cambridge | Invernessshire | N/G | View | Jan 14, 2011 |
| 48 | Mr | Neil Campbell | Carrbridge | Invernessshire | N/G | N/G | Jan 14, 2011 |
| 47 | Miss | Lisa Campbell | Carrbridge | Invernessshire | N/G | View | Jan 14, 2011 |
| 46 | mr | mikhael shand | grantown on spey | N/G | N/G | N/G | Jan 11, 2011 |
| 45 | Mr | Chris Race | Grantown on spey | N/G | N/G | N/G | Jan 08, 2011 |
| 44 | Miss | Alana Clark | Carrbridge | N/G | UK | View | Jan 06, 2011 |
| 43 | mr | david mackenzie | grantown on spey | N/G | N/G | View | Jan 03, 2011 |
| 42 | Ms | Jennifer Tiller | Grantown on Spey | Moray | UK | View | Jan 02, 2011 |
| 41 | N/G | sheena Elliott | Perth | N/G | N/G | N/G | Jan 01, 2011 |
| 40 | Mr | Anonymous | Dulnain Bridge | N/G | UK | N/G | Dec 30, 2010 |
| 39 | mr | steven murray | grantown on spey | N/G | UK | N/G | Dec 29, 2010 |
| 38 | mrs | stacey hulton | grantown on spey | N/G | UK | N/G | Dec 29, 2010 |
| 37 | miss | angela deadman | romford | N/G | UK | N/G | Dec 29, 2010 |
| 36 | Mr | James Fraser | Grantown on Spey | N/G | N/G | N/G | Dec 29, 2010 |
| 35 | Miss | Nicole Leslie | Westbury | N/G | UK | N/G | Dec 29, 2010 |
| 34 | mr | damlan bristow | grantown on spey | N/G | UK | N/G | Dec 28, 2010 |
| 33 | N/G | leanna gilfillan | grantown on spey | moray shire | UK | N/G | Dec 28, 2010 |
| 32 | mr | james hunt | grantown on spey | N/G | UK | N/G | Dec 28, 2010 |
| 31 | N/G | kaylee mclean | grantown on spey | N/G | N/G | N/G | Dec 28, 2010 |
| 30 | Miss | Mercedes Hutchison | Rethy bridge | N/G | UK | N/G | Dec 28, 2010 |
| 29 | mr | rhys gallacher | Inverness | N/G | N/G | N/G | Dec 28, 2010 |
| 28 | Mrs | Leanne Duguid | Nairn | N/G | UK | N/G | Dec 28, 2010 |
| 27 | Miss | Laura Kirby | plymouth | N/G | N/G | N/G | Dec 28, 2010 |

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- o Anonymous signatures signify people who have chosen not to display their names publicly. [1]
- o A comment in red indicates that the signer has hidden their comment from public view. [2]

Julie Millman

From: [REDACTED]
Sent: 04 February 2011 06:21
To: Planning
Subject: Quad bike track at Parkhead, Skye of Curr,

Calngorms National
Park Authority
- 4 FEB 2011

PWSR RECEIVED Jm

Andrew,

Thank you for the information sent to me concerning. I am currently abroad and so am sending my objection by email.

REF: Planning application 10/392/CP (for the construction of quad bike track and use of land for Quad biking and paintballing.

I object to the Application on several grounds. The activities are to be located too near to the local Skye of Curr community. The loud sporadic noise that will be generated by quad biking and paintballing will be quite contrary to what is currently enjoyed by the local community and to all those who walk in the adjacent Curr Wood. It would also be a disruption to the guests and tourists who come to stay in the local self-catering cottages, B&Bs, guest house and hotel. All of these establishments market themselves on it being a peaceful rural environment. In addition Curr Wood, which I know very well, walking in it nearly every day, has a few capercaillie living in it and the proposed location is immediately adjacent to the current breeding area. The violent sounds and movements which are a part of this recreational sport will certainly scare these rare birds away.

I have no objection to the proposal as such, merely that the proposed location is totally unsuitable.

Yours faithfully,

Ian Kirk.

Auchendean Lodge
B&B and Self Catering
Dulnain Bridge,
Inverness-shire
Scotland PH26 3LU
[REDACTED]
[REDACTED]

| |
|------------------------------------|
| Calngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 04.02.11 |

From: Andrew Tait <AndrewTait@calngorms.co.uk>
To: [REDACTED]
Sent: Monday, 31 January, 2011 22:54:27
Subject: FW: Quad bike track at Parkhead, Skye of Curr,

Hello Mr Kirk,

I hope the e-mail sent by PIP Mackie was of assistance. At this point in time the application would be likely to be reported to our March Planning Committee. There is no formal cut off for representations at this

point. However, I would be grateful if you could provide any comments as soon as possible so that they can be given full consideration and certainly within the next two weeks.

I hope the above is of assistance.

Regards

Andrew

Andrew Tait
Planning Officer
CNPA

From: Pip Mackie On Behalf Of Planning
Sent: 28 January 2011 16:27
To: [REDACTED]
Cc: Andrew Tait
Subject: RE: Quad bike track at Parkhead, Skye of Curr,

Dear Mr Kirk

Please find attached a copy of the application form and submitted Site Plan for the development at Skye of Curr. Andrew Tait, Planning Officer, is currently on holiday -, he is due back on Monday 31st January.

At the moment, I am unaware of any deadline for submitting representations, however, I'm sure Andrew will respond to you should there be one.

Regards,
Pip Mackie

Ref 10/392/CP

'Cairngorm'

Cairngorms National
Park Authority
18 JAN 2011

Skye of Curr
Dulnain Bridge
PH26 BPA

RECEIVED

JM

Cairngorms National Park Authority
Planning Application No. 10/392/CP
ack 18/1/11
REPRESENTATION
ACKNOWLEDGED

Dear Sir

I have found the
planning has been put forward
for quad bikes down my road.
We have been here for 17 years
it would be a terrible shame
to let this happen it is so
peaceful here,

I am objecting to the quad bikes

Thank you

Yours Sincerely

[Redacted signature]

Andrew Tait

From: Don McKee
Sent: 05 April 2011 13:12
To: Andrew Tait
Subject: FW: Mr Neil Cairns

File with others.

From: Fergus Ewing
Sent: 05 April 2011 12:19
To: Jane Hope
Cc: Don McKee
Subject: Mr Neil Cairns

4th April 2011

Jane Hope
Chief Executive
CNPA

| | |
|--------------------------------------------|-----------|
| Cairngorms National Park Authority | |
| Planning Application No. | 10/392/CP |
| REPRESENTATION | |
| PWSR ACKNOWLEDGED by email Don McKee | |

Dear Jane,

Re: Mr Neil Cairns, Croit na Beithe, Skye of Curr, Dulnain Bridge Grantown on Spey, Moray, PH26 3PA

I am writing on behalf of my above constituent who has asked me to register his objection to a proposed development for use of land beside his property as a quad bike track.

Mr Cairns has advised me that he is a war veteran from Bosnia and requires peace and quiet. He has objected to the use of the land as a quad bike track. He does not believe this is in keeping with the character of the area nor an appropriate development.

I believe that he has made his views known to the Park.

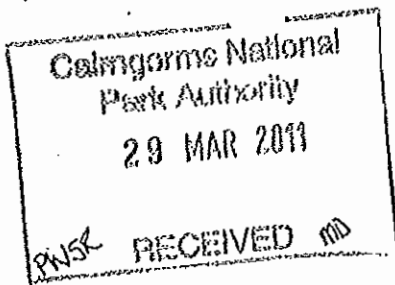
I am writing to you at his request as his MSP in order to register his objection.

Please note that as MSP it is not appropriate in this case for me to express a view on the merits of whether or not the application should be granted or rejected – but make representations on behalf of any constituents who ask me so to do – whether for or against the application.

Yours sincerely,

Fergus Ewing
SNP Candidate for Inverness and Nairn

Inverness & Nairn Constituency
Highland Railhouse
Station Square
Inverness
IV1 1LE



Calngorms National Park Authority
Ground Floor
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

Date: 28 March 2010

Our ref: RAF.22.4

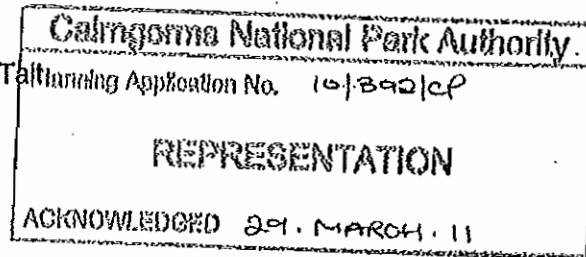
Your ref:

Direct tel:

Direct fax:

E-mail:

FAO Andrew Tallant



Dear Sirs

Town and Country Planning (Scotland) Act 1997
Planning Application Ref : 10/392/CP - Construction of quad bike track and use of land for quad biking and paintballing
Application Site : Land on Parkhead Croft, adjoining Curr Road, Dulnain Bridge
Our Clients : RAF Benevolent Fund

We refer to the above application and write on our clients' behalf.

We are aware that the Applicant has submitted noise information and we have had site of this information. We understand that this information consists of an extract from the OS plan, a drawing with various noise readings marked thereon and a covering letter from the Applicant dated 17th March.

We have considered the information submitted to the Authority and we have reached the conclusion that in no way can this be considered to constitute either a Noise Impact Assessment or detailed noise information which could assist the Authority in reaching a view on the acceptability or otherwise of this application. In reaching this conclusion we have had regard to the terms of Planning Advice Note 1/2011 Planning and Noise (March 2011) and the accompanying Technical Advice Note.

The Planning Advice Note ("PAN") advises in paragraph 14 that, so far as regards noise, the level of detail required by the planning authority should be balanced against the degree of risk to environmental quality, public health and amenity. The PAN then goes on to advise that more detailed assessments may be required for proposals that are likely to generate significant noise. In view of the potential for noise generation by the activities proposed here we would invite the Authority to take the view that the current application is of a type which indeed necessitates the requirement for submission of detailed noise information.

Exchange Tower
19 Canning Street
Edinburgh
EH3 6EH

DX ED27
LP100 Edinburgh - 2

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f: +44 (0) 131 222 9800

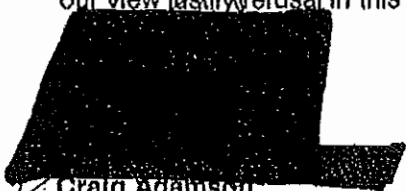
www.hbjgateleywareing.com

The information submitted by the Applicant in our view comes nowhere near the standard required to satisfy the Authority that the proposal could be satisfactorily accommodated without giving rise to nuisance to adjoining occupants.

The information submitted does not demonstrate compliance with the PAN and the Technical Advice Note. From the content of the information submitted we have to doubt that, prior to the taking of any readings, agreement was in fact reached between the Applicant and the Authority as to methodology and/or criteria for assessing significant adverse noise impact in this case. The information submitted is lacking in technical detail - bare sound readings are provided. We do not however know what particular activity was being measured. Neither do we know the length of the period during which the activity was measured. As to the numerous additional deficiencies we would note, by way of example, that no indication is given as to methodology, nor information provided regarding the equipment used and as to its calibration. We have not been advised of the qualifications and experience of those involved in taking the readings. Nor are we advised as to the time(s) of day the readings were taken. Additionally no information is provided regarding the applicable weather conditions at the time(s) at which the readings were taken. Finally there is no analysis as to magnitude or significance of impacts or as to sensitivity of receptors.

We would accordingly respectfully urge the planning authority to place no weight on the noise information submitted. In our submission this application clearly raises noise issues which cannot be considered to have been laid to rest by the information submitted by the Applicant.

If for no other reason than the potential for adverse noise impact we would respectfully suggest that this application should be refused forthwith. We would however meantime refer to our previous letter dated 26 November 2010 for our full assessment of the factors which in our view justify refusal in this case.



Craig Adamson
Head of Planning Scotland

Pip Mackie

From: David Dickson [REDACTED]
Sent: 17 February 2011 08:10
To: Planning
Subject: Ref 10-392-cp

Sirs,

It is my understanding an application has been (or is about to be made) by persons wishing to develop land approximately 200-300mtrs south of the 30 mph speed de -restriction sign on the South East side of the minor road at Skye of Curr which links Dulnain Bridge with the A95 at the Heather Centre.

The proposed development of a Quad Bike and Paint Ball centre is in my opinion totally unsuitable for the following reasons.

- 1/ Such a development would destroy the existing ecostructure of the area, in particular, the Wild Bird, Red squirrel and badger population.
Once disturbed by a new development such as this these creatures would soon disappear from the area leading to a breakdown in the ecostructure
- 2/ Such a development would be a danger to pedestrians due to the increase in vehicular traffic on a minor village Road .
- 3/ Noise levels would substantially increase to an extent of causing public nuisance and require considerable monitoring by local authority staff
- 4/ The presence of such a development is more likely to harm rather than benefit the existing local population, a number of whom rely on tourists looking for somewhere peaceful to spend their holidays. residents would therefore be penalised on two accounts:-
 - 4.1 reduction in income, leading to reduced spend in local shops
 - 4.2 reduction in housing values would jeopardise ability to sell up and move.
- 5/ Any such developer is likely to wish to expand beyond the initial use and attract off road motor bikes, such an expansion would be hard to reject if the initial use is granted.
- 6/ There are existing recreation facilities at Aviemore, Landmark and Rothiemurcus, (the Rothiemurcus facility is developed in such a way that Quad Bikes use a variation in routes this preventing specific local damage.

My interest in this application is that my family spend at least 4 weeks (spread over the year) every year at Skye of Curr .

My full contact details are as follows:

Mr D.A. C. O. Dickson, 5 Hazel Grove, Marton- in - Cleveland, Middlesbrough, TS7 8DJ.

| |
|------------------------------------------|
| Calngorme National Park Authority |
| Planning Application No. 10/392/cp. |
| REPRESENTATION |
| ACKNOWLEDGED 17 FEB 2011 |

| |
|----------------------------------------------|
| Calngorme National Park Authority |
| 17 FEB 2011 |
| RECEIVED |

quads1 (2)

Ross Durance
Cairngorm
Skye of Curr
Dulnain Bridge
Inverness-shire
PH26 3PA

January 19th 2011

Dear Sir / Madam

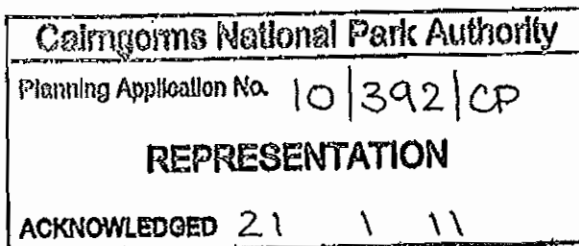
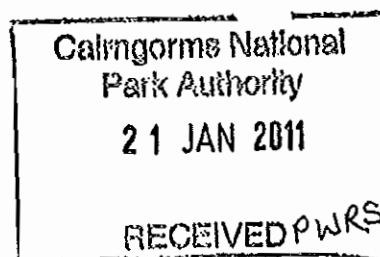
I am writing to inform you that I am totally opposed to the planning application for a quad bike / race track at Skye of Curr, Dulnain Bridge (ref 10/392/cp).

Skye of Curr is a quiet road with great views of the Cairngorms. As a resident of Skye of Curr for over seventeen years, I strongly oppose this plan and see no reason at all for this proposal to go ahead. It would put extra traffic on this residential road, creating unnecessary noise of which there is enough already.

I personally cannot see that this scheme will do anything to boost the local economy as there are already similar activities in the area struggling in the present financial climate.

Yours faithfully

Ross Durance
Treasurer
(UKIP Highland Branch)



Pip Mackie

From: John - John Weir [REDACTED]
Sent: 23 January 2011 16:31
To: Planning
Subject: Re: Proposed Development of Quad Bike and Paint Ball Facility - Skye of Curr, Dulnain Bridge

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

23rd January 2011

23rd January 2011

Dear Sirs,

Proposed Development of Quad Bike and Paint Ball Facility - Skye of Curr, Dulnain Bridge

I write in respect of the above-mentioned proposed development and respectfully ask that you record our objection to the application being granted on the following grounds:

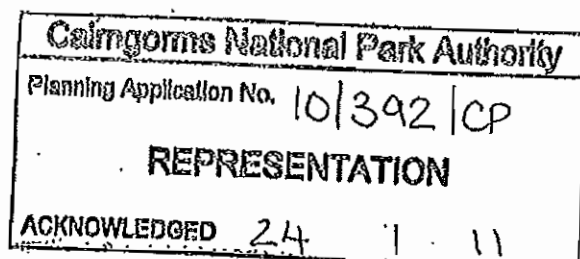
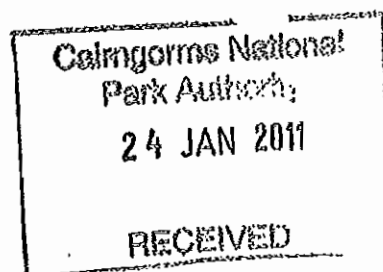
- We believe that the proposed development would be detrimental to the spirit and ethos of the National Park concept and ideals.
- In terms of the local environment, members will no doubt be aware that Skye of Curr is primarily a crofting community and such a development would be totally alien to the rural nature of the area.
- Such a development would cause disturbance to wildlife, I have certainly seen capercaillie in Curr Wood which is in close proximity to the proposal.
- The proposed usage would inevitably generate additional traffic in Skye of Curr, a road which does not have the benefit of pavements, this I would suggest would present hazards to pedestrians.
- A usage such as proposed would, without doubt, generate an unacceptable level of noise and air pollution and in turn disturb not only those residents in the immediate vicinity but also to other residents who reside in Skye of Curr.

I do not believe that the authority could impose any conditions to the application which would address the concerns I mention herein and would urge the authority to reject the application.

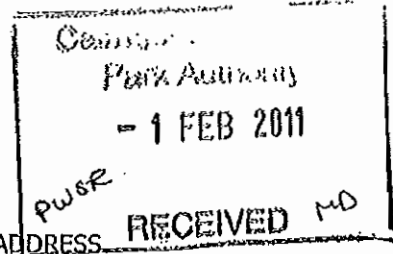
Yours Faithfully,

Mr. J. C. Weir

Creg Ny Baa
Skye of Curr
Dulnain Bridge
PH26 3PA



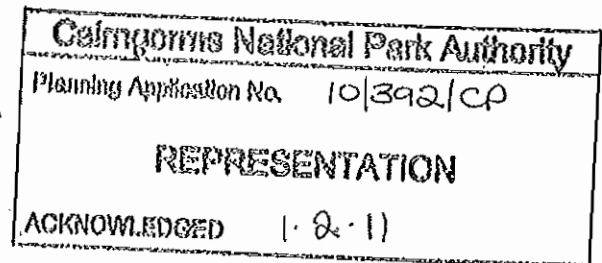
From: Whyties [REDACTED]
Sent: 28 January 2011 16:56
To: Planning
Subject: 10/392/CP - Quad Bike Track and Paint Balling AWAITING ADDRESS



Our concerns regarding the above are as follows:-

1. Noise – not only from the quad bikes but also from the paint balling where it seems the object is to run amok through the area making war-cries, creating disturbance to both residents and more importantly, wild life. Any noise tends to be magnified by the contours of the ground.
2. Increased traffic – already too many vehicles speeding up and down the road causing fatalities to squirrels and deer. Any increase in traffic can only exacerbate the situation. It could be a family pet or even a child next or maybe an elderly person next! Parking on this road is already a problem in certain areas.
3. There are already 2 quad bike tracks (Rothlemurchus & Dalraddy) in the Strath. Neither of these, as far as we know, are in residential areas.

C G & M V Whyte
Highbank, Skye of Curr, Dulnain Bridge, PH26 3PA



quads daz

Daren wheeler
Cairngorm
Skye of Curr
Dulnain Bridge
Inverness-shire
PH26 3PA

January 23rd 2011.



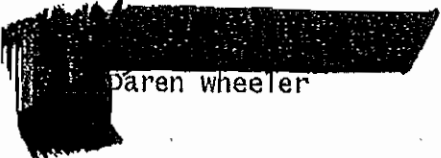
Dear sir / Madam

I am writing to inform you that I am totally opposed to the planning application for a quad bike / race track at Skye of Curr, Dulnain Bridge (ref 10/392/cp).

Skye of Curr is a quiet road with great views of the Cairngorms. As a resident of Skye of Curr for 2 years, I strongly oppose this plan and see no reason at all for this proposal to go ahead. It would put extra traffic on this residential road, creating unnecessary noise of which there is enough already.

I personally cannot see that this scheme will do anything to boost the local economy as there are already similar activities in the area struggling in the present financial climate.

Yours faithfully


Daren wheeler

Sent: 04 February 2011 05:21
To: Planning
Subject: Quad bike track at Parkhead, Skye of Curr,

Park Authority
- 4 FEB 2011

PWSR RECEIVED Jm

Andrew,

Thank you for the information sent to me concerning. I am currently abroad and so am sending my objection by email.

REF: Planning application 10/392/CP (for the construction of quad bike track and use of land for Quad biking and paintballing.

I object to the Application on several grounds. The activities are to be located too near to the local Skye of Curr community. The loud sporadic noise that will be generated by quad biking and paintballing will be quite contrary to what is currently enjoyed by the local community and to all those who walk in the adjacent Curr Wood. It would also be a disruption to the guests and tourists who come to stay in the local self-catering cottages, B&Bs, guest house and hotel. All of these establishments market themselves on it being a peaceful rural environment. In addition Curr Wood, which I know very well, walking in it nearly every day, has a few capercaillie living in it and the proposed location is immediately adjacent to the current breeding area. The violent sounds and movements which are a part of this recreational sport will certainly scare these rare birds away.

I have no objection to the proposal as such, merely that the proposed location is totally unsuitable.

Yours faithfully,

Ian Kirk.

Auchendean Lodge
B&B and Self Catering
Dunaln Bridge,
Inverness-shire
Scotland PH26 3LU

| |
|------------------------------------|
| Calngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 04.02.11 |

Julie Millman

From: Charliewhelan [REDACTED]
Sent: 09 February 2011 17:24
To: Planning
Subject: planning ref 10/392/cp

Follow Up Flag: Follow up
Flag Status: Flagged

Caingorms
Park Auth
09 FEB 2011
PWSR RECEIVED dm

I wish to object to the planning application for a quad bike track in Skye of Curr. This area is quiet, residential with much wildlife such as red squirrels, caper and wild cats and not appropriate for quad bikes.

From Charlie Whelan, Viewmount, Skye of Curr PH26 3PA

Caingorms National Park Authority
Planning Application No. 10/392/cp
REPRESENTATION
ACKNOWLEDGED 11.02.11

- 9 FEB 2011

Marie Duncan

From: Edwin Smith [REDACTED]
Sent: 08 February 2011 19:11
To: Planning
Subject: Re: Proposed Quad bike and Paint ball @ Dulnain Bridge

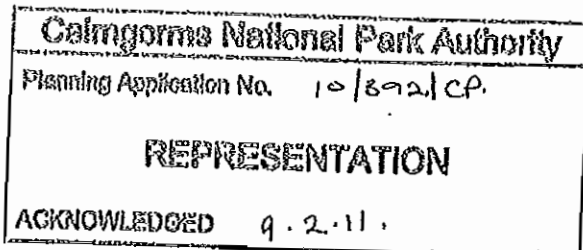
RECEIVED

Marie Duncan,
Thank you for your prompt reply. My full postal address is as follows:-

Mr. Edwin Livingstone-Smith B Sc.
Tanleys
Skye of Curr Road
Dulnain Bridge
Grantown-on-Spey PH26 3PA

Kind regards

Edwin



On 8 Feb 2011, at 16:36, Planning wrote:

> Dear Sir / Madam

>

> Thank you for your email. In order to register your representation and keep you informed of various determination dates etc. we require your full postal address. If you could provide us with this information it would be appreciated.

> The app ref no is 10/392/CP

>

> Regards,

> Marie Duncan

>

> (Please note I am only in office Tuesday & Wednesday)

>

> Marie Duncan

> Planning Systems Officer

> Cairngorms National Park Authority

> Albert Memorial Hall

> Station Square

> Ballater

> Aberdeenshire

> AB35 5QB

>

> (t) 013397 53601

> (f) 013397 55334

>

> www.cairngorms.co.uk

>

>

>

>

>

> -----Original Message-----

> From: Edwin Smith [REDACTED]

> Sent: 08 February 2011 15:34

> To: Planning

> Subject: Proposed Quad bike and Paint ball @ Dulnain Bridge.

>

> I wish to lodge my objection to the above.

>
> Edwin Livingstone-Smith B Sc.

>
> Kind regards

>
>
> Edwin

>
> Cairngorms National Park Authority

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>
> 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



| |
|------------------------------------------|
| Calngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 26.1.11 |

Corrie Ben,
Skye of Curr,
Dulnain Bridge
PH26 3PA

25th Jan 2011

Mr. Andrew Tait
CNPA planning dept
Albert Memorial Hall
Station Square,
Ballater.



REF: Planning application 10/392/CP (10/04483/FUL). (for the construction of quad bike track and use of land for Quad biking and paintballing.

Dear Mr Tait,

I write in objection to the above planning application. I am in general a supporter of motorsport, and am sympathetic to the need for some such facility for the use of local youth. However, I am strongly of the opinion that this development is entirely inappropriate at this location, given its proximity to Curr Wood and to neighbouring residential properties, for both environmental and social nuisance reasons.

In order to honour its published objectives, the CNPA should reject this application.

Yours faithfully, Ian Cox.

Pip Mackie

From: ann morison [REDACTED]
Sent: 17 January 2011 15:51
To: Planning
Subject: REF: 10/392/C.P.

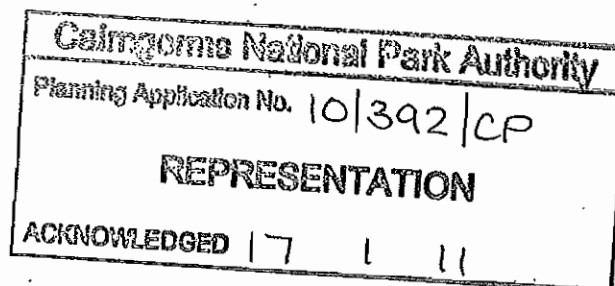
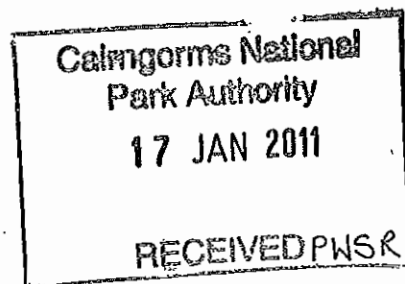
Dear Sirs,

I am a neighbour of David McCafferty of Park Head, Skye of Curr Road, Dulnain Bridge and want to lodge an objection to his proposed motorsport track and paint balling planning application.

I had not realised just what the extent of permission he was seeking and now have become aware of what is actually involved. My objections are:

1. Excessive noise in a very quiet residential area.
2. Increased traffic on Skye of Curr Road which has been used as a race track by youths on their motor cycles and this trend would increase considerably making an extra workload for the police.
3. I would fear for the lives of children and animals should the permission be granted as it would attract young, irresponsible drivers to this area.

Mrs. Ann Morrison of Rosegrove Cottage, also known as 17 Skye of Curr, Dulnain Bridge, Grantown-on-Spey. PH26 3PA
[REDACTED]



Cairngorms National Park Authority
Planning Application No. 10/392/CP
REPRESENTATION
ACKNOWLEDGED 11/01/10

Cairnleith Cottage
3 Cairnleith Street
Alyth
Perthshire
PH11 8BD

**Cairngorms National
Park Authority**
11 JAN 2011
PWSR RECEIVED JM

6th January, 2011.

Dear Sir/Madam.

I am a frequent user of the Rosegrove Guest House, Skye of Curr mainly because of the excellent service and peace and tranquillity of the location. I understand that there are plans to build a circuit in the vicinity for the use of motor cycles and similar vehicles. There will no doubt be a lot of noise associated with this enterprise and it is not something which I would appreciate. I would not see this as something the public would expect to find in the Cairngorm National Park.

I would be opposed to such a venture if it has a detrimental effect on the area.

Yours Sincerely,



GEORGE T. DURANCE.

Julie Millman

From: Richard James [REDACTED]
Sent: 15 December 2010 15:22
To: Planning
Subject: Off-road biking WAITING ON FULL ADDRESS

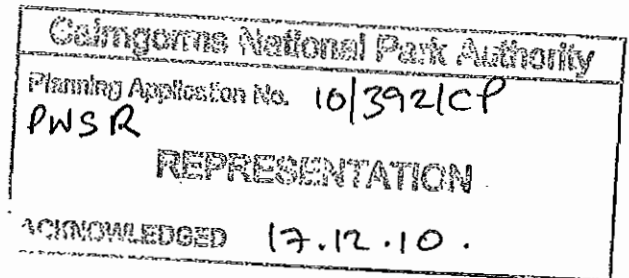
Categories: Red Category

Dear Sir

It is with dismay that I learn of an application for off-road motor biking at Skye of Curr. My friends and I have stayed at this locality during the spring of most of the past ten years and have appreciated the wildlife and peace and quiet, away from the hustle and bustle of localities like Aveimore. If off-road motor biking was to be allowed on the doorstep, I cannot imagine us wanting to use Skye of Curr as our base. I would like to register an objection to any planning application.

Yours faithfully

Richard James



[REDACTED]
From: tony davison [REDACTED]
Sent: 09 December 2010 22:07
To: Planning
Subject: Re: Reference 10/392/CP

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

It has been brought to my attention that someone is wanting to plan a Motor Cycle Scrambling Circuit at Skye of Curr? I believe the reference is as quoted above.

I have been visiting the Cairngorm National Park for the past 10 years and I base myself at Skye of Curr for the peace and quietness of the area. I am an avid birdwatcher and I have also spent the last few years recording Moths at Skye of Curr.

I also spend a lot of time photographing the wildlife of the area.

If this scheme is given approval to go ahead, then the peace & tranquility of the beautiful area of Skye of Curr will be destroyed. There are numerous species of mammal, bird and insect that are on the UK Red Data List and the idea of a Motor Cycle Scrambling Circuit would be devastating.

I hope that common sense will prevail and the Motor Cycle Circuit can be located in an area somewhere else where it would be less sensitive.

Yours sincerely

Tony Davison
16 SPINNEY HILL
MELBOURNE
DERBYSHIRE.

| | |
|------------------------------------|-----------|
| Cairngorms National Park Authority | |
| Planning Application No. | 10/392/CP |
| REPRESENTATION | |
| ACKNOWLEDGED | 13.12.10 |

PWSR

[REDACTED]

From: Tim Longley
Sent: 13 December 2010 16:17
To: Planning
Subject: Planning Application Ref 10/392/CP

Dear Sirs,

I e-mailed you on 6 December concerning Planning Application Ref 10/392/CP and received an e-mailed acknowledgement from you on 7 December.

You may recall that I wrote that I wished to register our strongest possible objection to the planning application for a Quadbike and Paintball track on ground adjacent to Skye of Curr Road, Dulnain Bridge.

Now, having had time to reflect on what I wrote, I have to admit that it was a knee-jerk reaction that perhaps failed to take account of all the circumstances surrounding this particular application. Naturally we remain concerned that the proposed development should not intrude into the peace and quiet of this neighbourhood. However, our objection was largely based on our memory of a period some 18 months or more ago when we were disturbed by what sounded like one or more very noisy trials bikes. This occurred on a number of occasions and appeared to be coming from the area which is the subject of the current planning application.

Since that time we have had no cause to complain of any unreasonable disturbance from either motor bikes or quadbikes, even though our next-door neighbour uses a quadbike on his croft and sometimes allows his grandchildren to drive it off-road. On reflection, therefore, we feel it was unreasonable of us to register such an uncompromising objection to this planning application and it is our wish that those objections should be withdrawn, subject to the following safeguards:

1. That only quadbikes are permitted, and that these should have standard silencers, as originally fitted by the manufacturers, and that they should be in good condition.
2. That no alcohol should be served or consumed on the premises.
3. That the development should be carried out on a not for profit basis, ie: any charges made should cover expenses only.

I hope to have an opportunity to discuss these matters with the applicant, Mr D McCafferty, but as yet he has not been at home when I called.

Yours faithfully

Tim Longley

Mr and Mrs T. Longley
Craigoirie
Skye of Curr Road
Dulnain Bridge
PH26 3PA

| | |
|-------------------------------------------|----|
| Cairngorms National Park Authority | |
| Planning Application No. 10/392/CP | |
| REPRESENTATION | |
| ACKNOWLEDGED 13.12.10 | JM |

PW SR.

Marie Duncan

From: Tim Longley [REDACTED]
Sent: 06 December 2010 17:31
To: Planning
Subject: Proposed Quadbike/Paintball track on Skye of Curr

Cairngorms National
Park Authority
- 7 DEC 2010
RECEIVED

Dear Sirs,

It has been brought to our notice that you have received a Planning Application (Ref. 10/392/CP) for a Quadbike and Paintball track on land at Parkhead Croft, Skye of Curr Road, Dulnain Bridge.

As residents of "Craigowrie" - a bungalow some 200 metres from the proposed site, we wish to register our strongest possible objection to this proposal. We chose to live in this particular place because of its peaceful surroundings and outstanding natural beauty - the very things we were led to believe the Cairngorms National Park was set up to preserve. It is therefore inconceivable that a development such as the one proposed should be allowed anywhere near any residential area, let alone this particular one.

Apart from the inevitable noise pollution, property valuations would be lowered, and this area would lose its reputation as an attractive destination for the many holidaymakers and tourists who come to stay in the various guest houses and B&Bs on the Skye of Curr.

We have never previously raised an objection to a planning application that could affect us, and we do not wish to deny Quadbikers their fun, but it must be at a more suitable location where they can enjoy their sport without it being at the expense of the neighbouring population.

Yours faithfully,

Tim and Elisabeth Longley

Cairngorms National Park Authority
Planning Application No. 10/392/CP
REPRESENTATION
ACKNOWLEDGED 7/12/10.

| |
|-------------------------------------------|
| Cairngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 08.12.10 |

Rosgrove Guest House
Skye of Curr

For the Attention of A Tait Esq
Cairngorm National Park Authority
Albert Memorial Hall
Station Square
Ballater
Aberdeenshire
AB35 5QB

| |
|-----------------------------------------------|
| Cairngorms National Park Authority |
| - 8 DEC 2010 |
| PWSR RECEIVED Jm |

Dear Sir

**10/392/CP - PLANNING APPLICATION FOR CONSTRUCTION OF
QUAD BIKE TRACK AND USE OF LAND FOR QUAD BIKING AND
PAINTBALLING AT LAND ON PARKHEAD CROF, ADJOINING CURR
WOOD, DULNAIN BRIDGE
FOR MR D MCCAFFERTY**

I am writing to object to the above planning application.

My wife runs a guest house some 200-300 meters from the proposed site.

I am unable to assist her as I was diagnosed with Parkinson some 7 years ago.

I believe if the application was granted, it would adversely affect the guest house in that the majority of guests are bird watchers or walkers and like nothing better than sitting in the garden and hearing birds after a day's activity. Almost without exception, every one of them comments on the views and peacefulness. I believe that this development will deter a lot of people who come every year.

I also think that it would adversely affect the possible sale of Rosegrove and, noise-wise, would be almost impossible to police whatever conditions might be attached if granted.

Yours faithfully



G Walters

| |
|-------------------------------------------|
| Cairngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 13.12.10 |

Lower Croft DHU
25 Skye of Curr
Dulnain Bridge
Invernesshire
TH26 3PA

Mr A Tait
Cairngorn National Park Planning Authority
Ground Floor
Albert Memorial Hall
Station Square
Ballater
Scotland
AB35 5QB

| |
|-----------------------------------------------|
| Cairngorms National Park Authority |
| 13 DEC 2010 |
| PWSR RECEIVED JM |

Your ref: 10/392/CP
Date: 30 November 2010

Dear Mr Tait,

The proposed Planning Application for a Quad Bike and Motorcycle Scramble Site at Skye of Curr Road, Dulnain Bridge, Invernesshire

It has come to my attention that an application has been put forward for the building of a Quad Bike/Motorcycle Scramble Circuit at Skye of Curr Road, approximately 500 yards from my property. I understand that the application has been made by a David McCaffaty and his family.

I must object to this planning application, based on the fact that I moved to this property specifically to be within the National Park area for the peace and tranquillity that that provides. We currently have in the area, and specifically within this area, the likes of roe deer, red deer, red squirrel and a considerable number of other aspects of wildlife including, as I have seen, Pine Martin. The area is well-known to be a very scenic and quiet part of the area and I am sure that the majority if not all of the other residents of Skye of Curr are totally against this application.

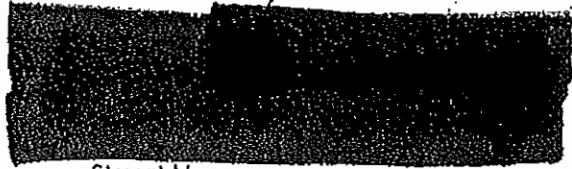
The noise involved following any possible meeting would literally be a disaster to the local wildlife and also the people living in the area. At my previous home, there was a motorcycle scramble site 3 miles away and on a Sunday, the noise was horrendous and eventually the Local Authority closed the site down.

I understand that we do have problems with this family locally, so far that one of the sons, who I believe is at the back of the planning application, sees fit to ride his motorcycle up Skye of Curr Road, which is approximately 800 yards in a straight line, at over 100 miles an hour doing wheelies up the road. This is a clear indication to me of the type of people that would be attracted by this planning application and site and this will be a danger to all of the resident on the road in question. I understand the police currently are looking into this matter on the aspect of the speeding.

We moved to the Cairngorn National Park precisely for what you and ourselves believe the National Park should be and that is to preserve and retain not just for

ourselves but for our future generations, the quietness, tranquillity and beauty of this particular area. We are passionate about keeping that to be the case. I am sure that nobody wants the National Park to become a playground for all and sundry. It is with this in mind, as mentioned above, that I formally write to you with my objection to this planning application.

Yours faithfully



Stuart Voce

Julie Millman

From: tigh na sglath country house hote [REDACTED]
Sent: 06 December 2010 13:27
To: Planning
Subject: Proposed Quad Biking Track - Skye of Curr Road - Dulnain Bridge

Dear Sir/Madam,

It has been brought to our attention that an application has been submitted for planning for a proposed Quad Biking Track, unfortunately we did not see the application ourselves – would you be able to advise where we can view this application to obtain further details.

The reason being - we would be very concerned at the level of noise that this particular activity would create and the time zones that it would be operating, despite being located a distance from ourselves, the noise would most definitely travel. This we know from experience – we already receive complaints from our guests concerning noise from motorbikes on the main A95 road – this starts at 7am and continues all day long and into the night. The noise level is loud.

We have spent a considerable amount of money over the last six years marketing the hotel as "elegant tranquillity" and this is the appeal to all of our guests. The vast majority of our guests come and stay with us not only for the peace and quiet but also a huge attraction is the local wooded area around us, there is at present an abundance of bird and wild life to be seen including several sightings this year of a wild cat. In our view an activity such as quad biking can only be detrimental to this situation.

As a high percentage of our bookings come via the worldwide tripadvisor website, it only takes one negative comment to put potential guests coming to stay, we don't think it would be long before this would happen regarding the noise and unfortunately if it is the truth, those comments are not able to be removed from the tripadvisor website.

We look forward to hearing from you.

Kind Regards

Mr and Mrs Iain MacDonald-Coulter
Proprietors
Tigh na Sglath Country House Hotel
Skye of Curr Road
Dulnain Bridge
PH26 3PA
[REDACTED]

| |
|-------------------------------------|
| Calvinburgh National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 06.12.10 |

PWSR

[REDACTED]
From: [REDACTED]
Sent: 06 December 2010 16:02
To: Planning
Subject: Proposed Quad Bike track

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs/Madam on the Planning Committee

Grant and I are emailing you to put into writing our objection to the proposed Quad Bike Track in Skye of Curr, Dulnain Bridge.

We have experienced motor noise in a different environment, and know how much this type of noise can carry, therefore destroying the peace and quiet of the present surroundings we enjoy.

We have seen many wild birds, red squirrel, deer and have even had the privilege of seeing Wild Cat and Capercaillie in our local woods. All these creatures would disappear if the intrusion of such a man made development was allowed to proceed.

We did not choose to live here for the amenities and a man made entertainment on the door step, we choose to live here because of its natural beauty and the tranquillity of our surrounding environment. In fact when we first saw the house our breath was taken away simply by the situation we now enjoy. To have a noisy 'fun park' type 'attraction' near by would have meant we would certainly not have entertained buying this property (and pay the large council tax rates we pay for the privilege of living here)

We certainly hope that your planning committee will take into consideration the effect this development would have on the rest of the inhabitants of Skye of Curr, in particular destroying our peace and quiet of a weekend afternoon/evening.

Kind regards

Grant & Jan MacLachlan



*Netherfield
Bed and Breakfast*

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|------------------------------------------|
| Calngorms National Park Authority |
| Planning Application No. 10/392/CP |
| REPRESENTATION |
| ACKNOWLEDGED 06.12.10 |

PWSR.

[REDACTED]
Netherfield, Nr Grantown-on-Spey, PH26 3PA

Julie Millman

From: CAROLE ROBINSON [REDACTED]
Sent: 29 November 2010 16:29
To: Planning
Subject: Application No: 10/392/CP

I would like to object strongly to the application for quad biking and paintballing at Skye of Curr. I have friends who run a B & B close by and fear this could affect their business detrimentally as a lot of their clients are bird watchers, walkers and country lovers. These are people who come to enjoy the peace and quiet of the countryside - they do not want to hear the drone of quad bikes or paintball guns going off.

Skve of Curr, along with Dell Road in Nethybridge and Kinchurdy Road in Boat, has been named as one of the most desirable areas to live. I feel this would not be the case if this application was allowed to go through and that it could affect property prices.

I also feel that the Skye of Curr road would not be able to sustain the extra volume of traffic that would ensue.

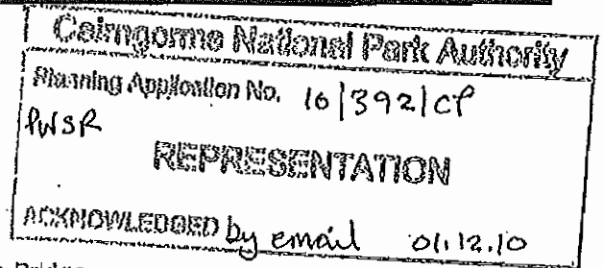
I therefore lodge this objection for your attention.

Carole Robinson
25 Lynstock Crescent
Nethybridge

| |
|------------------------------------------|
| Caingorms National Park Authority |
| Planning Application No. 10/392/CP |
| PWSR REPRESENTATION |
| ACKNOWLEDGED by email 01.12.10 JM |

Julie Millman

From: andrewblro [REDACTED]
Sent: 29 November 2010 11:24
To: Planning
Subject: Re application 10/392/CP



10/392/CP

Proposed construction of Quad Bike Track at Parkhead Croft, Dulnain Bridge

Dear Sir,

I am the owner of a Cottage, Tarim, on the Skye of Curr, a short distance "up" from the site and two houses along from the Rose Grove Guest House.

I am a little concerned about the proposed development which I don't feel is in keeping with the nature of the area.

However my particular concerns are

- 1) Noise which would be generated by the activities at the site
- 2) Access to the site and disturbance caused by increased traffic on the Skye of Curr

I assume parking would take place on the site and not on the main road.

I presume these considerations will be taken into account by the planning authorities.


Yours sincerely,

Andrew Blro
"Tarim"
Skye of Curr
PH 26 3PA

Cairngorms National Park Authority
Ground Floor
Albert Memorial Hall
Station Square
Ballater
AB35 52B

Date: 26 November 2010
Our ref: RAF.22.4
Your ref:
Direct tel: 0131 222 9474

FAO Andrew Tait

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <p>Cairngorms National Park Authority</p> <p>Planning Application No. 10/392/CP Rec'd by email 26/11/10 REPRESENTATION PWSR ACKNOWLEDGED 29/11/10.</p> |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|

Dear Sirs

Town and Country Planning (Scotland) Act 1997
Planning Application Ref : 10/392/CP - Construction of quad bike track and use of land for quad biking and paintballing
Application Site : Land on Parkhead Croft, adjoining Curr Road, Dulnain Bridge
Our Clients : RAF Benevolent Fund

With reference to the above planning application we can confirm that we act on behalf of the Royal Air Force Benevolent Fund, 12 Park Crescent, London, W1B 1PH 0800 169 2942 Registered Charity Numbers 1081009 (in England and Wales) and SC038109 (in Scotland).

Our clients are the owners and landlords of the property known as and forming Croft na Belthe which property immediately adjoins the application site.

Croft na Belthe is currently leased to Mr and Mrs Nell Cairns. Our clients are aware of and have had sight of the letter of objection dated 18th November 2010 already submitted on behalf of Mr and Mrs Cairns by Andrew McCafferty Associates. Our letter is in support of the letter submitted on behalf of their tenants. Our clients in their capacity as owners of Croft na Belthe also however wish us to object to the application on their own behalf.

Accordingly and for the avoidance of doubt we can confirm that our clients **object** to the above planning application.

Having had the benefit of examining the application and the accompanying documents thus far lodged our clients are of the view that development in this particular location and in terms proposed would be contrary to the terms of the development plan and would be of a detrimental appearance to this particular locality.

The particular grounds for our clients' objections are as follows:-

Exchange Tower
19 Canning Street
Edinburgh
EH3 9EH

DX ED27
LP100 Edinburgh ~ 2

t: +44 (0) 131 228 2400
f: +44 (0) 131 222 9800

1) The Application is Contrary to the Development Plan

We would highlight the following Development Plan Policies which we consider to be of particular relevance :-

A) Highland Structure Plan 2001

· Policies G1-G8 - General policies which apply throughout the Plan area and to all forms of development - of these we would highlight in particular :-

Policy G2 Design for sustainability

This policy provides that proposed developments will be assessed inter alia on the extent to which they impact on individual and community residential amenity and the extent to which proposals demonstrate sensitive siting. We would submit that the current proposals demonstrate no such sensitivity. We would highlight the potential for noise and pollution from the proposed quad-bike operation and would suggest that the proposed use would be likely to harm not only the residential amenity of the owners and occupiers of Croft na Beithe but also that of the wider community. Policy G2 also places importance on resources such as habitats and landscape. In this regard we would advise that there has already been a loss of habitat through unauthorised tree felling and by the creation of dirt tracks within the application site.

As use of the site for quad-biking purposes has already been made our client's tenants have already therefore been able to judge the potential for noise nuisance from the quad-bike use. We would accordingly suggest that the Authority should in particular place a good deal of weight on their submissions in this regard. In addition the significant deterioration in the scenic quality of the site through tree loss and the deposit of tyres can be seen on site and in this respect we would urge members of the Authority's Planning Committee before determining this application to visit the site and assess for themselves the existing and likely damage.

Policy G8 - Precautionary Principle

This policy states that the precautionary principle will be applied by the planning authority in respect of development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities. In this respect it should be noted that no assessments of noise, transportation, drainage or loss of habitat have been submitted by the applicant. In this respect we refer to and would echo the points made by Andrew McCafferty Associates regarding the ponding problems which have already been encountered by our tenants as well as the points made in that letter regarding destruction of habitat. Should any such assessments be submitted by the applicant in the course of the consideration of this application by the Authority our clients would wish the opportunity to consider and comment on these and we should therefore be obliged if it could be confirmed by the Authority that our clients shall be afforded such an opportunity.

In addition we note that the application form states that 10 parking spaces are to be provided but that no indication is provided as to the location of these. If it is intended to utilise existing parking areas then we would point out that, in our client's understanding, these spaces are already largely utilised by the applicant and his family. Again, therefore, should further information on this point be provided by the applicant we would wish the opportunity to consider and comment on any such information.

Policy L4 - Landscape character.

This policy provides that the authority shall have regard to the desirability of maintaining and enhancing present landscape character in consideration of development proposals. In our submission the proposed development would conflict significantly with this policy in that it would materially harm the existing landscape character of the area.

In our view there is clearly significant tension between the proposals and the Structure Plan's policies.

B) Cairngorms National Park Local Plan (adopted 29 October 2010)

Policy 6 - Biodiversity

Policy 6 - Landscape

We would draw the Authority's attention to the harm already caused to habitat and landscape through works already carried out as well as to the likely further harm due to the intended use. Due to the fact that no assessments in relation to these impacts have been submitted in support of the application we would comment that there is no material before the Authority which would enable the Authority to take the view that such impacts could be acceptable or that they could be satisfactorily mitigated. The proposed development would clearly harm the landscape of the National Park at this location.

Policy 16 - Design Standards for Development

This policy seeks to protect the amenity enjoyed by neighbouring properties and also provides that all proposals should be designed to help create environments that can be enjoyed by everyone. As we have previously highlighted the proposals conflict with this policy in that they will severely harm the amenity enjoyed by neighbouring proprietors and occupiers.

Policy 25 - Business Development

Policy 33 Tourism-related Development

Policy 35 Sport and Recreation Facilities

The proposal is contrary to these three policies due to the incompatibility of the development with the existing residential character of the area and due to the likely adverse environmental impacts.

In this respect it should be borne in mind that the continuity of residential use in Skye of Curr is evidenced by the terms of the (now superseded) Badenoch and Strathspey Local Plan 1997 page 35 of which plan refers to this traditional crofting community and which plan also placed importance on the need to safeguard amenity of this particular area. The policies of the current Local Plan in our view renew this emphasis on the importance of safeguarding amenity.

In our submission the proposals would also have a harmful impact on the National Park's character, its landscape and its special qualities and in view of these conflicts with policies the application should be refused.

2. There are no material considerations which outweigh the presumption accorded by section 25 of the Town and Country Planning (Scotland) Act 1997 that the policies of the Development Plan should prevail and that the Application should accordingly be refused

We would draw the Authority's attention to the following material considerations:

Cairngorms National Park Plan 2007

The recently adopted local plan emphasises at page 8 the considerable weight to be accorded to the provisions of the National Park Plan. In this respect we would note the emphasis the National Park Plan places on sustainability and on the conservation and enhancement of the Park. In our submission for the reasons we have outlined above the development under consideration neither conserves nor enhances the Park and would therefore conflict to significant extent with the strategic objectives and guiding principles of the National Park Plan.

Health and Safety

The danger presented by the proximity of the application site to our property raises very real health and safety concerns. Mr McCafferty has highlighted the danger of paintball pellets straying into our property and potentially causing physical harm. Compliance with any condition requiring the erection of substantial safety fencing could of course possibly minimise such risks but, as Mr McCafferty rightly points out, such fencing would constitute an incongruous intrusion at odds with the character of this location.

Conditions and Alternatives

We have considered and discussed with our clients whether it would be feasible for the planning authority to seek to mitigate the impacts of the proposed development by way of imposition of planning conditions. We have however reached the conclusion that conditions would not be sufficient to render the development acceptable.

We appreciate that part of the Authority's rationale for calling in this application lies in the possible impact of the proposal on Ancient Woodland and Semi-Natural Ancient Woodland. We also appreciate that the areas where unauthorised tree-felling has taken place lie within the ownership of the applicant and that if this permission were to be granted conditions could competently be imposed requiring re-planting of the felled areas and possibly additional planting along access route in order to screen the development. Such planting could possibly assist with the aim of restoring the pre-existing character of the site. It would however in our view take many years to achieve anything like the level of tree cover which existed until such felling took place. Whilst re-planting could, in time, provide a certain level of visual screening it would still, even when fully mature, leave a situation where the surrounding residents and occupiers would be subjected to the engine noise from the quad-bike use. We do not consider that planning conditions regulating operating hours and/or limiting noise levels would be capable of being framed so as to provide a satisfactory level of protection for neighbouring properties. Nor do we consider that such conditions could be satisfactorily enforced in accordance with the guidance contained in Circular 4/1998. For that reason alone we would urge refusal of this application.

We have also discussed with our clients the possibility of the quad-bike track being moved away from the southwest portion of the application site and away from our clients' property. Whilst we consider that such a reconfiguration could conceivably reduce the impact on the residential amenity of our clients' property we remain unconvinced that the noise impacts could be ameliorated to such an extent so as to render the development acceptable. In any event given the terms of the Development Plan policies we have outlined above no such reconfiguration could address the significant problems posed by the siting of any development of this particular type in this particular location.

CONCLUSION

In summary we would submit that the Development Plan does not support grant of the application. We would further submit that the application is not supported by current relevant material considerations. The application therefore falls to be refused.

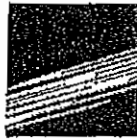
We look forward to receiving an confirmation that our client's objections will be taken into account by the Authority in determining this application as well as confirmation that our clients will be afforded an opportunity to comment on any additional information which is submitted in relation to this application.

Our clients also wish to reserve the right to attend and to be represented at the Planning Committee meeting convened in due course to consider and determine this application.

We respectfully urge the planning authority to refuse this application.

Yours sincerely


Craig Adamson
Head of Planning Scotland
For HBJ Gateley Wareing (Scotland) LLP



Andrew McCafferty Associates
PLANNING AND DEVELOPMENT CONSULTANTS

Mr M Tait
Calngorms National Park Authority
Ground Floor
Albert Memorial Hall
Station Square
Ballater
AB35 52B

| | |
|------------------------------------------|-----------|
| Calngorms National Park Authority | |
| Planning Application No. | 10/392/CP |
| REPRESENTATION | |
| ACKNOWLEDGED | 22.11.10 |

18th November 2010

Dear Mr Tait,

**Planning application number ; 10/392/CP
Construction of quad bike track and use of land for quad biking and paintballing
Land on Parkhead Croft, adjoining Curr Road, Dulnain Bridge**

I am instructed by Mr and Mrs N Cairns who live at Croft na Belthe adjoining the application site to object to the proposals.

I set out below specific concerns which lead me to request that the application should be refused. In summary, the quad biking and paintballing uses would cause an unacceptable loss of amenity to Mr and Mrs Cairns and there would also be an unacceptable loss of habitat and damage to existing woodland. This is the wrong location for these activities which should be sited on either brownfield land or sufficient distance away from existing housing so as not to cause problems to existing amenities. In effect, the proposed uses are "bad neighbour" activities which conflict materially with existing residential amenities around the application site.

1 Development Plan policies

Development proposals have to comply with the strategic sustainable development policies of the adopted Highland Structure Plan 2001, Policies G1-G8. The proposals would harm Mr and Mrs Cairns' residential amenity and that of the wider community and therefore conflict with Policy G2 Design for sustainability. The quad biking would result in pollution and discharges and there has already been a loss of habitat through tree felling and creation of dirt tracks within the application site. Neither of the proposed activities would have a positive impact on the resources listed in Policy G2.

Policy G8, Precautionary Principle, requires a cautious approach to be taken in respect of development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities.



Chartered Planning and Development Surveyor and Chartered Planner

Andrew McCafferty BSc MRICS MSc
Bridgette McCafferty

| | |
|----------------------------------------------|--|
| Calngorms National Park Authority | |
| 22 NOV 2010 | |
| PWSR. RECEIVED JM | |

The Old Barn,
38 Cupar Road
Auchtermuchty, Fife
KY14 7DJ

www.andrewmccaffertyassociates.com

The appellant has not provided any assessments of noise, transportation or impact on existing habitats within the application site. Should any assessments be submitted at a later date we reserve the right to submit further comments.

Paragraph 2.13.4 states that all development proposals should be evaluated for their implications for nature conservation, both direct and indirect. Significant physical damage has already been done to the application site and piles of rubber tyres have been deposited without consent. The applicant has not submitted any justification for these adverse impacts.

The proposals conflict with Policy L4, Landscape character, in that they would materially harm the existing landscape character of this part of Skye of Curr.

The site is covered by the recently adopted Cairngorms National Park Local Plan and the proposals conflict with several policies in this Plan:

Policy 5 Biodiversity

The proposals would harm the habitats present in the woodland which covers the site. The application is not accompanied by a comprehensive survey of the area's natural environment as required by Policy 5, to enable an assessment of the effect of the proposal to take place.

Policy 6 Landscape

The proposals would harm the landscape of the National Park and therefore conflict with Policy 6 Landscape which seeks to safeguard the Park's landscape character.

Policy 16, Design Standards for Development

Requirement g) of this policy seeks to :

- g) protect the amenity enjoyed by neighbouring properties and all proposals will be designed to help create environments that can be enjoyed by everyone.

In my view, the proposals will severely harm the amenity enjoyed by Mr and Mrs Cairns and therefore conflict with Policy 16.

Policy 25 Business Development, Policy 33 Tourism-related development and Policy 35 Sport and Recreation Facilities

The proposals do not comply with Policy 25 Business Development because they are incompatible with the existing residential character of the area. For the same reason, the proposals are not an acceptable tourism-related development under Policy 33. Policy 35 Sport and Recreation Facilities require proposals to have no adverse environmental impacts on the site itself or neighbouring areas. This is not the case with the proposals. The proposals would have a harmful impact on the National Park character, its landscape and its special qualities and for these conflicts with policies should be refused.

2 Unsuitability of the application site for the proposals

This is a quiet, tranquil location with low background noise levels. This character would be shattered by the activities proposed involving noisy petrol/diesel engines racing around tracks and groups of people shouting and screaming during paintball sessions. All of this would take place next to Mr and Mrs Cairns' house.

There is little or no commercial activity taking place at present in the area close to my clients' property and this character should be retained. Quad-biking and paintballing should take place in remote areas well away from quiet residential areas.

3 Impact on existing habitats and ecology in the area

There has already been a loss of trees and creation of trackways suitable for vehicles within the application site which my clients regret. This undoubtedly has had a harmful impact on existing habitats within the woodland. The proposals would add to these harmful impacts and should be refused.

There is an existing red squirrel drey within the branches of a mature tree in my client's garden on the boundary with the application site. It is likely there has already been a loss of red squirrel habitat through the destruction which has taken place within the application site.

Capercaillie have been present in Mr and Mrs Cairns' garden and long-eared owls frequent this area. These proposals would harm the habitat of these species.

My clients have noticed an increase in ponding within that part of their garden under grass next to the application site. They suspect that this has been caused by a rise in the ground water level due to the loss of trees within the application site. I request on my clients' behalfs that the Park Authority enforces a complete reinstatement of the woodland that has been destroyed including replacement of Juniper, a protected plant species.

4 Health and Safety risks

The application site adjoins the rear garden and curtilage of my clients' house. There is a danger of stray pellets coming into their garden and potentially causing physical harm. Mr and Mrs Cairns do not wish to see a high, unsightly fence proposed or erected along the two sides of their garden which abut the application site. This would be out of character with their surroundings.

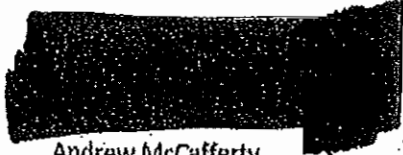
5 Personal circumstances

Mr Cairns is a War Pensioner who was injured on active service and requires quiet, peaceful surroundings. These proposals, if permitted, would destroy the amenities which he and his wife currently enjoy. If the proposals are granted, Mr and Mrs Cairns would have to move and this would be an unreasonable price to pay.

Mr Luffman is aware of the breaches of planning control which have taken place on the application site and which ultimately have led to the submission of this application. There have also been a

large number of threats and verbal abuse which has been reported to the Police as well as Mr Luffman. I respectfully request on behalf of Mr and Mrs Cairns that this application is refused.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Andrew McCafferty

cc. Mr and Mrs N Cairns