
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: ENFORCEMENT UPDATE REPORT ON UNAUTHORISED DEVELOPMENT

Prepared by: ANDREW TAIT (PLANNING OFFICER)

DEVELOPMENT : BOUNDARY FENCE AT AVIEMORE HIGHLAND RESORT

REFERENCE: 04/441/ENF/CNP

APPLICANT: AVIEMORE HIGHLAND RESORT

DATE CALLED-IN: 10 September 2004

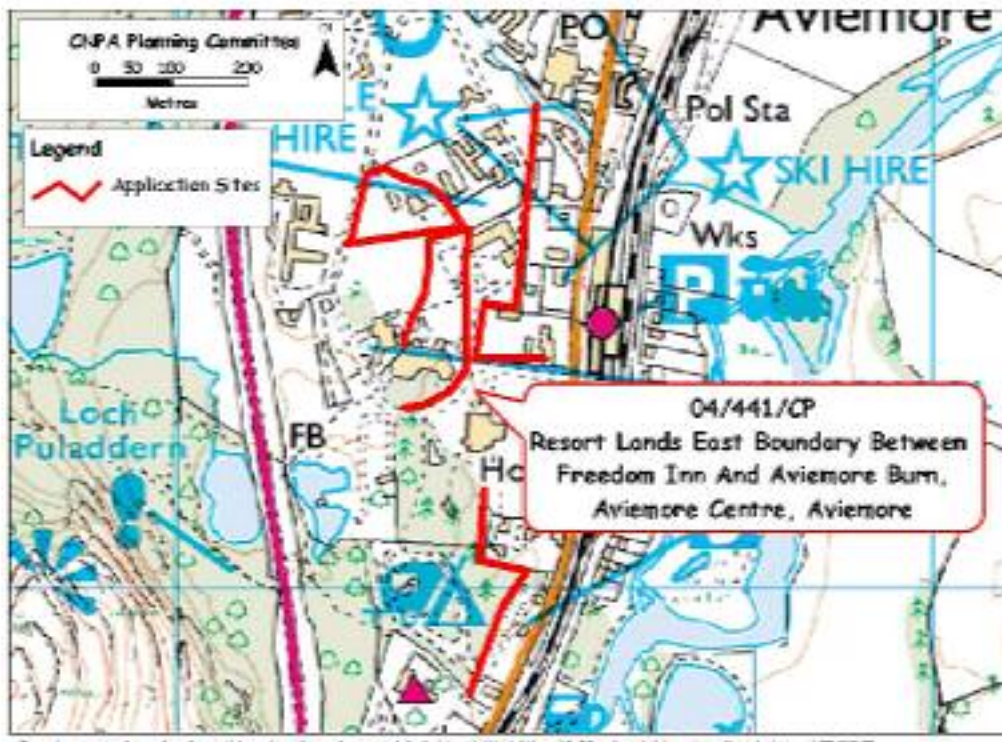


Fig. 1 - Location Plan

BACKGROUND/UPDATE

1. The Planning Committee will recall that a planning application for the retention of a boundary fence at the Aviemore Highland Resort was reported in November 2004 at the Boat of Garten meeting. This is essentially a short report to update members on the current situation and to enable a clear resolution as to which sections of the fence should be subject to enforcement action.
2. The decision of the Planning Committee was to refuse planning permission for the retention of the fence on the grounds that such a barrier failed to integrate the resort with the wider village and that sections of the fence, particularly in the woodland area were detrimental to visual amenity. The Planning Committee also resolved to pursue formal enforcement action should it be required.
3. Since this resolution some negotiation has taken place and it is understood that a plan to re-open the access lane at the side of Tesco's car park linking the centre to Grampian Road has been drawn up and there has also been some discussion regarding whether sections of the fence through the pine forest could be landscaped to reduce visual impact.
4. The applicants, or their agents have not formally tabled these amendments and given the length of time since the refusal of planning permission it is now considered timely to consider formal enforcement action.
5. There were some sections of the fence such as a temporary contractors compounds, and a section enclosing a children's play area and some sections of the main fence to which I have no objection and would invite a separate planning application for their retention.
6. The main sections of fence that are considered unacceptable are:-
 - A.** The whole of the southern section running from the southern boundary of the site to the boundary of the Hilton Four Seasons Hotel through the woodland area.
 - B.** The two sections of the fence obstructing the access between the Aviemore Highland Resort and Grampian Way (lane at the side of Tesco's) and the gated section which restricts access to the Scout Hut.
7. These sections of the fence are illustrated on a plan at the back of the report.

RECOMMENDATION

8. That Members of the Committee support a recommendation to: **PURSUE FORMAL ENFORCEMENT ACTION AGAINST sections of the fence described as sections A and B above and invite a planning application for the retention of the remaining fence sections.**

Andrew Tait

Date 20 January 2005

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