

## Planning Appeal, Windrill Drumsmittal – Appellant Response to “Interested” Parties.

To whom it may concern,

This letter is to provide a summary of what has taken place with regards to my planning application.

Our house ‘Windrill’ was purchased by us in the spring of 2021. It was originally built by [REDACTED] and her husband in 1988. Unfortunately, [REDACTED] [REDACTED] still believes she has the right to decide what happens on our property. She has objected to every single part of my application amassing over 110 individual complaint points.

There is no aspect of development that I can apply for that will not run into her objection.

The planning application received 32 complaints but this was no organic collection of individual complainants. This was made up of [REDACTED] friend group. This is common knowledge locally but is clearly evident by the addresses of the individuals (particularly the repeat complainants) which are spread out across the wider Highlands, rather than local addresses as you would expect if it was independent complaints. The vast majority of Drumsmittal locals did not object to the application, only 3 did! The whole community of Drumsmittal is talking about this band of complainants and the ridiculous lengths they are going to to stop my application.

The group have regularly been meeting at [REDACTED] property to co-ordinate their objections, they don’t hide their position often shouting at me over the fence. A number of the complainants reference being at [REDACTED] property within their complaint.

What’s happened here is I’ve ran into an established group of people who pro-actively try to rule over any local development. They have run campaigns like this in the past including the shutting down of the local wildlife park.

Over and above putting in their complaints the group has done the following:

- Printed and distributed flyers lobbying against my application.
- Gone door to door in the area trying to drum up support.
- Flown drones over my property then shared the footage publicly (in breach of aviation laws).
- Repeatedly photographed/filmed myself and my family (finally stopped after a police warning).
- Verbal attacks on myself, my family, the architect firm who submitted the application, local councilors and local planners.

A few members of this group hold positions of relative local power which they use to add weight to their objections. These include the following individuals:

[REDACTED] [REDACTED]. We went to the community council meeting to discuss our application after [REDACTED] lodged his initial complaint under the community council heading. It was clear [REDACTED] was very much on [REDACTED] own with [REDACTED] negative viewpoint on our application with other members of the group looking frankly embarrassed as [REDACTED] self-righteously ranted [REDACTED]s viewpoint at us. We explained the project to the group, provided new information and addressed concerns which were met with positivity and understanding, other than [REDACTED]. Rather than say the group would discuss their position and come to a democratic decision on how they would move forward [REDACTED] immediately restated that ‘the group would not change position on their objection’. Again, the group members who we’d just shared a positive discussion with looked embarrassed.

[REDACTED] - [REDACTED]). [REDACTED] lives [REDACTED] and has been a regular guest at [REDACTED] since we moved in. I first met [REDACTED] when he was standing in my driveway filming me. When I asked if I could help him, that’s when I was faced with 10 minutes of shouting and ranting. This was the first instance that I knew that there was any issue with my skateboard bowl.

Later, that same local newspaper that [REDACTED] published drone photos from above my property along with a story heavily skewed in favour of my [REDACTED] [REDACTED]. This was tactically put up right before the committee meeting. The chain of events here is clear enough to not need explaining.

[REDACTED] - [REDACTED] and also [REDACTED] [REDACTED]. Rather than complain individually she does it from her various posts, another example of someone using a community group heading to add weight to their complaint.

[REDACTED] was the [REDACTED] on the [REDACTED] that lead the charge for the complainants. I've seen [REDACTED] visit my [REDACTED] property and have heard from several sources that she is an active member of this cohort that pushes their agenda from the inside. [REDACTED] is publicly known to be personal friends with the individuals above yet chose not to declare an interest when speaking at committee!

Here is a list of some of the complaints against my project:

- The road is too narrow
- Traffic will be increased
- Drivers will be distracted
- Rural areas aren't suited to skateparks
- No demand for a skatepark
- Crofts/farms will be affected
- Skatepark is an eyesore
- Skatepark is a safety hazard to traffic
- The driveway has water on it
- Noise from plant used for swimming pool
- Size of shed
- Height of shed
- Colour of shed
- Position of shed
- Use of shed
- No windows or ventilation in the shed
- Lights in the shed will contribute to global warming
- Drainage from skatepark
- Drainage from extension
- Use of extension
- Drainage from garage
- The wrong message getting sent to others
- Skatepark is a commercial enterprise
- Skatepark built without building standards
- The area will no longer be quiet
- Inappropriate use of historically agricultural ground
- Wildlife will be affected
- Loss of habitat
- Loss of grazing land
- The road gets icy in the winter
- My existing septic tank/soakaway is failing
- Treatment of chemicals from pool
- Shed is commercial
- Unacceptable disturbance to neighbours and livestock
- Real danger to traffic
- It's an eyesore
- Skateboarders appearing from nowhere distracting traffic

Material of skate 'rink'  
I've destroyed the local red squirrel population  
No safety inspections on bowl  
Too many car parking spaces  
Damaging environment  
Waste of concrete  
Shed is imposing on the landscape  
My field is a rich animal habitat including badgers, hares, pine martins, squirrels, birds  
No archaeological assessment  
I'll have weeds in my bunds  
No building warrant  
Legal problems with access to site  
Vast numbers will be accessing road  
Destruction of prime agricultural land  
Bunds won't stop noise  
Fence won't stop noise  
Bunds will gradually reduce in height  
I will overlook neighbouring property  
No Sensitive siting  
No high quality design  
Incorrect calculations on site access  
Misleading drainage information  
Misleading skatepark information  
Misleading house plans  
Maintenance of bund  
The bowl could accommodate 25 people at once  
Privacy screen appears to have gaps in it  
Dormer window needs privacy screen  
Workshop needs natural daylight  
Soak-away too far down field  
Rainwater will be trapped between skatepark and bund  
Undermines the character of the area  
Negative affect on local flora  
Unapparent environmental pollution  
There are other skateparks locally  
No safety barriers  
Windows in unacceptable position  
No renewable heat source  
Insects are central to wellbeing  
Extension floor plan larger than previous floor plan internally  
Driveway wrong size  
Boundary lines wrong

This demonstrates very clearly an attempt to stop this project by any means necessary. They were hunting for any reason possible to get this application refused. Even with the 100 plus reasons for refusal that were drummed up, The Highland Council planning department came to the conclusion that this application should be approved.

In reality there are only 2 reasons that [REDACTED] actually want to stop this project. Everything else is mud slinging.

The first, is a concern for it being some sort of commercial enterprise. I have no intentions for anything other than the garage conversion to be used commercially, but I can appreciate how it could potentially look that way if you don't have an understanding of how skateparks operate. There is no such thing as a

commercial outdoor skatepark in the UK. Every town and city have 'free to use' skateparks, so nobody would pay to use one. Inverness has 3 great skateparks.

I fully accept that pairing the skate bowl with a small leisure suite in my house and a shed could imply some sort of commercial venture but what can I do other than offer it as a condition of planning that this is not the case.

As soon as I heard the suggestion that I had intentions for the project to be used commercially I offered it to be a condition of planning, that everything other than the garage conversion can only be for private use. I've been involved in 5 public skatepark projects within 15 miles of my home, it would be extremely counterproductive to push for free to use skateparks to get built if I planned to charge for mine. The same goes for coaching, I haven't actively coached since 2014 but if I chose to, I could use any of the other facilities free of charge, it would not be cost effective to spend a fortune to build one when there's others already available to use.

I've been painted as some sort of giant businessman, but the reality is I own part of a kids play centre in Inverness and I have a marquee from my wedding that sits in a trailer on my driveway, which I rent out a handful of times throughout the year.

If approved [REDACTED] and co will be relieved when they see that their assumptions were false and a primary motivation for complaints was nonexistent.

The second real reason for the objections is 'NIMBY'. [REDACTED] doesn't want to have me living [REDACTED] [REDACTED] probably doesn't want anyone [REDACTED]. I'm a passionate skateboarder and will always have something to skateboard on at my property. This is allowed and unfortunately that means [REDACTED] will always hear some level of skateboard noise. She will also hear other noises from time to time including talking, laughing, kids playing, music and dogs barking. This is all perfectly acceptable, and she will have to learn to live with the acceptable noise from the skateboard bowl or some other skateboard feature.

Her whole campaign is based on the hope that defeating me on the bowl will force me to move and she won't have me as a [REDACTED], that's never going to happen.

The only acceptable level of noise is zero in her mind, and she doesn't want anything within view that displeases her whether on her land or mine.

I go out and skateboard either on my own or with a couple friends for a few hours a week. The animals that I supposedly frighten actually come to the fence when I'm skateboarding and seem perfectly happy. At least I live in harmony with them!

It's not a question of whether I am allowed to skateboard on my property. I could rebuild a near replica of my skateboard bowl and with just a couple of adjustments in location and depth completely avoiding the need for planning. I only needed planning on the simple grounds of the bowl being placed in my field and not garden ground then secondly because of the depth I made the bowl which seems to be marginally deep enough to require planning (which was only done to further reduce an already acceptable amount of noise). Had I applied for that area to be garden ground first then built my bowl without sinking it I would have easily managed to get my dream skateboard bowl.

There's been several attempts to muddy the waters to the noise that a skateboard bowl in use makes. Almost every complaint uses vivid language to exaggerate the reality.

One suggestion is that up to 25 users could skate the bowl at once. This is highly inaccurate; a skate bowl of this size/design would only ever have 1 and maybe 2 users at a time if they were feeling brave. Users would be travelling at 15-20mph on a circuit that overlaps, a recipe for collision. Even if there was that number, the noise level wouldn't increase but the acceptable high points in noise would increase in regularity.

There was also reference to specific skateboard tricks "360 flip and big spin" that make more noise. These are 'street' skateboarding tricks, this is not a "street skateboard park and you wouldn't do those tricks in a bowl. Further to this, the sound referenced from those tricks was measured in zero proximity to the trick in a study we know nothing about.

Environmental Health Officers came and measured the actual noises from actual trucks at the actual property and from [REDACTED] property and came to the conclusion that they were of an acceptable level and were not affecting public amenity. Again, however, look at the levels the objector group have gone to try and argue against this very clear conclusion that has been reached. They will not accept the facts if they do not align with their stance.

I didn't originally have an acoustic fence in my plans. The EHO's report concluded that the noise level was acceptable without the fence or bund in place. I offered the fence as a 'boots and braces' approach to further minimise any noise. That was only greeted with comments of it being useless and not fitting in with the local area. Objectors have stated that the acoustic fence should be higher and longer, but also say it is not inkeeping with the area.

The planning committee voted against the application with the reason being that the bowl did not fit into the local area. When complete, nobody outside my property will see the bowl, all anyone will see is a grass bank/bund. My property already has 3 rows of grass banks, one at the roadside, one at the top of the field to create a platform for my house and one at the rear of my house. The bank around the bowl will be of similar size to the bank that already exists to the front of the house, finished in a similar nature and having the same profile. Being that we are on a hill, most of the properties has similar grass banks. Currently there are deposits of soil around the bowl, this is not reflective of the finished bunding which will be completed to the highest standard in order to fit in with existing bunding around the property and local landscape character.

I think it's very important to point out the vast number of accusations, assumptions and aggressive language that have been used to describe myself and my actions. Here is some sample phrases lifted from complaints.

I've been scaring animals with music  
I've been scaring animals with fireworks  
Appallingly cynical behaviour  
Flouting and dismissive conduct  
I've had outrageous behaviour  
It's an eyesore and an absolute disgrace  
I don't conform to any planning process  
I've no plans for agricultural use  
I've had stealthy conduct of the development  
I go skateboarding in the middle of the night  
I've horrendously desecrated a field  
My blatant disregard for planning  
I've already been using the bowl for commercial  
I'm opening a B&B  
I had some sort of loudspeaker system installed  
I used to advertise on Airbnb  
Obfuscation and deception as to the end use is an insult to the integrity of our highland council and surrounding community  
I've neglected my land  
I'm the cause of unwarranted stress and worry  
There's cries of revellers causing stress on livestock  
I'm wilfully ignoring planning  
I'm actively encouraging an 'anything goes' attitude to future developers  
I'm leaching hazardous materials onto site  
I will add light pollution in the future  
Host of 'Skateboard parties'  
This application serves as a 'trojan horse' for a full scale commercial enterprise  
I've altered the water supply

I'm introducing substantial impermeable areas  
I've had frenzied site activity  
I've been spraying toxic chemicals  
Complainant affronted by my nerve and arrogance

This is all an attempt to try and paint me in a specific light to planners and now for those making the decision on the appeal. I'm confident that the reporter/case officer will see these slanderous comments exactly what they are, a weak attempt to position me as the villain in this story and to coerce a decision against me.

I was hesitant to respond directly to complaints on this appeal, but I've been forced to in order to rebalance the skewed picture [REDACTED] [REDACTED] have repeatedly attempted to paint.

Thanks  
Taran Campbell