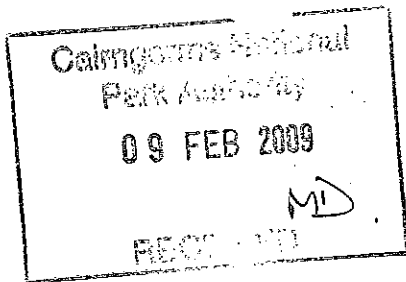


08/438/CP

**Nethy Bridge & Vicinity Community Council**



Tir-nan-Og  
Tulloch Road  
Nethy Bridge  
Inverness-shire  
PH25 3DE

9<sup>th</sup> February 2009-02-09

Dear Mr Tait

**Re: Plans ref: - 08/438/CP -- Rothiemoon Steading**

The above plans were considered at the latest Community Council meeting. Those present had no objections to the development but concerns were raised that the present track would be used by considerably more vehicles.

The Community Council would like the track to be upgraded and widened to accommodate the increased traffic.

Yours faithfully

Heather Tucker

Secretary

Nethy Bridge & Vicinity Community Council

Calngoma National Park Authority  
Planning Application No. 08/438/CP  
REPRESENTATION  
ACKNOWLEDGED 22/1/09

Birchfield  
Nethybridge  
Inverness-shire  
PH25 3DD

10<sup>th</sup> January, 2009

Highland Council  
Badenoch and Strathspey  
Planning and Building Standards  
12 JAN 2009  
Received

Area Planning Manager  
Badenoch & Strathspey  
The Highland Council  
100 High Street  
Kingussie  
PH21 1HY

Dear Sir,

Planning Application to Convert Farm Steadings and Build New Farm Buildings at  
Rothiemoon Farm, Nethy Bridge

We commend this application to the Planning Authority as representing a highly desirable investment in this neglected site.

The application envisages access via the existing track, and a further six dwellings would be a substantial breach of the Highland Council's present policy in relation to the track where our old existing buildings already exceed the recommended levels of development.

We therefore anticipate some negotiation on the subject to which we will not be privy and to which we may become disqualified in time from objecting. Accordingly our objection is protective for the moment.

If it does happen that proposals are made in respect of the track we would ask that the following be given consideration:

1. If the surface is to be dressed traffic speeds currently limited by pot holes are likely to increase and the corner at Feorag Cottage becomes more dangerous (a holiday maker from our cottages collided with the post office van there only last month). Some traffic calming measure should be incorporated thereabouts.
2. The sight lines for motor cars at the railway bridge are masked by its elevation and angle. If the old railway cutting were to be filled in the levels could be reduced to improve visibility.
3. If the track were to be improved to adoption standard we would not agree to adoption by the Council incurring us in maintenance or other charges as frontagers (we have a substantial frontage down the track from our entranceway). Street lighting would be singularly inappropriate.
4. The development would generate substantial works traffic from the start. We would ask that it should be a condition of any planning permission that necessary road works should be completed before the commencement of other parts of the development.

Yours faithfully,

M.T.

J.A. Comins (Mrs.)

Cairngorms National Park Authority
Planning Application No. 08/438/CP
REPRESENTATION
ACKNOWLEDGED 30/1/09

Cairngorms National Park Authority
30 JAN 2009
RECEIVED JM

Dornoch Cottage  
Rothiemoon  
Nethy Bridge  
PH25 3DD

26<sup>th</sup> Jan 09

Re. Application 08/438/CP (Rothiemoon, Nethybridge.)

Dear Sirs,

As tenants of the above property we wish to submit the following objection to the proposed development.

We object to the siting and location of the new farm working buildings for the reasons stated below.

We feel that the siting of these buildings is unacceptably close to Dornoch Cottage. Not only will this be the relocation of farm workings but also the associated plant and machinery hire business. The increased noise, vehicle and general activity for long periods of the day (including early mornings) so close to the property is our main objection.

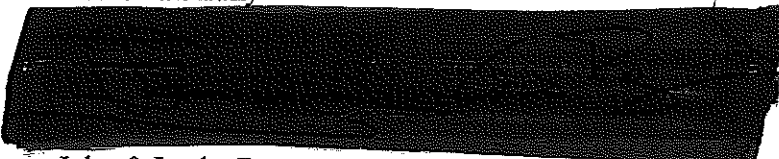
There is an obvious safety issue also, having a young child, with the level increased traffic past and in proximity to the cottage gate.

We also feel there would be a sanitary issue having the cattle yards and silage pit close to the property. There is no clear indication of drainage on the plans and with the site being at a higher level than the property run-off would be a concern. The smell from the silage pit would also be detrimental to overall standard of living at the property.

Finally, such a large development at such close proximity will drastically change the overall environs of the property site and garden.

We have no objections to the proposed housing development, and likewise would have no objections to any new farm workings being located instead at this site. We fully appreciate the need for new buildings, but as detailed above, the extremely close proximity to this property of such a large development does raise many concerns.

Yours Faithfully



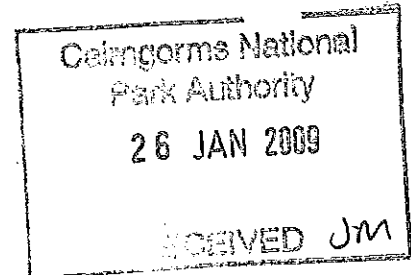
John & Lucka Poyner

Cairngorms National Park Authority  
Planning Application Ref: 08/438/CP  
RECEIVED  
ACKNOWLEDGED 26/1/09

4 Clarendon Crescent  
Edinburgh EH4 1PT

24 January 2009

Cairngorm National Park Authority  
Albert Memorial Hall  
Station Square  
Ballater  
Aberdeenshire  
AB35 5QE  
Attn: Mr A Tait



Dear Sirs

**PLANNING APPLICATION - CNPA REF 08/438/CP**

I refer to the above Planning Application and am pleased to see that it is proposed to retain and re-develop the original farm buildings into dwellings. However being the owner of Dornoch Cottage, the only non-farm property adjacent to the proposed site for the location of 5 new and 1 existing farm buildings and a silage pit, I should like to comment as follows:-

- The Planning Application

The Plans submitted with the Application state that Industrial and Commercial use are "not applicable", whereas in addition to farming, an established contracting business involving the operation of industrial machinery also operates out of the current farm premises.

- Access Track

The existing track, off which a new track into the proposed farm buildings' site is to be created, is a public right of way. This track leaves the B970 at Mondhuie Cottage, passes Dornoch Cottage, links up with the Rothiemoon Farm road and re-joins the B970 between Duack Lodge and Feorag house.

I would query the adequate structure of the existing track leading from the Rothiemoon farm road at the pond to the proposed site. This single track with no passing places is currently used by traffic to two residences (Bein Eiglas Mhor and Dornoch Cottage) and stock and farm equipment accessing farm fields. During any wet weather and throughout most of the winter months with this minimum amount of traffic, the track is often muddy, potholed and rough to negotiate in a saloon car, especially between Bein Eiglas Mhor and Dornoch Cottage and beyond to the farm fields.

Re-location of the buildings to the proposed site will result in this track being used by all vehicles visiting the farm, including but not limited to, farm equipment, heavy industrial vehicles used by the contracting business run from

the farm, service vehicles, employees' vehicles, as well as an increase in animal use by animals that currently access the existing farm buildings via adjacent fields, without the need to use the track.

The introduction of a considerably higher volume of traffic, particularly industrial, along the track leading to Dornoch Cottage, a family residence, is of particular concern for the safety of children and adult residents using the track as well as any pedestrians enjoying the use of the right of way.

- Proximity of New Buildings to Dornoch Cottage

According to the plans submitted, the distance between the south wall of Dornoch Cottage and the workshop building/nearest cattle court is 15 metres, with the boundary for vehicular access to these buildings being only 11.5 metres from the south wall of Dornoch Cottage. It is felt that having an operational farmyard and allied contracting business in this location would greatly reduce the privacy currently enjoyed by occupants of Dornoch Cottage.

- Drainage

No indication of drainage or sewerage for farm or contracting operations is given on the plans. The proposed location for the buildings, particularly in winter, is very muddy with considerable evidence of surface water that does not drain away readily. I would question the ability of natural drainage to absorb and disperse water in an environmental and healthy manner, whether from rainfall, operational use of the premises or liquid waste (eg from the silage pit/cattle courts, etc.) that will be generated on the site.

The nearby ditches, that link into the River Spey, are already subject to seasonal back-flow and flooding.

- Surrounding Woodland

It is hoped that due consideration will be given to the prevention of any further tree felling in the area of the proposed farmyard site, including birch and particularly of old pine trees which play an important role in the ecosystem, amenity and wildlife habitat.

- Proposed Building Materials

The proposed cattle courts and shed to be constructed of metal sheet walls and roofing, whilst possibly practical, are not in keeping with the Cairngorms National Park (CNP) Plan 2007 which states "All new development and infrastructure, necessary to meet the needs of those living and working in the Park, should be designed to complement and enhance the landscape character of its setting."

• Effect on Amenity for Dornoch Cottage

The conversion of what is currently an area of uninterrupted rough farmland and semi-natural woodland into an operational farmyard and contracting business site will have a material consideration on the impact to the existing residential amenity through:-

- noise from animals, heavy plant and machinery
- farm and contracting operations
- generation of farmyard smells from cattle courts and particularly the silage pit and any storage of silage in roll form
- farm, employees' and contracting vehicles and machinery occupying the site when not in use, as well as disused plant, equipment and materials (eg old tyres, bogeys, etc.) which historically have been left scattered/semi-abandoned around the current farmyard

The above are all prime considerations for occupants of Dornoch Cottage. Such alteration of land use is not in keeping with CNP Plan 2007 Section 5.1- 'Strategic Objectives for Landscape, Built and Historic Environment – Item (b) Conserve and enhance the sense of wildness in the montane area and other parts of the Park' which states: “ this sense of wildness and quiet enjoyment should be safeguarded from encroachment by human infrastructure”.....

It is hoped that the above comments will be helpful and will be given due consideration in determining this Planning Application. Please contact me if any further explanation to the above comments is required.

Yours faithfully



Fiona McLaren

Allt Beag  
Dalrachney  
CARRBRIDGE  
PH23 3AX

Mr. Tait  
Planning Service, CNPA  
Albert Memorial Hall  
Station Square  
BALLATER  
ABERDEENSHIRE, AB35 5QB

Date: 25 Feb. 09

Your Ref: 08/438/CP

Our Ref: 08 277/AT/06

By e-mail only

Dear Mr Tait,

**RE:** *Application for Conversion of Steadings to form 6 dwellings & erection of agricultural buildings:  
Rothiemoon Farm, by Nethybridge*

In response to the comments you recently forwarded to me from your statutory consultations and letters of objection/concern;

- Shirley Ross, Scientific Officer (Contaminated Land): Attached completed questionnaire.
- Fred McIntosh, Roads:
  - Comments on upgrading to adoptable standards, (or management and maintenance agreement) and engineering assessment of existing bridge – noted, we assume these can be imposed as conditions to planning consent. The applicant is willing to develop this in detailed consultations with the CNPA and the Roads Department.
  - Suitable pedestrian link – we would require more detail to comment.
  - Visibility splays at track road junction – believe these currently comply in existing configuration.
- Archaeology: Noted and we assume these can be imposed as conditions to planning consent.
- SNH: No comment.
- Letter of representation from Fiona McLaren:
  - The Planning Application: If you consider the industrial/commercial questionnaire is applicable in this case, please forward and we shall complete.
  - Access Track: The comments concerning the physical quality of the track and passing places shall be address in conjunction and agreement with Roads Dept. and CNPA satisfaction.
  - Access Track Layout (privacy/danger etc.): We take cognisance of the neighbours concerns in this matter and suggest a revised layout (attached site plan), removing use of existing access gate and providing a new ingress (from B970) track to the south and east of Bein Eiglas Mhor and egress (from new farm-buildings to

- farmland) through the disused refuse quarry to the west. This would greatly reduce the existing flow of vehicle movements adjacent to Dornoch Cottage.
- Proximity to Dornoch Cottage: According to the electronic OS map and our measurements on site, it is the applicants intention to site the new farm-buildings a minimum of 50m away, not 15m as stated.
  - Drainage: We have not addressed the issue of surface water from the farm building at this stage as ground conditions in this vicinity is generally very good draining strata. The tenant farmer informs me that the mud that Ms McLaren refers is slurry build up when cattle are over wintered in this field.
  - Letter of representation from John & Lucka Poyner: As per comments above.
  - Letter of representation from M.T. Collins: As per comments on access track above and response to Mr. McIntosh.
  - Comments by SEPA:
    - Residential Development, Foul Drainage: We have reconsidered the proposals in regard to the developer probably having to upgrade the access track to the B970. The village mains sewage line runs by this junction. Given the works involved in upgrading the track it would be logical to run a new branch from the Steading to the mains system at the junction of the B970 during this upgrade. The site plan drawing (enclosed) has been modified to reflect this revision.
    - Residential Development, Surface water Drainage: The ground in this locality is general very good draining sandy gravel. As the applicant owns considerable grounds in all directions we envisage little problems in incorporating suitable land soakaways at the detailed design stage.
    - Residential Development, Waste management: Noted and can be simply incorporated into the detailed design as more than adequate development ground is included in the curtilages of the proposed sub-divisions.
    - Agricultural Buildings, Surface Water Drainage: No details of the surface water drainage system have been provided at this stage as the ground conditions in the locality are generally very good draining sandy gravel and we would expect the Vp rate to be within acceptable norms. The tenant farmer has dug down to 6m on site and no water table has been observed. The other recommendations are noted.
    - Agricultural Buildings, Rainwater Harvesting: As the tenant farmer is water metered, he intends to install a min. 2,500 litre rainwater collector to provide for reuse to water live-stock and washing wash bed.
    - Agricultural Buildings, Housing of Animals (& slurry tank): The tenant farmer intends to install a min. 10,000 litre waste water tank connected to the silage pit and waste water (for storage prior to spreading on fields). I am informed no parts of any water-courses are within 10m of the proposed development.

I trust this allows you to proceed with your appraisal. Please contact myself if you require further information or clarification.

Yours sincerely,

Paul Devlin, B.Sc. (Hons), Dip. Arch.,

c. c. A. Norval; Property Manager, Reidhaven Estate  
J. Kirk; Farmer, Rothiemoon Farm