

<b>Issue 12</b>	<b>Area Specific – Badenoch and Strathspey NORTH</b>	
<b>Development plan reference:</b>	19 Boat of Garten 24 Cromdale and Advie 27 Dulnain Bridge 31 Grantown-on-Spey	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
080 Badenoch and Strathspey Conservation Group 033 Boat of Garten and Vicinity Community Council 139 Buglife 238 CM Design Town Planners and Architectural Designers 024 Gordon Bulloch 084 Grantown and Vicinity Community Council 058 Jeremy Money 036 Ogilvie-Grant Estate 237 Patricia Taylor 035 Reidhaven Estate () 040 Scottish Natural Heritage 063 SEPA 196 Woodland Trust Scotland 167 Zoe Cooke		
<b>Provision of the development plan to which the issue relates:</b>	19 Boat of Garten 24 Cromdale and Advie 27 Dulnain Bridge 31 Grantown-on-Spey	
<b>Planning authority's summary of the representation(s):</b>		
<p>BOAT OF GARTEN</p> <p><u>Site H1</u> Boat of Garten and Vicinity Community Council (033) - Support H1 Allocation (and the current planning application) but suggest the word 'inability' should be changed to 'difficulty' and the word 'local' should be added before 'business' in para 19.2. They also request the housing numbers are updated from 30 to 32 to reflect the recent planning application (now with permission) for 30 houses and 2 plots.</p> <p>Badenoch and Strathspey Conservation Group (080) - Suggest the site should not be shown as a housing allocation as it already has permission.</p> <p><u>Additional Housing Site</u> Ogilvie-Grant Estate (036) - Believe there is need to allocate land for additional housing, which can be built out once the current permission for H1 has been completed. They suggest land to the south of H1 would be suitable for this as long as appropriate mitigation for Capercaillie is achievable.</p> <p><u>Other Housing</u> Boat of Garten and Vicinity Community Council (033) - Concerned that the</p>		

requirements outlined in this section are too onerous for proposals for a single house unless the CNPA and SNH provided the information. They seek further clarification on CNPA expectations of what is required. Badenoch and Strathspey Conservation Group (080) welcome requirement for windfall and infill housing to be evaluated for their impact on Capercaillie

#### Additional Open Space Allocations

Badenoch and Strathspey Conservation Group (080) - Request that Boat Wood is allocated as open space, and explicitly protected from built development due to its natural heritage and amenity value.

Badenoch and Strathspey Conservation Group (080) - Object to the principle of a school being located within the wood due to its natural heritage impacts and amenity value.

#### Natural Heritage Issues

Scottish Natural Heritage (040) - National and international designated sites for each community should be named. SSIs as well as European sites should be named where these overlap. SACs, SPAs, Ramsar Sites, NNRs and SSSIs should be named within the relevant community section of the plan. There is a need for consistency in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) Para 19.6. - In response to the latest information on Capercaillie ecology, dispersal distances and metapopulation structures a precautionary approach should be adopted which identifies the likely significant affects (alone or in combination) of development in the Strathspey area on all five of the SPAs. The importance of the connections made by non-designated woodland should also be recognised. The detailed impacts are likely to vary and this can be assessed when individual proposals are assessed against the Natural Heritage SG. Therefore each of the five SPAs should be references in relation to all of the development sites in the Strathspey area. SNH (040) also highlight three typing errors in para 19.6. and suggest the wording is not accurate in relation to Habitats Regulations and that the Plan needs to make it clear that the Natura sites listed are those HRA has identified as likely to be significantly affected by proposals in the Plan and so they have been screened in and thus require high level mitigation.

Scottish Natural Heritage (040) Para 19.7 - There is a need to strengthen policy caveat to make it clear that if a planning authority is unable to conclude there would be no impact on the integrity of European site(s) the proposal would not be in accordance with the Plan. They highlight that the mitigation proposed in draft HRA must be picked up in the Plan.

Boat of Garten and Vicinity Community Council (033) – are concerned that the requirements outlined in this section are too onerous for proposals for a single house unless the CNPA and SNH provide the information. They seek further clarification on CNPA expectations of what is required.

#### Settlement Boundary

Badenoch and Strathspey Conservation Group (080) - Suggest the settlement

boundary should be modified to reflect the recently granted planning permission and should not extend beyond the footprint of this development.

#### Explanatory Text

Boat of Garten and Vicinity Community Council (033) - Suggest a change of wording in para 19.2 3<sup>rd</sup> line down to alter 'inability' to 'difficulty' and 'local' should be added before 'business' in the same para

#### Glossary

Boat of Garten and Vicinity Community Council (033) - Suggest 'windfall' is a technical planning term not easily understood by all and request a definition of the term.

### CROMDALE AND ADVIE

#### Site H1

Patricia Taylor (237) objects to new housing in the village due to inadequate infrastructure, inadequate access and lack of need for new homes as existing plots remain undeveloped.

#### Alternative Housing Site

CM Design Town Planners and Architectural Designers (238) request the plan continues the settlement boundary as identified in the current adopted plan which includes land at Balnafettach which was previously allocated as CD/H1. They believe this site is more suitable in terms of feasibility, amenity, value and diversity that the current proposed site and would be able to better meet the housing needs of the community and more attractive for investment. The alternative site already benefits from an agreed Development Brief and could deliver up to 50 houses. They request the removal of H1 and its replacement with this alternative site.

#### Natural Heritage Issues

Scottish Natural Heritage (040) request reference is made to the Burn of Cromdale which is part of the SAC, and runs through the settlement.

Scottish Natural Heritage (040) Para 24.7- Suggest that in response to the latest information on Capercaillie ecology, dispersal distances and metapopulation structures a precautionary approach should be adopted which identifies the likely significant affects (alone or in combination) of development in the Strathspey area on all five of the SPAs. The importance of the connections made by non-designated woodland should also be recognised. The detailed impacts are likely to vary and this can be assessed when individual proposals are assessed against the Natural Heritage SG. Therefore each of the five SPAs should be referenced in relation to all of the development sites in the Strathspey area. The wording of this paragraph is also not accurate in relation to Habitats Regulations and that the Plan needs to make it clear that the Natura sites listed are those HRA has identified as likely to be significantly affected by proposals in the Plan and so they have been screened in and thus require high level mitigation.

Scottish Natural Heritage (040) Para 24.8 - There is a need to strengthen policy caveat to make it clear that if a planning authority is unable to conclude there

would be no impact on the integrity of European site(s) the proposal would not be in accordance with the Plan. They highlight that the mitigation proposed in draft HRA must be picked up in the Plan.

## DULNAIN BRIDGE

### Site H1

Badenoch and Strathspey Conservation Group (080) and Woodland Trust Scotland (196) object to housing allocation H1 for one or more of the following reasons:

- Permission has already been granted for new development (on the A938 Carrbridge Road) and an additional in the next 5-10 years so no additional development is needed
- Rate of expansion is unsustainable and unjustified.
- The impact on ancient woodland. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken

Badenoch and Strathspey Conservation Group (080) also object to incomplete nature of information transferred from adopted Local Plan in relation to site with planning permission, in particular they seek carry forward of the reference to protecting marshland, which is mentioned in relation to site H2 in the adopted Local Plan, a site which is now shown as an existing permission.

### Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named.

Scottish Natural Heritage (040) Para 27.7 - In response to the latest information on Capercaillie ecology, dispersal distances and metapopulation structures a precautionary approach should be adopted which identifies the likely significant affects (alone or in combination) of development in the Strathspey area on all five of the SPAs. The importance of the connections made by non-designated woodland should also be recognised. The detailed impacts are likely to vary and this can be assessed when individual proposals are assessed against the Natural Heritage SG. Therefore each of the five SPAs should be referenced in relation to all of the development sites in the Strathspey area. The wording of this paragraph is also not accurate in relation to Habitats Regulations and that the Plan needs to make it clear that the Natura sites listed are those HRA has identified as likely to be significantly affected by proposals in the Plan and so they have been screened in and thus require high level mitigation.

Scottish Natural Heritage (040) Para 27.8 - There is a need to strengthen policy caveat to make it clear that if a planning authority is unable to conclude there would be no impact on the integrity of European site(s) the proposal would not be in accordance with the Plan. They highlight that the mitigation proposed in draft HRA must be picked up in the Plan.

Badenoch and Strathspey Conservation Group (080) - Reference should be to the natural heritage value of Curr Wood to protect it from recreational and

development pressures.

Badenoch and Strathspey Conservation Group (080) Para 2.27 - All SPAs for Capercaillie are referred to.

Badenoch and Strathspey Conservation Group (080) Para 2.28 -Reference to wildcats should be included.

## GRANTOWN ON SPEY

### Site H1

Gordon Bulloch (024) - Supports northern boundary of the site but believes the north-western boundary by Revoan is not effective and development should be prevented in this area to stop adverse impact on views.

SEPA (063) - The wording of H1 is amended to reflect the risk of flooding in this area.

### Site H2

Badenoch and Strathspey Conservation Group (080) - Object to the allocation at Castle Road due to the impact on oystercatchers, the important contribution of the site to the value and setting of the Mossie, that there is no need for another allocation in the next 5-10 years, as the site at H1 (Beachen Court) is currently being taken forward and that development here would not be compatible with the residents' wish for a low impact small-scale amount of accommodation to encourage young people to stay in the town.

Jeremy Money (058) -Objects to any development on H2 as it would harm the feeling of openness.

Grantown and Vicinity Community Council (084) - Concerned that the area between the hospital and Grant House is now identified as housing (Site H2) rather than the community use that was previously agreed.

### Site ED1

Woodland Trust Scotland (196) objects to this site because of the impact on ancient woodland. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken

### Site T1

Woodland Trust Scotland (196) objects to this site because of the impact on ancient woodland. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken.

Gordon Bulloch (024) - Concerned that inappropriate development of the caravan site could compromise the cultural heritage of the town and its woodland setting, and seeks further clarification on what kind of development would be appropriate.

### Additional Housing Sites

Reidhaven Estate (035) - Support the allocation of H1 but request the remainder of the field between the hospital and Lynemacgregor wood is also allocated, and

the field between HI and T1 is also allocated. These areas are not in the floodplain and options for expansion are limited.

#### Additional Tourism/Economic Site

Grantown and Vicinity Community Council (084) - The land opposite the caravan park is important for the Town's future success and so should be included within the settlement boundary and allocated for tourism/economic use.

#### Additional Open Space Allocations

Badenoch and Strathspey Conservation Group (080) - Request that the Mossie is allocated as green Open Space to permanently protect it from development this should be explicitly stated in both the map and the text. Grantown and Vicinity Community Council (084) support the identification of areas the recreation areas and school playing fields as open space.

Badenoch and Strathspey Conservation Group (080) - Request that all areas designated as green ENV in the current LP are allocated as Open Space in the LDP including the golf course area and part of Anagach Wood near the sewage works.

Badenoch and Strathspey Conservation Group (080) - Request that the two fields on each side of the house Revoan are allocated as green Open Space as the flower-rich meadow and wetland should be protected from development.

Gordon Bulloch (024) - suggests protecting land at the Mossie should be protected via an open space designation as this may be more effective than changing the settlement boundary.

#### Natural Heritage Issues

Scottish Natural Heritage (040) - National and international designations within each community should be named.

Scottish Natural Heritage (040) Para 31.6 - In response to the latest information on Capercaillie ecology, dispersal distances and metapopulation structures a precautionary approach should be adopted which identifies the likely significant affects (alone or in combination) of development in the Strathspey area on all five of the SPAs. The importance of the connections made by non-designated woodland should also be recognised. The detailed impacts are likely to vary and this can be assessed when individual proposals are assessed against the Natural Heritage SG. Therefore each of the five SPAs should be referenced in relation to all of the development sites in the Strathspey area. The wording of this paragraph is also not accurate in relation to Habitats Regulations and that the Plan needs to make it clear that the Natura sites listed are those HRA has identified as likely to be significantly affected by proposals in the Plan and so they have been screened in and thus require high level mitigation.

Scottish Natural Heritage (040) Para 31.7 - There is a need to strengthen policy caveat to make it clear that if a planning authority is unable to conclude there would be no impact on the integrity of European site(s) the proposal would not be in accordance with the Plan. They highlight that the mitigation proposed in draft HRA must be picked up in the Plan.

Scottish Natural Heritage (040) – Para 3.10 The wording as currently written is not HRA compliant, a policy caveat is needed in the fifth bullet point to address ensure HRA compliance.

Buglife (139) highlight the importance of the woodland habitat in Grantown-on-Spey particularly for the Aspen hoverfly and other invertebrates. They stress the importance of development considering not just the site but also the wider surrounding area. They request the wording of para 31.7 is expanded to include reference to invertebrate species and the requirement for invertebrate surveys from the outset to ensure development does not have a negative impact on these species.

#### Settlement Boundary

Badenoch and Strathspey Conservation Group (080) - Welcome the exclusion of the Mossie from the settlement boundary and would object if it was included unless it was allocated as Open Space.

Zoe Cooke (167) - Requests an extension of the development boundary by 10m behind properties number 5 and 6 on Revoan Street to reflect that herself and her neighbour recently extended their gardens in 2004 by purchasing land from Seafield Estate.

Gordon Bulloch (024) - Believes settlement boundaries should be fixed and remains fixed for long periods of time, the constant changes over recent year, around the Mossie area, are unhelpful. He suggests protecting land at the Mossie via an open space designation may be more effective than changing the settlement boundary. He also suggested the map for Grantown needs a clear title and cross-referencing within para 31.

#### Explanatory Text

Gordon Bulloch (024) - Concerned that the protection of existing shop premises may exacerbate the empty shop problem in Grantown and suggests a more flexible and pro-active approach allowing retail to residential and residential to retail conversions on the High Street is needed.

#### Map

Gordon Bulloch (024) – The map for Grantown needs a clear title and cross-referencing with para 31.

#### **Modifications sought by those submitting representations:**

##### BOAT OF GARTEN

Site H1: Boat of Garten and Vicinity Community Council (033) and Badenoch and Strathspey Conservation Group (080) request H1 is not shown as an allocation as it has planning permission. They also request the housing numbers are updated from 30 to 32 to reflect the recent planning permission.

Additional Housing Site: Ogilvie-Grant Estate (036) suggests land to the south of H1 should be allocated additional housing, which could be phased for after the

current permission for H1 has been completed.

Other Housing: Boat of Garten and Vicinity Community Council (033) seek further clarification on CNPA expectations of what information is required in relation to Capercaillie monitoring to support a single infill house and/or a commitment from CNPA and Scottish Natural Heritage to provide this information.

Additional Open Space: Badenoch and Strathspey Conservation Group (080) request Boat Wood is allocated as open space and the text is amended to ensure include reference to the fact that no development will be permitted within the wood, and that the reference to the school within the wood is removed.

Natural Heritage Issues: Scottish Natural Heritage (040) request the errors in para 19.6 are corrected to say “Abernethy Forest SPA, Craigmore Wood SPA and Cairngorms SPA” and that an additional site Anagach Woods SPA is added to the list of designated sites. Scottish Natural Heritage (040) also seek an amendment to beginning of para 19.6 so it says “In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination”. Scottish Natural Heritage (040) seek an amendment to para 19.7 to read “...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address...”

Boat of Garten and Vicinity Community Council (033) seek further clarification on CNPA expectations of what information is required in relation to Capercaillie monitoring to support a single infill house and/or a commitment from CNPA and Scottish Natural Heritage to provide this information

Settlement Boundary: Badenoch and Strathspey Conservation Group (080) request the settlement boundary is amended to reflect the existing planning permission.

Explanatory Text: Boat of Garten and Vicinity Community Council (033) request ‘inability’ is changed to ‘difficulty’ and ‘local’ should be added before ‘business’ in para 19.2 and seek clarification as to what information is required.

Glossary: Boat of Garten and Vicinity Community Council (033) request a definition of the term windfall site.

#### CROMDALE AND ADVIE

Site H1: CM Design Town Planners and Architectural Designers (238) and Patricia Taylor (237) seek the deletion of site H1.

Alternative Housing Site: CM Design Town Planners and Architectural Designers (238) request the removal of H1 and its replacement with this alternative site at Balnafettach which was previously allocated as CD/H1 in the adopted Local Plan.



The settlement boundary should then be amended to include this alternative site.

Natural Heritage Issues: SNH (040) seek additional wording to the second bullet point of para 24.6 to say “This includes the burn of Cromdale running through the village”.

Scottish Natural Heritage (040) request that Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest should be added to the list of designated sites in para 24.7. SNH (040) also seek an amendment to beginning of para 24.7 so it says “In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination”. SNH (040) seek an amendment to para 24.8 to read “...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address...”

#### DULNAIN BRIDGE

Site H1: Woodland Trust Scotland (196) seeks deletion of site H1. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken. Badenoch and Strathspey Conservation Group (080) also request the text is expanded to say ‘any future proposals for the area should protect marshland area within the site’.

Natural Heritage Issues: Scottish Natural Heritage (040) request that Anagach Woods SPA, Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest SPA should be added to the list of designated sites in para 27.7. Scottish Natural Heritage (040) also seek an amendment to beginning of para 27.7 so it says “In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination”.

Scottish Natural Heritage (040) seek an amendment to para 24.8 to read “...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address...”

Badenoch and Strathspey Conservation Group (080) request reference to the importance of Curr Wood is added.

Badenoch and Strathspey Conservation Group (080) request a reference to all the SPAs for Capercaillie is added to para 27.7 and a reference to wildcats is included in para 27.8.

#### GRANTOWN ON SPEY

Site H1: Gordon Bulloch (024) requested the boundary of H1 is amended from the SW corner of Revoan back to the corner with the woods to the west of the site.

SEPA (063) request the wording of H1 is amended to include “The Kylvetra Burn runs along the north west boundary of the site. SEPA holds records of flooding associated with the Burn. A FRA is likely to be required to support any development proposals.”

Site H2: Badenoch and Strathspey Conservation Group (080) and Jeremy Money (058) seek the deletion of Site H2. Grantown and Vicinity Community Council (084) wish H2 to be changed from housing to community use

Site ED1: Woodland Trust Scotland (196) seeks deletion of sites ED1. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken.

Site T1: Woodland Trust Scotland (196) seeks deletion of site T1. If development is to occur it must include a sufficient buffer and appropriate species surveys must be undertaken. Gordon Bulloch (024) seeks further clarification on what kind of development would be appropriate at the caravan site.

Additional Housing Sites: Reidhaven Estate (035) requests the remainder of the field between the hospital and Lynemacgregor wood and that the field between H1 and T1 are also allocated for housing.

Additional Tourism/Economic Site: Grantown and Vicinity Community Council (084) request that the land opposite the caravan park is allocated for tourism/economic use.

Additional Open Space Allocations: Badenoch and Strathspey Conservation Group (080) request that all areas designated as green ENV in the current LP are allocated as Open Space including the golf course area and part of Anagach Wood near the sewage works, and that the two fields on each side of the house Revoan, and the Mossie are allocated as green Open Space. They also request that the map and text explicitly state that the Mossie is protected from development.

Gordon Bulloch (024) suggests protecting land at the Mossie via an open space designation may be more effective than changing the settlement boundary, and so requests that some of the land at the Mossie is designated as open space.

Natural Heritage Issues: SNH (040) request that Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest SPA should be added to the list of designated sites in para 31.7 and that this beginning of this para should be amended so it says “In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination”.

Scottish Natural Heritage (040) seek an amendment to para 31.8 to read “...to carry out Appropriate Assessment in order that they can be confident that your

development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address...”

Scottish Natural Heritage (040) request the addition of a policy caveat at the end of the fifth bullet point of Para 3.10 saying “...subject to their protection as European designated sites”.

Buglife (139) request para 31.7 is expanded to include reference to invertebrate species and require invertebrate surveys from the outset.

Settlement Boundary: Zoe Cooke (167) requests an extension to the settlement boundary by 10m to the rear of 5 and Revoan Street. Badenoch and Strathspey Conservation Group (080) would object if the Mossie where includes within the settlement boundary unless it was allocated as Open Space. Gordon Bulloch (024) requests the boundary in the adopted Local Plan should be carried forward into this plan and suggests protecting land at the Mossie via an open space designation may be more effective that changing the settlement boundary.

Explanatory Text: Gordon Bulloch (024) requests additional wording at para 31.5 to introduce a flexible and proactive approach to managing vacant properties on the High Street. Gordon Bulloch (024) also seeks cross-referencing to the map of Grnatown within para 31.

Map: Gordon Bulloch (024) seeks a clear title and cross-referencing with para 31 on the map for Grantown

**Summary of responses (including reasons) by planning authority:**

BOAT OF GARTEN (proposed LDP pages 84-89)

The CNPA's long term vision for the National Park is set out in the Cairngorms National Park Partnership Plan (CNPPP) which was approved by Scottish Government on 30 May 2012 (SDXX). Page 13 of the CNPPP sets out the long term vision for the Cairngorms National Park as “An outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together”. The CNPPP (SDXX page 14) goes on to explain that the vision of “success in being a sustainable economy supporting thriving businesses and communities” would include a growing and diversified economy, more jobs and a wider range of employment opportunities, thriving and sustainable communities, a growing workforce, people working in the Park finding it easier to access housing that meets their needs, safe route to travel and sustainable new development with good design. All of these outcomes will help to deliver the vision for the National Park.

The relationship between the CNPPP and the Local Development Plan is set out on page 40 of the CNPP (SDXX) which states “The Local Development Plan and planning services will support the delivery of this long term outcome by providing: sufficient land for housing to meet identified need and demand, including inward

migration of workers; the necessary land and support for business development and diversification; site for future development that support attractive, vibrant communities and that minimise the need to use energy; clear guidance on where, when and how the best development will be supported.”

The CNPA is therefore keen to support the sustainable development of all of its communities and Policy 1.2 of the CNPPP (SDXX page 42) sets out how sustainable patterns of settlement growth, infrastructure and communications will be achieved, including focusing new growth on the existing main settlements whilst also allowing for additional flexibility around a wider range of settlements. This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) and designates Boat of Garten as one of the ‘Other Settlements with sites for development’.

#### Site H1

Boat of Garten and Vicinity Community Council (033); Badenoch and Strathspey Conservation Group (080) - Although the housing site H1 does now have planning permission for 30 houses and 2 plots (SDXxx plan perm ref) the number of units is specified in the Plan as 30 because this reflected the advice given by Scottish Natural Heritage as part of work to develop the Habitats Regulations Appraisal to support the proposed Local Development Plan (SDXx). This work focused on the maximum number of units that could be accommodated on the site based on the information regarding the impact of development on Capercaillie. Additional work to support the planning application (SDXx) has subsequently been undertaken. This formed an integral part of the HRA for that planning application. Should the Reporter see merit in changing the capacity reference of the allocation in the Plan to reflect the extant planning permission, from 30 to 32 in the first sentence of the H1 section of page 87 of the Proposed Plan and in the first sentence of the other housing section also on of page 87, the CNPA would not object to such a change. Such a change would require subsequent review of the HRA, an amendment to the site boundary, and the information contained within the housing land supply tables.

The housing numbers and locational strategy in the Proposed Plan is supported by the National Park Partnership Plan (SDXx) and through evidence produced to support the Main Issues Report (SDXx). CNPA believes this continues to be the correct approach and would not support any change accordingly.

#### Additional Housing Sites

Ogilvie-Grant Estate (036) - The detailed discussions with Scottish Natural Heritage around the recently granted permission (SDXx plan perm ref) for H1 indicate that no additional housing development, not even for a single house, could be granted until the effectiveness of the mitigation measures proposed to control the impact of development on Capercaillie have been monitored and evaluated. These are currently being tested under the HRA for the current application. This advice is reflected in the paragraph on Other Housing on page 87 of the Proposed Plan, and the CNPA believes this must remain the position until the present application mitigation is tested or evidence suggests a different approach is possible. The CNPA therefore could not support the request from Ogilvie-Grant Estate (036) to allocate any more land for housing until the results of the monitoring and evaluation of the impact of the current development are

completed.

#### Other Housing

Boat of Garten and Vicinity Community Council (033) - The CNPA is aware of the community's clearly articulated continued aspiration for housing (SDXX Response to Informal Consultation to Draft Settlement Maps page 65-66). However, this must be carefully balanced against the requirements of protected species including Capercaillie. As detailed above, discussions with Scottish Natural Heritage indicate no additional housing development, not even for a single house, could be granted until the effectiveness of the mitigation measures proposed to control the impact of development on Capercaillie have been monitored and evaluated. These are currently being tested under the HRA for the current application. This approach is supported by Badenoch and Strathspey Conservation Group (080). In practice, the CNPA, SNH and any future developer would be required to work closely together to develop proposals for any additional development in Boat of Garten to ensure such development took full account of the impact of that development on Capercaillie. Such working practices are already established in Boat of Garten, demonstrated by the success of the Boat of Garten Housing Working Group which brought together CNPA, SNH, The Highland Council and the community to address these issues in relation to the current scheme, which secured planning permission in June 2013.

#### Additional Open Space

Badenoch and Strathspey Conservation Group (080) - Boat Wood is located outside of the settlement boundary. CNPA do not support the allocation of land outside the settlement boundary where general policies apply. As para 13.7 of the proposed LDP clarifies, "The plans also identify settlement boundaries, outwith which it is expected that proposals will require justification for their selected location. Where no locational need exists, development on the periphery of settlements will be resisted." CNPA would not support a change to this approach. The CNPA would not therefore support the request from Badenoch and Strathspey Conservation Group (080) to allocate Boat Wood as open space.

The reference in the plan to the potential new school sets out a community aspiration and does not give an indication of location within the wood, or elsewhere. The CNPA remains committed to supporting this community aspiration but no work to locate a suitable site has been carried out. In the event that The Highland Council, as Education Authority, indicate a willingness to progress this community aspiration, work will be needed which takes full account of the possible impact of development on natural heritage, especially the impact on Capercaillie. The CNPA would not therefore support Badenoch and Strathspey Conservation Group (080) suggestion that an amendment to the text is needed to remove the reference to the school within the wood, as no such reference is included. The CNPA is also of the view that no specific reference in the community section (page 88 of the Proposed Plan) is needed to specify that no development will be permitted as no site has been identified.

#### Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage's (040) request to add Anagach Woods SPA to the list of protected sites. The CNPA would then suggest the new list is alphabetised, to ensure consistency

throughout the Plan. Therefore the new bullet point list in para 19.6 would read to say "Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA, Kinveachy Forest SPA, River Spey SAC".

The CNPA would also not object to Scottish Natural Heritage's (040) suggestion to amend para 19.6 Amend to say "In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination".

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 19.7 to read "...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address..."

The CNPA also acknowledges that HRA may also need to be updated to reflect this latest information.

Boat of Garten and Vicinity Community Council (033) - Apart from the Scottish Natural Heritage changes suggested above, the CNPA would not agree with Boat of Garten and Vicinity Community Council (033) that additional text should be added to Proposed Plan to address the Capercaillie issue. Supplementary Guidance on Natural Heritage already sets out further advice for applicants on addressing issues around protected species. This already states (SDXX SG page 35) that Scottish Natural Heritage and the local planning authority should be consulted for more information if a site is an SPA, SAC, SSSI etc. CNPA is not convinced of the need to add a cross reference to the Supplementary Guidance as it has prepared the two documents to be read together. The CNPA has minimised cross-references within both documents for this reason. Planning Circular 1/09: Development Planning (SDXx) clarifies in para 93 that in regard to supplementary guidance "any such guidance will form part of the development plan". As such CNPA considers the wording as set out to be sufficient.

#### Settlement Boundary

Badenoch and Strathspey Conservation Group (080) - As explained above housing site H1 now has an extant planning permission for 30 houses and 2 plots (SDXx plan perm ref). The number of units specified in the Plan is currently 30 reflecting the advice given by SNH to inform the HRA which supported the proposed Local Development Plan. Should the Reporter see merit in changing the text and allocations map within the Local Development Plan to reflect this extant permission an amendment to the settlement boundary would also be considered prudent. (SDXx include a map showing this change). In line with the approach taken elsewhere in the plan, CNPA suggests that this land now be shown as 'with existing permission'.

#### Explanatory Text

Boat of Garten and Vicinity Community Council (033) - The CNPA would not object to 'inability' being changed to 'difficulty' in paragraph 19.2 or 'local' being added before 'business' in the same paragraph.

### Glossary

Boat of Garten and Vicinity Community Council (033) - The term windfall site is already included in the Glossary to the Plan (see page 197) and no further change is considered to be necessary.

### CROMDALE AND ADVIE (Proposed LDP pages 108 -113)

The CNPA's long term vision for the National Park is set out in the Cairngorms National Park Partnership Plan (CNPPP) which was approved by Scottish Government on 30 May 2012 (SDXX). Page 13 of the CNPPP sets out the long term vision for the Cairngorms National Park as "An outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together". The CNPPP (SDXX page 14) goes on to explain that the vision of "success in being a sustainable economy supporting thriving businesses and communities" would include a growing and diversified economy, more jobs and a wider range of employment opportunities, thriving and sustainable communities, a growing workforce, people working in the Park finding it easier to access housing that meets their needs, safe route to travel and sustainable new development with good design. All of these outcomes will help to deliver the vision for the National Park.

The relationship between the CNPPP and the Local Development Plan is set out on page 40 of the CNPP (SDXX) which states "The Local Development Plan and planning services will support the delivery of this long term outcome by providing: sufficient land for housing to meet identified need and demand, including inward migration of workers; the necessary land and support for business development and diversification; sites for future development that support attractive, vibrant communities and that minimise the need to use energy; clear guidance on where, when and how the best development will be supported."

The CNPA is therefore keen to support the sustainable development of all of its communities and Policy 1.2 of the CNPPP (SDXX page 42) sets out how sustainable patterns of settlement growth, infrastructure and communications will be achieved, including focusing new growth on the existing main settlements whilst also allowing for additional flexibility around a wider range of settlements. This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) and it identifies Cromdale as one of the 'Other Settlements with sites for development'.

### Site H1

Patricia Taylor (237) - The approach to housing land supply and locational strategy in the Proposed Plan is articulating the direction from National Park Partnership Plan which establishes the settlement hierarchy (SDXx page 43). This is further supported by evidence produced at the time of the Main Issues Report (SDXx Evidence paper Housing). The CNPA believes this continues to be the correct approach. The CNPA continues to believe that some development at Cromdale is essential to help maintain the prosperity of the community and the scale of development is appropriate. The Site at Auchroisk Park, shown as a site with existing permission (Proposed Plan page 113) was granted permission for 22 plots (SDXx BS/97/224). Site H1 offers the opportunity for further development in

the village reflecting the aspirations of the community. As para 24.2 of the Proposed Plan explains “Residents want Cromdale and Advie to progress and to do this, affordable housing for local young people to encourage them to stay in the area is top of the list of priorities identified”. The Housing Policy set out in Chapter Four in the Proposed Plan (SDXX page 17) clearly sets out how new developments are required to contribute to affordable housing provision and how this site will be required to make its contribution. The CNPA therefore continues to support the allocation of site H1.

#### Alternative Housing Site:

CM Design Town Planners and Architectural Designers (238) - The possible alternative site at Balnafettach Distillery was suggested in response to the Main Issues report by Strathdee Property Services (see page 119 of Main Issues Response Report February 2012 SDXX) and by CM Design Town Planners and Architectural Designers during the informal consultation on the settlement maps (see pages 98-100 of Response to Informal Consultation to Draft Settlement Maps SDXX). The site was not considered to be appropriate as a housing allocation by virtue of its location (SDXX Evidence report Site Analysis page 76). However, if an application for redevelopment was submitted it would be considered on its merits.

The CNPA remains of the opinion that the site with existing permission together with the proposed site H1 provide sufficient land for the development needs of Cromdale for the plan period and beyond. As a result, the CNPA do not support any additional sites or any amendment to the settlement boundary. The CNPA remains committed to providing for some growth in Cromdale and believes H1 to be the most appropriate site for this. The village does have some facilities and the fact current plots remain unsold is likely to reflect economic conditions rather than any issues with the planning strategy.

Regarding other sporadic development outside settlements, the approach taken in the proposed LDP has been to focus growth on the settlements identified in the settlement hierarchy. It does not allocate land outside these and proposals for such development would be assessed against the policies of the plan. Any change to include allocations which would undermine the settlement strategy as set out in the Proposed Plan and in the adopted National Park Partnership Plan (SDXX pages 42 and 43) would not be supported by CNPA.

#### Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage’s (040) request for additional wording to the second bullet point of para 24.6 so that it reads “This includes the burn of Cromdale running through the village”.

The CNPA would also not object to Scottish Natural Heritage’s (040) request to add Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest to the list of protected sites. The CNPA would then suggest then new list is alphabetised, to ensure consistency throughout the Plan. Therefore the new bullet point list in para 24.7 would read to say “Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmores Wood SPA, Kinveachy Forest SPA, River Spey SAC”.



The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 24.7 to read: "In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination".

The CNPA also acknowledges that HRA may also need to be updated to reflect this latest information.

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 24.8 to read "...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address..."

#### DULNAIN BRIDGE (Proposed LDP pages 124 -127)

The CNPA's long term vision for the National Park is set out in the Cairngorms National Park Partnership Plan (CNPPP) which was approved by Scottish Government on 30 May 2012 (SDXX). Page 13 of the CNPPP sets out the long term vision for the Cairngorms National Park as "An outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together". The CNPPP (SDXX page 14) goes on to explain that the vision of "success in being a sustainable economy supporting thriving businesses and communities" would include a growing and diversified economy, more jobs and a wider range of employment opportunities, thriving and sustainable communities, a growing workforce, people working in the Park finding it easier to access housing that meets their needs, safe route to travel and sustainable new development with good design. All of these outcomes will help to deliver the vision for the National Park.

The relationship between the CNPPP and the Local Development Plan is set out on page 40 of the CNPP (SDXX) which states "The Local Development Plan and planning services will support the delivery of this long term outcome by providing: sufficient land for housing to meet identified need and demand, including inward migration of workers; the necessary land and support for business development and diversification; site for future development that support attractive, vibrant communities and that minimise the need to use energy; clear guidance on where, when and how the best development will be supported."

The CNPA is therefore keen to support the sustainable development of all of its communities and Policy 1.2 of the CNPPP (SDXX page 42) sets out how sustainable patterns of settlement growth, infrastructure and communications will be achieved, including focusing new growth on the existing main settlements whilst also allowing for additional flexibility around a wider range of settlements.

This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) which identifies Dulnain Bridge as one of the 'Other Settlements with sites for development'.

### Site H1

Badenoch and Strathspey Conservation Group (080) - The current adopted Local Plan allocates two sites within Dulnain Bridge (see SDXX page 121) for housing, one of which now has permission, and the other is continued forward as an allocation in the Proposed Plan. The site H1 was identified for housing development in the current adopted Local Plan for around 30 dwellings (SDXX page 121). It is considered important to provide certainty to developers and communities, and to this end the continuation of this allocation is important. The site is the subject of an approved Development Brief (SDXx) and this has been carried forward into the Supplementary Guidance (SDXX pages 90-93). The site was considered as part of the Main Issues Report (SDXX pages XX to XX). CNPA continues to believe that some further development at Dulnain Bridge is appropriate to provide wider choice and to help maintain the prosperity of the community. The proposed scale of development is appropriate and justified. The approach to housing land supply and locational strategy in the plan is supported by the evidence produced at the time of the Main Issues Report (SDXx) and the CNPA believe this continues to be the correct approach. Table 27 of the updated Evidence Report (SDXx page 38) identifies the two sites as meeting different periods of demand, the site with permission meeting the immediate demand, with the allocated site meeting the longer term demand. CNPA therefore maintain its support for both sites.

Proposal H1 already includes reference to the wetland on the site and the constraint this may have on development. The CNPA does not therefore believe the addition of text saying 'any future proposals for the area should protect marshland area within the site' would add anything to the Plan.

Other policies in the plan will ensure appropriate species surveys and appropriate design and layout are considered as part of any proposal. The potential role of including a buffer within the scheme would be developed on a case by case basis and be informed by the latest information from species surveys etc. to support a planning application.

### Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage's (040) request to add Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest to the list of protected sites. The CNPA would then suggest then new list is alphabetised, to ensure consistency throughout the Plan. Therefore the new bullet point list in para 27.7 would read to say "Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA, Kinveachy Forest SPA, River Spey SAC".

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 27.7 to say "In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination".

The CNPA also acknowledges that HRA may also need to be updated to reflect this latest information.

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 27.8 to read "...to carry out Appropriate Assessment in order that

they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address...”

Badenoch and Strathspey Conservation Group (080) - The CNPA does not believe a specific reference to Curr Wood is necessary or would add anything to the Plan, as woodland is already specifically referred to in para 27.6 (SDXX page 125). However, if the Reporter felt otherwise the CNPA would not object to reference to Curr Wood being added to the Plan. The CNPA would suggest adding “Curr Wood is an important natural heritage asset located in close proximity to the village” to the first bullet point in para 27.6

“Disturbance to Capercaillie” is already specifically mentioned in paragraph 28.8. CNPA recognises the importance of Capercaillie. However given that they are a species, and not a designated site the CNPA does not believe that reference to Capercaillie in para 27.7 would be appropriate.

With regard the impact on wildcat, the CNPA recognises the importance of wildcats, but the species is not listed as a qualifying interest for Natura sites. It would therefore be inaccurate to add a reference to wildcats to paragraph 27.8 as requested by Badenoch and Strathspey Conservation Group (080) as information on wildcats is not necessary to enable a planning authority to carry out an Appropriate Assessment.

#### GRANTOWN ON SPEY

The CNPA’s long term vision for the National Park is set out in the Cairngorms National Park Partnership Plan (CNPPP) which was approved by Scottish Government on 30 May 2012 (SDXX). Page 13 of the CNPPP sets out the long term vision for the Cairngorms National Park as “An outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together”. The CNPPP (SDXX page 14) goes on to explain that the vision of “success in being a sustainable economy supporting thriving businesses and communities” would include a growing and diversified economy, more jobs and a wider range of employment opportunities, thriving and sustainable communities, a growing workforce, people working in the Park finding it easier to access housing that meets their needs, safe route to travel and sustainable new development with good design. All of these outcomes will help to deliver the vision for the National Park.

The relationship between the CNPPP and the Local Development Plan is set out on page 40 of the CNPP (SDXX) which states “The Local Development Plan and planning services will support the delivery of this long term outcome by providing: sufficient land for housing to meet identified need and demand, including inward migration of workers; the necessary land and support for business development and diversification; sites for future development that support attractive, vibrant communities and that minimise the need to use energy; clear guidance on where, when and how the best development will be supported.”

The CNPA is therefore keen to support the sustainable development of all of its communities. Policy 1.1 of the CNPPP (SDXX page 41) sets out how a sustainable economy of the National Park will be supported which includes “increased provision for business land where there is an identified need and demand; and to support the use of land for small business, particularly within settlements”. Chapter 4 of the Proposed Plan (SDXX, page 20) explains in para 4.1 that “Sustainable Growth in the economy of the Park is at the heart of supporting our communities, helping them become and remain vibrant and attractive places for people to live and work”. As para 4.2 and 4.3 of the Proposed Plan explains delivering successful economic growth for the future “is not just about identifying sites for new development” but also “assisting existing businesses and creating a flexible framework that allows the best economic development to thrive and prosper”. As para 4.5 explains the policy not only seeks to promote economic growth which meets the needs of communities but also to promote the National Park as a place to invest.

Policy 1.2 of the CNPPP (SDXX page 42) sets out how sustainable patterns of settlement growth, infrastructure and communications will be achieved, including consolidating the role of the existing main settlements including Granttown-on-Spey as they are “the most sustainable places for future growth and the focus for housing land supply while maintaining the integrity of designated sites”. This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) identifies Granttown-on-Spey as a ‘Main Settlement’.

#### Site H1

Gordon Bulloch (024) - The site H1 is identified for housing development in the current adopted Local Plan (SDXX page 123) albeit with a slightly different boundary. It is considered important to provide certainty to developers and communities, and to this end the continuation of this allocation is important. The site is the subject of an approved Development Brief (SDXx) which was carried forward into Supplementary Guidance (SDXX pages 95-97) and the site boundary in the Proposed Plan reflects the boundary of the approved Development Brief. The site was also considered as part of the Main Issues Report (SDXX pages XX to XX). Therefore CNPA do not support any further change to the boundary of this site.

SEPA (063) - The CNPA would not object to the additional wording on flooding as suggested by SEPA (063) being added to the end of proposal H1 so that it reads “The Kylintra Burn runs along the north west boundary of the site. SEPA holds records of flooding associated with the Burn. A FRA is likely to be required to support any development proposals”. This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

#### Site H2

Badenoch and Strathspey Conservation Group (080); Jeremy Money (058); Granttown and Vicinity Community Council (084) - The CNPA remains committed to the allocation of Housing at H2 and the identification of C1 for community use. The draft plan continues the protected open space on the corner of Castle Road and Mossie Road and which was identified in the current adopted plan but also

enables a choice of sites of housing within Grantown and provides a site to the community aspirations for community development. The site H2 was introduced in response to representations received on the informal consultation on the maps (SDXX) to ensure a choice of housing sites was available in Grantown on Spey. This reflects its role as a main settlement in the settlement hierarchy, and CNPA support for this community. The CNPA remains of the view that a choice of sites is needed. This site was considered as part of the Main Issues Report (SDXX pages XXX to XXX) and found to be suitable to allocate for housing development if required. The site to the south of Grant House continues to be allocated for Community Use.

#### Site ED1

Woodland Trust Scotland (196) - The CNPA continues to support the allocation of E1 as providing the land needed to support the economic development of the town. Other policies in the plan will ensure appropriate species surveys and appropriate design and layout, are considered as part of any proposal. The potential role of including a buffer within the scheme would be developed on a case by case basis and be informed by the latest information from species surveys etc. to support a planning application.

#### Site T1

Woodland Trust Scotland (196) - The site is currently used as a camping and caravan site and the purpose of the allocation is to support appropriate enhancements of these facilities. This is set out on page 142 of the Proposed Plan. The site is also identified for economic development site ED1 in the current adopted Local Plan (SDXX page 85). It important to provide certainty to landowners and communities and to this end the continuation of this allocation is important.

Other policies in the plan will ensure appropriate species surveys and appropriate design and layout, are considered as part of any development. The potential role of including a buffer within the scheme would be developed on a case by case basis and be informed by the latest information from species surveys etc. to support a planning application.

Gordon Bulloch (024) - Although sympathetic to the desire to clarify uses which may be appropriate at T1, the CNPA believes the plan is already clear in providing opportunity for enhancement which will be supported, and that development that would be detrimental would not be supported. Any development proposals would be considered on their merits in the event that an application is submitted and CNPA do not therefore consider additional wording on this matter is needed in the Plan.

#### Additional Housing Sites

Reidhaven Estate (035) - The CNPA do not support Reidhaven Estate (035) suggestions that the remainder of the field between the hospital and Lynemacgregor wood and that the field between H1 and T1 are also allocated for housing. These sites were considered as part of the Main Issues Report process (SDXx evidence report). These sites have also been the subject of considerable survey work in support of previous development proposals (SDXx Mossie planning application ref) which were refused. The sites are important for wading

birds and other natural heritage interests. In addition, CNPA consider the amount of land identified in Granttown on Spey to adequately meet the demand for the plan period and beyond. CNPA do not therefore support the identification and allocation of further land for housing development.

#### Additional Tourism/Economic Site

Granttown and Vicinity Community Council (084) - The land opposite the caravan park has been considered for inclusion within the settlement boundary at the time of the Main Issues Report (SDXxx evidence report page 36). A Phase one habitat survey of the site showed it to be important for wading birds and other natural heritage and it was discounted at that point due to the impact development would have on landscape and ecology. The CNPA remain of this view and do not therefore support the inclusion of this site within the settlement boundary which could indicate, incorrectly, that it was suitable for development.

#### Additional Open Space Allocations

Badenoch and Strathspey Conservation Group (080); Gordon Bulloch (024) - Regarding land identified as open space, CNPA consider the best way to protect land from development is to exclude it from the settlement boundary. Development would be resisted outside of the development boundary. Including land within the settlement boundary may indicate to prospective developers that some form of development may be appropriate. Land at the Mossie has attracted considerable strength of community objection during the plan making process (SDXx pages 118-141 of Response to Informal Consultation to Draft Settlement Maps SDXX) and inclusion of any or part of this land continues to confuse those commenting. CNPA continue to consider the most appropriate method of dealing with this parcel of land is to exclude it from the settlement boundary. It can then be viewed as other recreational space on the edge of settlements, such as Anagach Woods which provide an important facility to the local community but which do not form part of the built fabric of the settlement.

The previous approach of identifying land outside settlement boundaries was found to be confusing. As the golf course and Anagach Wood are now outside the boundary, as too is the Mossie, it is not considered necessary to allocate them as open space and to do so would undermine the consistent approach adopted throughout the draft Plan. As para 13.7 of the proposed LDP clarifies, "The plans also identify settlement boundaries, outwith which it is expected that proposals will require justification for their selected location. Where no locational need exists, development on the periphery of settlements will be resisted. "CNPA would not support a change to this approach.

Badenoch and Strathspey Conservation Group (080) – regarding land adjacent to the house Revoan CNPA have considered allocating these as open space, but on looking at their function on the ground, do not consider that they fulfil any role in providing open space to the community. They are fields used for livestock and as such are not available for recreational use. The CNPA do not therefore support their inclusion as open space.

#### Natural Heritage Issues

The CNPA welcomes the latest information from SNH on addressing the Capercaillie issue and agrees with national and international designations within

each community . The CNPA would not object to SNH's suggestion that reference to each of the five SPAs for Capercaillie should be referred to in relation to all of the development sites in the Strathspey area therefore would not object to Scottish Natural Heritage's (040) request to add Abernethy Forest SPA, Cairngorms SPA and Kinveachy Forest to the list of protected sites. The CNPA would then suggest that this new list is alphabetised, to ensure consistency throughout the Plan. Therefore the new bullet point list in para 31.7 would read to say "Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA, Kinveachy Forest SPA, River Spey SAC".

The CNPA also acknowledges that HRA may also need to be updated to reflect this latest information.

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 31.7 to say "In addition, development on land allocated in the Plan has potential to have significant effect, directly or indirectly, on a number of European designated sites, alone or in combination".

The CNPA would not object to Scottish Natural Heritage's (040) suggestion to amend para 31.8 to read "...to carry out Appropriate Assessment in order that they can be confident that your development will not have an adverse effect on the site integrity in view of the conservation objectives, either alone or in combination with other plans or projects. If the planning authority is unable to reach this conclusion, your proposal will be judged not to be in accordance with this plan and planning permission will not be granted. Specifically your proposal must address..."

The CNPA would not object to Scottish Natural Heritage's (040) to add a policy caveat at the end of the fifth bullet point of Para 31.10 saying "...subject to their protection as European designated sites" to ensure HRA compliance.

Buglife (139) – Although the CNPA agree that invertebrate species, and the need for invertebrate surveys, are important this is covered elsewhere in the plan, and in the Supplementary Guidance and does not need to be added to para 31.7

#### Settlement boundary

Badenoch and Strathspey Conservation Group (080); Gordon Bulloch (024); Zoe Cooke (167) - The CNPA do not object to the incorporation of the amendments to the settlement boundary being suggested by Zoe Cooke (167) to extend the boundary by 10m behind numbers 5 and 6 Revoan Street as this would reflect the situation on the ground. (SDXx supporting map)

Regarding the time period to fix any given boundary within the adopted development plan, the CNPA do not agree that these should be fixed for long periods of time. All planning authorities are required to produce a Local Development Plan and replace it at least every 5 years. These plans must be kept under review, and during the preparation of the new plan each planning authority must monitor changes which have occurred during the intervening five years and adjust the new plan accordingly. CNPA is following direction from government on its procedures to produce the Local Development Plan as set out in Planning Circular 1/09: Development Planning and its associated regulations,

and does not therefore support the change sought.

Explanatory Text

Gordon Bulloch (024) – Although the CNPA recognises the importance of a vibrant High Street for Grantown and recognises that a flexible approach is needed, it is felt that this is best addressed through the consideration of any applications for change of use from residential to retail and vice versa on their merits through the planning application process rather than additional wording being added to paragraph 31.5.

As all of the maps form an integral part of the Proposed Plan the CNPA does not believe any cross-referencing between the text and the maps would be beneficial, and such cross referencing, which would need to be extensive and repetitive, could in fact cause confusion.

Map

Gordon Bulloch (024) – The map of Grantown is already clearly titled. As all of the maps form an integral part of the Proposed Plan. CNPA does not believe any cross-referencing between the maps and the text would be beneficial, and such cross referencing, which would need to be extensive and repetitive, could in fact cause confusion.

**Reporter's conclusions:**

**Reporter's recommendations:**