

Cairngorms National Park Authority

Application Reference: 05/101/CP

AGENT: Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

APPLICANT: Reidhaven Estates
Seafield Estate Office
Cullen
Buckie
Banffshire
AB56 4UW

The Cairngorms National Park Authority having considered your application to carry out the following development:

Residential Development comprising of 104 Serviced Housing Plots; All Associated Roads and Access Points; All Associated Service Engineering Works and Landscape Works

at;
Dalfaber North, Aviemore, Inverness-shire

and in accordance with the plan(s) docketted as relative hereto and the particular given in the application, do hereby give notice of their decision to:

Refuse Outline Planning Permission

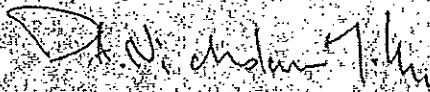
For the said development for the following reason(s):

1. The proposed development would be premature on the grounds of the current constraints on water infrastructure serving Aviemore and uncertainty at the present time over the capacity of the existing sewer network, and in light of the inability of Scottish Water to specify at the present time the period within which such constraints may be expected to be resolved.

**Albert Memorial Hall, Station Square, Ballater AB35 5QB
Telephone: 013397 53601 Facsimile: 013397 55334**

2. The proposed development by reason of its overall layout and the extent to which that layout extends beyond lands allocated for housing and encroaches onto lands allocated for amenity woodland purposes and the extent of loss of the trees, fails to comply with provisions of Section 6.1.2 (c) and the land use zoning provision of the Badenoch and Strathspey Local Plan 1997.
3. The proposed development by reason of its overall scale and layout would result in the loss of a significant area of semi natural native woodland, and the position of the roads and house plots proposed would aggravate the negative effects of this loss of woodland by disrupting the relatively secluded and semi natural character of the area thereby diminishing its value and opportunity for use for amenity and recreation purposes, as well as having a significant detrimental effect on the nature conservation value of the site. The development as proposed is not in accordance in particular with the first and third aims of the Cairngorms National Park.

Dated: 6th March 2006



Don McKee - Head of Planning

For details of how to appeal to Scottish Ministers against any conditions please see attached notes.

THIS IS A LEGAL DOCUMENT - PLEASE RETAIN WITH YOUR TITLE DEEDS

*Albert Memorial Hall, Station Square, Ballater AB35 5QB
Telephone: 013397 53601 Facsimile: 013397 55334*

Outline Planning Permission

NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL OF PLANNING PERMISSION OR ON GRANT OF PERMISSION SUBJECT TO CONDITIONS

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission in respect of the proposed development, or to grant permission or approval subject to conditions, he may appeal to Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within six months of the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporters Unit, 4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR.
2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

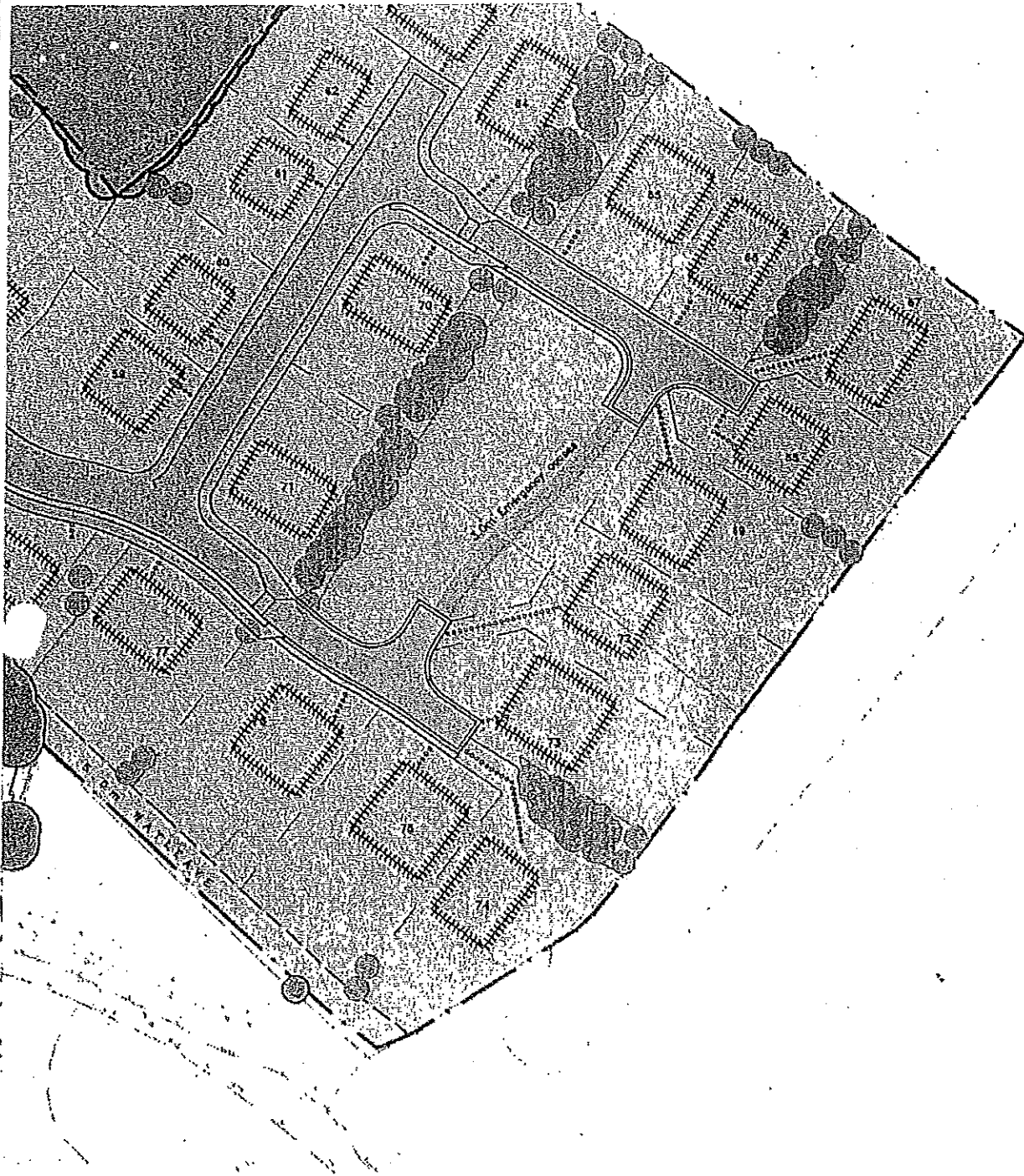
NOTES

It should be understood that this permission does not carry with it any necessary consent from the Buildings Authority or Scottish Environment Protection Agency, or approval to the proposed development under other statutory enactments.

It should be understood that this permission does not imply

- that there are no physical restrictions upon development, such as overhead or underground services, diversion or protection of which will be the developer's responsibility, with the prior consent of the appropriate supply authority;
- that the mains water, drainage or other public services are, or will be available:
or
- that financial assistance from public funds is available towards the cost of provision of services or any aspect of the development.

Enquiries should be directed to the appropriate supply authorities.



Cairngorms National Park Authority

Town and Country Planning (Scotland) Act 1997
Planning Application No. 05/1016P

REFUSED

In terms of decision notice dated 6 3 06.

Planning Manager *[Signature]*
On behalf of the Cairngorms National Park Authority

SITE LAYOUT

Residential Development
Dalfaber, Aviemore
for Reidhaven Estates

Scale

1:1000 (a1)

Date

11 Aug 2005

Drg.No.

A3583 / L(-)02rev.C