

Issue 13	Area specific – Badenoch and Strathspey SOUTH	
Development plan reference:	25 Dalwhinnie 32 Insh 35 Kincaig and Vicinity 36 Kingussie 39 Newtonmore	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
028 Alvie Estate 187 Am Fasgadh Regeneration Company 080 Badenoch and Strathspey Conservation Group 130 Dalwhinnie Community Council 218 Kincaig and Vicinity CC 105 Kingussie and Vicinity Community Council 040 Scottish Natural Heritage 063 SEPA 196 Woodland Trust Scotland		
Provision of the development plan to which the issue relates:	25 Dalwhinnie 32 Insh 35 Kincaig and Vicinity 36 Kingussie 39 Newtonmore	
Planning authority's summary of the representation(s):		
<p>DALWHINNIE</p> <p><u>Site H1</u> Dalwhinnie Community Council (130) – Housing Site (adjacent to Station Road) - Amend to reflect the recent development of the Toll House Restaurant and bunkhouse which partly covers the site. The number of units possible on the site should be revised accordingly - believe that this number had previously been reduced to 9 when planning permission for the restaurant was granted.</p> <p>Dalwhinnie Community Council (130) - Clarify the labelling of the housing sites on the map as it does not match the text.</p> <p><u>Site H2</u> Dalwhinnie Community Council (130) – Housing Site (opposite Ben Alder Cottages) – text should be altered to ensure the protection of the trees.</p> <p>Dalwhinnie Community Council (130) - Clarify the labelling of the housing sites on the map as it does not match the text.</p> <p><u>Additional Employment Site</u> Dalwhinnie Community Council (130) - The Toll House Restaurant and bunkhouse and environs should be zoned as a community amenity and for economic development.</p> <p><u>Additional Land for Community Use</u></p>		

Dalwhinnie Community Council (130) - Request the following three sites are allocated for community use: the land (currently used as a Balfour Beatty compound) east of the A889 bounded by the River Truim between Loch Erich hotel and the SSE substation; the recently mothballed school and its environs (or allocate for economic development); and the Village Hall and its environs

Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named and consistency is needed in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) - Para 25.5 should refer to Drumochter Hills SSSI, SPA and the SAC and para 25.6 wording is not accurate in relation to Habitats Regulations and need to make it clear Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan- they have been screened in and so require high level mitigation. Need to strengthen policy caveat in para 25.7 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. Mitigation proposed in draft HRA must be picked up in the Plan.

Map

Dalwhinnie Community Council (130) - Request map correction - The village recycling facility is location by the petrol station (ED1).

INSH

Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named and consistency is needed in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) – Para 32.4 Combine bullet points to read ' Land to the north is designated as a Ramsar Convention Site and Special Protection Area (River Spey-Insh Marshes SPA/Ramsar), a Special Area of Conservation (Insh Marshes SAC and Rover Spey SAC, a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI) and a National Nature Reserve (Insh Marshes NNR) '.

Scottish Natural Heritage (040) – Para 32.6- A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.

Settlement Boundary

Badenoch and Strathspey Conservation Group (080) - Object to inclusion of land designated as European site and NNR and recommend that the Settlement Boundary is redrawn to exclude these areas. These areas should not be incorporated within a Settlement Boundary to become a part of a settlement.

KINCRAIG

Site H1

Badenoch and Strathspey Conservation Group (080) - Object as site is in conflict with all four aims of the NP. It is excessive and not compliant with the “things considered essential to the continued prosperity of the community” which include “appropriate scale and affordability of housing in keeping with local needs and character”. It includes a rich area of birch and flowers that needs protection from direct development and also from excessive recreational damage and impacts of garden invasive species should it become surrounded by 40 dwellings.

Kincraig and Vicinity Community Council (218) – Object to the allocation on important agricultural land.

SEPA (063) – Need to include: A small watercourse runs along the site boundary which is culverted under a nearby road and the topography is very low and flat so it may be susceptible to flooding. A FRA may be required to support development proposals.

Site ED1

Woodland Trust Scotland (196) - Object to ED1 because of the impact development will have on ancient woodland. If development is to occur it must include sufficient buffering. Also seek assurances that appropriate species surveys will be undertaken.

Badenoch and Strathspey Conservation Group (080) – Continue objection to the extent of this site, which includes aspen, birch and more open habitats of natural character in the north-west part of the site behind the existing smiddy building and surrounds. The land rising above the smiddy provides valuable habitat, does not appear to be particularly suited to economic developments, and has not yet been developed in spite of being allocated. Recommend allocation is redrawn to exclude the undeveloped part of the site and especially the wooded area towards the north west edge. The allocation is larger than in the current LP for which no explanation is provided.

Kincraig and Vicinity Community Council (218) - the reference to a requirement for a flood risk assessment will add costs and obstacles, yet there is no evidence of any flooding taking place in the past in this specific area.

Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named and consistency is needed in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) - Para 35.5 - Should identify SSSIs, NNRs, SACs and SPAs due to the complex nature of the multiple-designations.

Scottish Natural Heritage (040) Paras 35.6 and 35.7 - Need to reflect the importance of role of the five SPAs in Strathspey area and the non-designated woodland for connectivity with these SPAs in terms of Capercaillie and adopt a precautionary approach. Need to ensure account can be taken of all detailed ecological factors as well as information on household increase, travel distance etc. when individual proposals are assessed against Natural Heritage SG

Scottish Natural Heritage (040) - Para 35.6 - Wording is not accurate in relation to Habitats Regulations and need to make it clear Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan- they have been screened in and so require high level mitigation. Need to strengthen policy caveat in para 35.7 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. Mitigation proposed in draft HRA must be picked up in the Plan.

Alvie Estate (028) - Do not believe natural heritage designations should take precedence over people or the presumption of developing locally scarce productive farmland to protect nearby woods. The majority of River Spey pollution comes from publicly managed sewerage systems, not private ones.

Settlement Boundary

Alvie Estate (028) - Do not support clear delineation between settlement and countryside.

Badenoch and Strathspey Conservation Group (080) - Object to the Settlement Boundary around ED1 and H1.

Infrastructure

Alvie Estate (028) - Support desire to diversify and support local economy but concerned the requirement for further developer contributions to fund infrastructure will be a disincentive to development.

Explanatory Text

Kincraig and Vicinity Community Council (218) - Para 35.1 - Sport and recreation should include field sports and traditional recreation. The contradiction between this type of recreation and the presumption against hill tracks and fencing in high value wild land should be resolved to ensure the economy is properly supported.

Kincraig and Vicinity Community Council (218) - Para 35.4 - General Design Guidance should mention the importance of agricultural land

Kincraig and Vicinity Community Council (218) - Para 35.13 - Flood risk, water and drainage – requirement to connect to a public sewer is unnecessary and adds to the cost of a development which could make it prohibitively expensive.

KINGUSSIE

Meeting Housing Need

Kingussie and Vicinity Community Council (105) – Housing needs for the town for the next 10 years will be more than met through the existing permission, not five years as indicated.

Site ED1

Am Fasgadh Regeneration Company (187) – Object to the change in the allocation of this site from the adopted Local Plan. The change will reduce the overall economic development potential of site, undermine the physical integrity

of the site as an economic area, reduce the locational flexibility of different economic activities within the site, introduce the possibility of land uses adjacent to ED1, which could conflict with economic and community activities developed by ARC within ED1, limit the potential to refurbish and redevelop the existing buildings (Pitmain Lodge, MacRobert House, and the Farming Museum Building, which are excluded from ED1 (but were included in ED2 in the Local Plan). The site should be returned to that allocated in the adopted Local Plan to include the Museum Store building and surrounding area, i.e. the whole Am Fasgadh site.

Kingussie and Vicinity Community Council (105) - Object to change to ED1 and text on p.165. The adopted Local plan allocated a larger area covering the whole of the site including its adjacent car park. The allocation should return to that in the adopted Local plan to include all buildings and land associated with the Museum site. This should include the land marked as C2. Pitmain Lodge (Am Fasgadh) and McRobert House are listed buildings and should receive special protection. The land west of Spey Street is actually south east of Spey Street. Ensure text accurately reflects the compass direction for all sites. The text should be corrected. The text also suggests land is within SEPA 1 in 200 year flood risk area, although SEPA maps indicate the site is not at risk.

Site ED2

SEPA (063) - Need to include that the majority of the site is within SEPA's indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.

Kingussie and Vicinity Community Council (105) – Support this site.

Site ED3

SEPA (063) – Need to include that the site is adjacent to SEPA's indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.

Kingussie and Vicinity Community Council (105) – Support this site.

Site T1

SEPA (063) Need to include that part of the site is within SEPA's indicative 1:200 year flood risk area. A FRA may be required to accompany any further development proposals, particularly where an increase in footprint or development vulnerability is proposed.

Woodland Trust Scotland (196) - Object to T1 because of the impact development will have on ancient woodland. If development is to occur it must include sufficient buffering. Also seek assurances that appropriate species surveys will be undertaken.

Additional Employment Sites

Kingussie and Vicinity Community Council (105) – Two additional sites should be included as Economic Development. The first the industrial buildings and land lying on the north side of the railway line, adjacent to and on the western side of

the railway station buildings, and the second, land currently used as "a metals scrap yard" on the south of the railway line at the eastern end of Kingussie and adjacent to part of the area now designated as ED1.

Additional Land for Community Use

Kingussie and Vicinity Community Council (105) – The designated areas Community areas (coloured pink) omit the community area opposite the Badenoch Centre and adjoining the site of the Bowls Club, at the western end of Spey Street and adjacent to the River Gynack. This area should be designated as a community space to protect it from any inappropriate development.

Additional Open Space

Badenoch and Strathspey Conservation Group (080) – The scattered woodland and open habitats including wet areas to the north of Mid Terrace/ West Terrace should be clearly protected from development by being allocated as Open Space.

Kingussie and Vicinity Community Council (105) - The map currently does not show all open space surrounding the Kingussie High School.

Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named and consistency is needed in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) - Para 36.5 Should identify SSSIs, NNRs, SACs and SPAs due to the complex nature of the multiple-designations. Question possible typing error as these sites are predominately east rather than west of Ruthven Road.

Scottish Natural Heritage (040) – Para 36.6 Wording is not accurate in relation to Habitats Regulations and need to make it clear Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan- they have been screened in and so require high level mitigation.

Scottish Natural Heritage (040) – Para 36.7 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. Mitigation proposed in draft HRA must be picked up in the Plan.

Settlement Boundary

Kingussie and Vicinity Community Council (105) - Support the settlement boundary and core area map. Note small settlement close by Ruthven Barracks, around Gordon Hall Farm and Croy are excluded by the designations, yet are part of the larger Kingussie territorial area.

Existing Permissions

Kingussie and Vicinity Community Council (105) – Land marked grey (existing permissions) does not include the part of the site bounded by the line of the A9, the A86 and the line of the General Wade Road has permission for economic development.

Explanatory Text

Badenoch and Strathspey Conservation Group (080) – Para 16.7 - Wildcat should be added to the list.

Kingussie and Vicinity Community Council (105) – Paras 36.1 - 36.2 – text identifies Kingussie as a town. However paras 36.3, 36.4 and 36.5 refer to it as a "village". Correct to use 'town'.

Kingussie and Vicinity Community Council (105) – Para 36.5 - Point 2 - The woodland to the north of the settlement boundary, north West Terrace should be protected from development. It is probably original native birch woodland, is in the Ancient Woodland Directory, and contributes to the overall landscape and woodland setting of the town. All new development should be required to include substantial similar planting to echo and support this important feature.

Kingussie and Vicinity Community Council (105) – Para 36.5, Point 3 is misleading. The land designated as a Ramsar Convention site, SAC, SPA and SSSI lying to the south of the railway lies on both sides of the Ruthven Road. The map should be corrected.

Kingussie and Vicinity Community Council (105) – Support Para 36.9 on Landscape Priorities and Opportunities

Kingussie and Vicinity Community Council (105) – Support Paras 36.10 and 36.11 on Cultural Heritage

NEWTONMORE

Site H1

Badenoch and Strathspey Conservation Group (080) – Object as the site is excessive in scale especially as there is a large site (shown as grey) that already has permission. It is completely incompatible with the aspiration that “retention of the individual character and appeal of Newtonmore will depend on appropriate housing development which should be small-scale, of sensitive design and enhance the existing character”.

Site ED2

SEPA (063) – Add wording to say “The site is adjacent to SEPA’s indicative 1:200 year flood risk area and a small watercourse runs through the site. Depending on development location and layout, some further proposals for development would have to be accompanied by a FRA”.

Open Space

Badenoch and Strathspey Conservation Group (080) – Welcome the allocated open space and would object if these areas are reduced in size.

Natural Heritage Issues

Scottish Natural Heritage (040) - Suggest the national and international designations within each community should be named and consistency is needed in whether SSSIs are named or not when they are also European sites.

Scottish Natural Heritage (040) - Para 39.6 Should identify SSSIs, NNRs, SACs and SPAs due to the complex nature of the multiple-designations. Note that Creag Dhubh is not a SAC.

Scottish Natural Heritage (040) (040) – Para 39.7 The wording is not accurate in relation to Habitats Regulations and need to make it clear Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan- they have been screened in and so require high level mitigation.

Scottish Natural Heritage (040) – Para 39.8 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. Mitigation proposed in draft HRA must be picked up in the Plan.

Badenoch and Strathspey Conservation Group (080) – Para 39.8 - wildcat should be added to the list.

Modifications sought by those submitting representations:

DALWHINNIE

Site H1: Dalwhinnie Community Council (130) seek clarification of the labelling of the housing sites on the map as it does not match the text and an amendment to Site H1 (adjacent to Station Road) to reflect the recent permission,

Site H2: Dalwhinnie Community Council (130) seek clarification of the labelling of the housing sites on the map as it does not match the text and alteration to the text to ensure the protection of the trees.

Additional Employment Site: Dalwhinnie Community Council (130) request allocation of Toll House Restaurant as economic development

Additional Land for Community Use: Dalwhinnie Community Council (130) seek land (currently used as a Balfour Beatty compound) east of the A889 bounded by the River Truim between Loch Ericht hotel and the SSE substation, the school and its environs (or allocate for economic development) and the Village Hall and its environs to be allocated as Community Use.

Natural Heritage Issues: Scottish Natural Heritage (040) request SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also European sites. SNH (040) request amendment to second bullet point of para 25.5 (Dalwhinnie) to 'Land to the south east is also identified as a Special Area of Conservation, Special Protection Area and Site of Special Scientific Interest (Drumochter Hills SAC/SPA/SSSI)'. SNH (040) request amendment to para 25.6 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". SNH (040) request amendment to para 25.7 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...”

Map: Dalwhinnie Community Council (130) request correction to show that the village recycling facility is location by the petrol station (ED1).

INSH

Natural Heritage Issues: Scottish Natural Heritage (040) request SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also European sites. SNH (040) requests para 32.4 identifies SSSIs, NNRs, SACs and SPAs due to the complex nature of the multiple-designations.

Scottish Natural Heritage (040) - seek additional wording at the end of para 32.6 saying “Developments will not be in accordance with this plan if the Planning Authority is unable to ascertain that the proposal will not adversely affect the integrity of a European designated site, either alone or in combination with other projects and plans.”

Settlement Boundary: Badenoch and Strathspey Conservation Group (080) request amendments to the Settlement Boundary to exclude land designated as a European site and NNR.

KINCRAIG

Site H1: Badenoch and Strathspey Conservation Group (080) and Kinraig and Vicinity Community Council (218) seek the removal of the allocation from the Plan.

SEPA (063) request the inclusion of additional text saying “A small watercourse runs along the site boundary which is culverted under a nearby road and the topography is very low and flat so it may be susceptible to flooding. A FRA may be required to support development proposals.”

EDI: Woodland Trust Scotland (196) request the site is deleted from the Plan. If development is to occur it must include sufficient buffering. Also seek assurances that appropriate species surveys will be undertaken.

Badenoch and Strathspey Conservation Group (080) seek redrawing of site boundary to reflect that of current Local Plan exclude undeveloped part of the site and wooded area in north west edge. Kinraig and Vicinity CC (218) seek removal of reference to unnecessary flood risk assessment.

Natural Heritage Issues: Scottish Natural Heritage (040) request SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also

European sites. SNH (040) request amendment to second bullet of para 35.5 to read 'outside the settlement boundary, to the south east, land is designated under the Ramsar Convention (River Spey-Insh Marshes Ramsar), is a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI and River Feshie SSSI), a Special Protection Area (River Spey-Insh Marshes SPA) and Special Area of Conservation (Insh Marshes SAC and River Spey SAC)'. SNH (040) request amendment to para 35.6 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". SNH (040) request amendment to para 35.7 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...". SNH (040) request Anagach Woods SPA, Abernethy Forest SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA are added as bullet points to para 35.6. SNH (040) request the addition of 'disturbance to Capercallie' as a bullet to para 35.7.

Settlement Boundary: Alvie Estate (028) would prefer for future development of Kinraig to extend into woodland and beside Alvie school marrying the settlement into its surrounding rather than creating a hard edge between settlement and countryside.

Infrastructure: Alvie Estate (028) and Kinraig and Vicinity Community Council (218) suggest Developers should not be required to connect to public sewerage system. Alvie Estate (028) infrastructure should be funded through taxation and rates.

Explanatory Text: Kinraig and Vicinity Community Council (218) seek inclusion of field sports and traditional recreation in para 35.1, mention of the importance of agricultural land in para 35.4.

KINGUSSIE

Meeting Housing Need: Kingussie and Vicinity Community Council (105) seek amendment to the Proposals text to indicate current permission will meet housing needs for next 10 years, not 5.

Site ED1: Am Fasgadh Regeneration Company (187) and Kingussie and Vicinity Community Council (105) request the allocated site is amended to include all the land that was allocated in the adopted Local Plan. Kingussie and Vicinity Community Council (105) request that some errors are corrected, as the land west of Spey Street is actually south east of Spey Street, and that the text should accurately reflect the compass direction for all sites. Kingussie and Vicinity Community Council (105) observe the land suggested as within SEPA 1 in 200 year flood risk area is incorrect and request this is corrected.

Site ED2: SEPA (063) - Amend text to include "The majority of the site is within SEPA's indicative 1:200 year flood risk area. Development proposals may require

a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.”

Site ED3: SEPA (063) - Amend text to include “The site is adjacent to SEPA’s indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.”

Site T1: SEPA (063) request text is amended to include “Part of the site is within SEPA’s indicative 1:200 year flood risk area. A FRA may be required to accompany any further development proposals, particularly where an increase in footprint or development vulnerability is proposed.”

Additional Employment Sites: Kingussie and Vicinity Community Council (105) seek the allocation of the industrial buildings and land lying north of railway line, adjacent to and on west side of the railway station buildings, and land used as "a metals scrap yard" south of railway line at the eastern end of Kingussie and adjacent to ED1, as employment land.

Additional Land for Community Use: Kingussie and Vicinity Community Council (105) request inclusion of land opposite Badenoch Centre and adjoining the Bowls Club as community area (coloured pink).

Additional Open Space: Badenoch and Strathspey Conservation Group (080) suggest the woodland and open north of Mid Terrace/ West Terrace should be allocated as Open Space. Kingussie and Vicinity Community Council (105) seek inclusion of the open space surrounding the Kingussie High School as open space.

Natural Heritage Issues: Scottish Natural Heritage (040) request SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also European sites. Scottish Natural Heritage (040) request the second bullet of para 36.5 is amended to read ‘Land south of the railway to the east of Ruthven Road is designated as a Ramsar Convention Site (River Spey-Insh Marshes Ramsar), is a Special Area of Conservation (Insh Marshes SAC and River Spey SAC)’, a Special Protection Area (River Spey-Insh Marshes SPA), a National Nature Reserve (Insh Marshes NNR) and a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI). Scottish Natural Heritage (040) request para 36.6 is amended 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”. Scottish Natural Heritage (040) request para 36.7 is amended 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...”

Settlement Boundary: Kingussie and Vicinity Community Council (105) - Support

the proposed settlement boundary

Existing Permissions: Kingussie and Vicinity Community Council (105) seek to amend the boundary of the land marked grey (existing permissions) to include the site bounded by the line of the A9, the A86 and the line of the General Wade Road which has permission for economic development.

Explanatory Text: Kingussie and Vicinity Community Council (105) seeks the replacement of references to 'village' with 'town' in paras 36.1 - 36.5. Kingussie and Vicinity Community Council (105) request clarification of point two in para to protect the woodland north of the settlement boundary; woodland north of West Terrace; and the requirement that all new development be required to include substantial similar planting to echo and support this important feature. Kingussie and Vicinity Community Council (105) seek a correction to point three of para 36.5 regarding land designated as a Ramsar Convention site, SAC, SPA and SSSI which lies on both sides of the Ruthven Road. They also request the map is corrected. Badenoch and Strathspey Conservation Group (080) seek the addition of wildcat to the list in para 16.7.

NEWTONMORE

Site H1: Badenoch and Strathspey Conservation Group (080) seek the removal of this site from the Plan.

Site ED2: SEPA (063) - Amend wording to include "The site is adjacent to SEPA's indicative 1:200 year flood risk area and a small watercourse runs through the site. Depending on development location and layout, some further proposals for development would have to be accompanied by a FRA."

Open Space Allocations: Badenoch and Strathspey Conservation Group (080) seek assurances open space allocations in the village will not be reduced in size.

Natural Heritage Issues: Scottish Natural Heritage (040) request SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also European sites. SNH (040) request an amendment to the second bullet of para 39.6 to say 'Land to the west is also registered in the Ancient Woodland Inventory and is designated as a Site of Scientific Interest (Creag Dhubh SSSI) and amend third bullet of para to say 'Land to the south of the railway is designated as a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI, with River Spey SSSI to north of railway line), a Special Protection Area (River Spey-Insh Marshes SPA), a Special Area of Conservation (Insh Marshes SAC and River Spey SAC) and is a Ramsar Convention Site (River Spey-Insh Marshes Ramsar). SNH (040) request an amendment to para 39.7 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". SNH (040) request an amendment to the text of para 39.8 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) – Para 39.8 – add wildcat to the list.

Summary of responses (including reasons) by planning authority:

DALWHINNIE (Proposed LDP pages 114-119)

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) identifies Dalwhinnie as one of the ‘Other Settlements with sites for development’.

Site H1

Dalwhinnie Community Council (130) - The site H1 is identified for housing development in the current adopted Local Plan (SDXX 119). It important to provide certainty to developers and communities and to this end the continuation of this allocation is important. The labelling on housing sites has been checked as requested. It would appear that the Dalwhinnie Community Council (130) have been referring to the map in the current adopted Local Plan - adopted October 2010 (SDXX page 119) rather than the map in the Proposed Local Development Plan, April-July 2013 (SDXX) when making their comments. The adopted plan

included three housing sites in Dalwhinnie. Site DW/H1 to the north of the village has been carried forward into the Proposed Local Development Plan as Site H1 (page 119). Site DW/H2, a site just below H1, adjacent to Station Road, is now shown as grey (an existing permission) in the Proposed Local Development Plan (planning permission ref SDXxx). Site H3 to the southern end of the village has been carried forward into the Proposed Local Development Plan but renamed Site H2. The Plan therefore already reflects the planning permission granted for the site adjacent to Station Road, and to amend the Plan in the way suggested by the Community Council would not be accurate. No further change is therefore considered necessary to address this representation.

Site H2

Dalwhinnie Community Council (130) - The site H2 was identified for housing development in the current adopted Local Plan (SDXX page 119) but it was referred to as DW/H3. As above, it is considered important to provide certainty to developers and communities and to this end the continuation of this allocation is important. The CNPA are sympathetic to the Community Council's concerns about trees on the site of H2 and text already states that "Development on this site should retain, where possible the existing mature trees" (Proposed Local Development Plan SDXX page 116). Further protection of trees is provided by other policies in the Plan, notably those on Natural Heritage (pgs 26-30) which protect habitats, biodiversity and ecosystems and the policy on Landscape (pgs 31-33) which require development to conserve and enhance the character and special qualities of the National Park. Additional wording to the text on page 116 in relation to H2 is therefore felt unnecessary, as the trees are already protected.

Additional Employment Site

Dalwhinnie Community Council (130) - As the Plan states in para 13.3 (SDXX pg 51) the purpose of the community plans section of the Plan (from page 51-193) is to "identify parcels of land where development can help provide support for and maintain sustainable communities across the Park. Para 13.4 (SDXX page 51) of the Plan explains "It is also important to support existing uses, which, although not specifically identified, are vitally important to the community. Proposals to change uses away from the existing use without clear justification and suitable alternatives being provided will be resisted".

Therefore although the CNPA recognises the importance placed on The Toll House Restaurant and Bunkhouse it is not felt that formal allocation of this site for economic uses would contribute anything. Protection is already provided for economic development uses by other policies in the plan, notably the final section of Policy Four: Supporting Economic Growth (Proposed Local Development Plan page 22) which states 'Any proposal which would reduce the range and quality of businesses or tourism attractions and facilities will be resisted unless it can be demonstrated that there will be no adverse impact on the local economy or on the quality of visitor's experience'. The Plan must be read as a whole, and no further change is considered necessary.

Additional Land for Community Uses

Dalwhinnie Community Council (130) - The suggestion from Dalwhinnie Community Council (130) that the old school and its environs should be allocated for both community use and economic development is not supported by CNPA. It

is considered such a change would be confusing and is not supported for the reasons outlined in the paragraph above. Although the CNPA is supportive of the efforts of the community to secure the old school for community use, the proposed policies would not prevent this from occurring. It is felt that this is an issue best addressed through pre-application advice and a planning application, rather than a change to the Proposed Local Development Plan. Likewise, the issue of the reinstatement of car parking and tree planting at the current Balfour Beatty compound is already a requirement of the planning permission (planning permission ref SDXxx). Any request to use the site in an alternative way, including as a compound for the A9 dualling project would require a new planning application, which would be considered on its merits and be subject to normal consultation with key stakeholders. CNPA do not therefore support any change to the Local Development Plan which would duplicate this process.

The Plan already provides for the retention of community uses in the policy section of the Plan, and as para 13.4 (SDXX page 51) of the Plan explains “It is important to support existing uses which, although not specifically identified, are vitally important to the community. Proposals to change uses away from the existing use without clear justification and suitable alternatives being provided will be resisted”. This rationale has been applied consistently throughout all community sections of the Proposed Local Development Plan, and to change this would necessitate the allocation of all the existing schools, businesses and land used for community uses which would give the incorrect impression that such sites are identified and as being available for re-development.

The CNPA therefore does not support the view of Dalwhinnie Community Council (130) that it is necessary to allocate the land currently used as a Balfour Beatty compound (to the east of the A889 bounded by the River Truim between Loch Erich hotel and the SSE substation) or the school and its environs, or the Village Hall and its environs for Community Uses.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage (040) request that SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and agree there is a need for consistency in naming SSSIs when they are also European sites.

The CNPA would not therefore object to SNH (040) requested amendment to second bullet point of para 25.5 to say ‘Land to the south east is also identified as a Special Area of Conservation, Special Protection Area and Site of Special Scientific Interest (Drumochter Hills SAC/SPA/SSSI)’ as this would aid clarity.

The CNPA would not object to Scottish Natural Heritage (040) suggested amendments to the wording of 25.6 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” as this would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

The CNPA would not object to Scottish Natural Heritage (040) suggested amendments to the wording of 25.7 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...” as the additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

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

Map

Dalwhinnie Community Council (130) – CNPA accept the error made in the settlement map regarding the location of the recycling facility and wish to correct this as a non-notifiable modification. (SDxx map)

INSH (Proposed LDP pages 145-149)

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage (040) request to identify SSSIs, NNRs, SACs and SPAs in para 32.4 SNH by combining the bullet points to read ‘Land to the north is designated as a Ramsar Convention Site and Special Protection Area (River Spey-Insh Marshes SPA/Ramsar), a Special Area of Conservation (Insh Marshes SAC and River Spey SAC), a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI) and a National Nature Reserve (Insh Marshes NNR)’ as this would aid clarity.

The CNPA would also not object to SNH's suggestion of adding additional wording to the end of para 32.6 saying “Developments will not be in accordance with this plan if the Planning Authority is unable to ascertain that the proposal will not adversely affect the integrity of a European designated site, either alone or in combination with other projects and plans” as this would aid clarity.

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

Settlement Boundary

Badenoch and Strathspey Conservation Group (080) - The CNPA does not support the representation made by Badenoch and Strathspey Conservation Group (080) that land within a National Nature Reserve cannot be included within a settlement boundary. The designation of a NNR already offers protection from inappropriate development, and this is further amplified by the policies in Section 6 of the Proposed Local Development Plan pgs 26-30 (SDXX). The boundary as currently drawn reflects a sensible boundary to the settlement which is defensible on the ground. The CNPA therefore would not support any change to the settlement boundary.

KINCRAIG (Proposed LDP pages 158-161)

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) designates Kincaig as one of the ‘Other Settlements with sites for development’.

Site H1

Badenoch and Strathspey Conservation Group (080); Kincaig and Vicinity Community Council (218) - The site H1 is identified for housing development in the current adopted Local Plan (SDXX page 123). It 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 is carried forward into proposed Supplementary Guidance (SDXX pages 98-101). The site was considered as part of the Main Issues Report (SDXX pages XXX to XXX). The CNPA continues to believe that some development at Kincaig is essential to help maintain the prosperity of the community and the scale of development is appropriate. The proper application of other policies in the Plan, notably those Sustainable Design and Natural Heritage (Proposed Local Development Plan SDXX page 24 and pg 27-28) will ensure that any development is in keeping with local needs and character and any impacts on natural heritage interests are appropriately addressed. The Plan must be read as a whole and CNPA do not therefore consider there to be a need for any further change to the text.

Housing Policy, as set out in Chapter Four in the Proposed Plan (SDXX page 17) clearly sets out how new developments are required to contribute to affordable.

This site will be required to make its contribution. The allocation of sites for housing, including this site at Kincaig, does not conflict with the aims of the National Park, as set out on CNPAs response to the issue of Housing Land Supply (Issue xxx). Further, the CNPA as Local Development Planning Authority for the Park area is required to plan properly for future growth and development in the Park, taking into full account the four aims of the National Park, as is clearly explained in Introductory chapter of the Plan (SDXX pgs 6-12).

The largely rural nature of the National Park results in the majority of housing and other sites allocated in the plan as greenfield sites, and many of these are currently used for agriculture. This is the case in most rural area. In order to meet the housing needs of the area some development of agricultural land is therefore inevitable and therefore concerns raised about the loss of agricultural land, do not alter the CNPA's position that the land should be allocated for housing.

SEPA (063) - The CNPA would not object to the incorporation of additional wording at the end of H1 as suggested by SEPA (063) saying "A small watercourse runs along the site boundary which is culverted under a nearby road and the topography is very low and flat so it may be susceptible to flooding. A FRA may be required to support development proposals" as the additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

Site ED1

Woodland Trust Scotland (196); Badenoch and Strathspey Conservation Group (080) - The site ED1 is identified for employment use in the current adopted Local Plan, albeit with a slightly smaller boundary (SDXX page 123). It important to provide certainty to developers and communities and to this end the continuation of this allocation is important. The site is already partly used for economic development and CNPA continues to believe that focusing further development on this site to consolidate existing uses will provide Kincaig with opportunity for economic expansion which is essential to help maintain the prosperity of the community. The CNPA therefore continues to support ED1 as a site suitable of providing employment land in Kincaig. Other policies in the plan already 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.

The site was allocated in the adopted Local Plan (2010). The fact that the site has not been further developed may be a reflection of the current economic climate or the newness of the Plan. In any case, the Plan must take a longer term view, and plan for anticipated growth in the future once the economic recovery is under way. In looking at the site on the ground the boundary drafted is slightly larger than the one shown in the current Local Plan. CNPA consider the proposed boundary (SDXxx page 123) to be appropriate and reflects defensible boundaries. The CNPA would therefore not support any amendment to this boundary.

Kincaig and Vicinity Community Council (218) - The requirement for a flood risk

assessment is on the advice of SEPA, who have also requested changes to the plan in relation to Site H1 (see above) due to the risk of flooding. The objection from SEPA clearly indicates that the topography of the land is a key flood risk factor in this location. Therefore although the CNPA is sympathetic to the view expressed by Kincaig and Vicinity Community Council (218) that an FRA will add costs and possible delays to any development, in the interest of transparency and accuracy it is essential for the Plan to flag up this issue in order to assist developers and communities to understand what is required to enable development to proceed.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage's (040) request that SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and agree there is a need for consistency in naming SSSIs when they are also European sites. Therefore, the CNPA would not object to Scottish Natural Heritage's (040) suggested amendments to the wording of the the second bullet points of 35.5 to read 'outside the settlement boundary, to the south east, land is designated under the Ramsar Convention (River Spey-Insh Marshes Ramsar), is a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI and River Feshie SSSI), a Special Protection Area (River Spey-Insh Marshes SPA) and Special Area of Conservation (Insh Marshes SAC and River Spey SAC)'.

The CNPA would not object to Scottish Natural Heritage's (040) suggested amendments to the wording of the paragraphs and bullet points of 35.6, 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", as this would aid clarity.

The CNPA would also not object to Scottish Natural Heritage's (040) suggested amendments to the wording of the paragraphs and bullet points of 35.7 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..." as the additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

The CNPA would not object to Scottish Natural Heritage's (040) request to add Anagach Woods SPA, Abernethy Forest SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA as bullet points to para 35.6. The CNPA would suggest the new list of eight designated sites is listed alphabetically for consistency throughout the plan. This would mean the amended list would read "Anagach Woods SPA, Abernethy Forest SPA, Cairngorms SPA, Craigmore Wood SPA, Insh Marshes SPA, Kinveachy Forest SPA, River Spey-Insh Marshes SPA and Ramsar site, River Spey SAC".

The CNPA would not object to Scottish Natural Heritage's (040) request to add 'disturbance to Capercaillie' as a new bullet in para 35.7. The CNPA would

suggest this would be a logical third bullet point.

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

The planning process for new development requires careful balanced consideration of all the relevant issues and interests. The CNPA does not accept does not accept the suggestion by Alvie Estate that natural heritage designations take precedence over people, or vice versa, a careful balancing act is always required.

Alvie Estate (028) - The CNPA does not accept the suggestion by Alvie Estate (028) that there is a presumption of developing locally scarce productive farmland to protect nearby woods and has seen no evidence to support their contention that the majority of River Spey pollution comes from publicly managed sewerage systems, not private ones. CNPA do not therefore support any change to reflect the representation made.

Settlement Boundary

Alvie Estate (028); Badenoch and Strathspey Conservation Group (080) - The CNPA does not support the suggestion by Alvie Estate (028) that development of Kinraig to extend into woodland and beside Alvie school as a defensible boundary is a key part of good planning preventing creep of the settlement into its surrounding. The creation of a hard edge between settlement and countryside is a useful and necessary development management tool.

The CNPA does however recognise the importance of natural heritage and open space to community and the role of woodland within the centre of the village. CNPA would therefore support an amendment to the settlement map to identify the centre of village as Open Space thus ensuring its continued use and protection from development (include map xx)

Infrastructure

Alvie Estate (028) - Infrastructure is funded through a variety of sources. It is a requirement of planning policy and good planning that developments which create infrastructure demands make a contribution to this new provision, which would not be necessary if the development did not occur. It is SEPA's policy position that connection to the public sewer in settlements already drained by a public sewerage system represents the most sustainable option when dealing with waste water. (SDXx SEPA policy statement WAT-PS-06-08). CNPA do not therefore consider it unreasonable to expect developers to connect to public sewerage system and factor the costs of this into any site value appraisal. CNPA do not therefore support any change to this position.

Explanatory Text

Kinraig and Vicinity Community Council (218) - The CNPA does not believe specific reference to field sports and traditional recreation is necessary in para 35.1 as these issues come under the broader umbrella of working the land and recreation. However, if the Reporter felt it was important this community wish was incorporated CNPA would not object.

The CNPA does not agree with Kincaig and Vicinity Community Council (218) that there is a conflict between supporting sport and recreation in the village of Kincaig and the economic impact implied by Kincaig and Vicinity Community Council (218) of the CNPA's approach to hilltracks and fencing in high value wild land. The CNPA recognises the importance of ensuring the economy is properly supported and provides guidance on how this might be achieved through text set out in Supplementary Guidance (SDXxx page 42) in the top box on page 42 where text clarifies there is a "presumption against development which does not complement and enhance the landscape character and its special qualities". This does not equate to a presumption in favour of, or against, hill tracks and fencing in upland area. As para 6.25 Draft Supplementary Guidance (SDXX pg 44) explains, applicants should ensure any development including access tracks should not adversely impact on wildness. It is also noteworthy that many of the activities referred to do not require planning permission, and as such the CNPA cannot use planning powers in relation to this issue. More information on this issue can be found in the National Park Partnership Plan (SDXX) which includes information on new hill tracks (see pg 36) and deer fencing (see pg 64). NPPP seeks to minimise the impact new and existing tracks and fencing on the landscape. The CNPA does not therefore believe that any additional information needs including in the Local Development Plan.

The CNPA recognises support and value the importance of agriculture to the National Park but not see any benefit in mentioning the importance of agricultural land in para 35.4 which is a text paragraph considering general design. The CNPA is concerned that such a change could create confusion, as agricultural developments do not require planning permission.

KINGUSSIE (proposed LDP pages 162-167)

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. 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 explain 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 Kingussie as they are “the most sustainable places for future growth and the focus for housing land supply focusing new growth on the while maintaining the integrity of designated sites”. This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) identifies Kingussie is a ‘Main Settlement’.

As paras 36.1, 36.2, and 36.3 of the Proposed Plan (SDXX) explain Kingussie is a popular tourist destination, and although residents wish to see its physical appearance and atmosphere protected there is “a need to improve the amount and quality of tourism facilities in the town”. There are some concerns about the adequacy of infrastructure and employment opportunities as a result of the large number of new houses that already have planning permission.

Meeting Housing Need

Kingussie and Vicinity Community Council (105) - The Main Issues Report-Background Evidence 1 Housing and Population (SDXX) sets out how the housing land requirements have been calculated. The requirements for housing over the next five years are set out in Table 19 (SDXX page 37). These tables set out the requirements for all five of the Cairngorms National Park’s constituent local authorities’ parts. Pages 38 and 39 of the Housing and Population Evidence Report go on to explain how account has been taken of existing permissions. The existing permission at Kingussie has been taken into account in these calculations and therefore contributes to current available and deliverable five year housing the land supply, as well as contributing further into the future.

The reference to the ‘next five years’ in the Housing Proposals Section on page 165 of the Proposed Local Development Plan relates to the Plan Period – five years from adoption, and is used in the context of explaining why further housing sites are not allocated in Kingussie. Further information on the contribution this site will make to the housing land supply for Kingussie beyond this time are set out in the updated evidence report which accompanied the publication of the Proposed Local Development Plan (SDXxx table 27 page 37). This table sets out

the figures for up to 20 years from plan adoption, and in the case of Kingussie, the total of 300 is considered to contribute over the full 20 year period. CNPA has accepted in its response to Issue xx Housing land supply/Spatial Strategy, that an amendment to this information is needed to clarify the position for years 5-10 and has made a suggestion accordingly. CNPA would support this information being embedded within the text of the plan itself, rather than being annexed in a supporting document. SDXxx sets out CNPA's suggestion of how this might be achieved.

Site ED1

Am Fasgadh Regeneration Company (187); Kingussie and Vicinity Community Council (105) - The CNPA supports Am Fasgadh Regeneration Company (187) and Kingussie and Vicinity Community Council (105) request to amend the boundaries of Site ED1 to include all of the land that was allocated as for economic development as ED2 in the adopted Local Plan. This would result in the land currently identified as Allocation C2 for Community Use, and the adjacent land between C2 and ED1 being incorporated into a single employment land allocation. (SDXxx map to illustrate) and the deletion of C2 from the Community Section, and subsequent renumbering of C3 as C2 on the proposals map (SDXxx map to illustrate). These changes would enable the community's vision for a comprehensive regeneration of this site to be planned for in a holistic way. The CNPA is supportive of this initiative and would not object to the Proposed Plan being modified in the way suggested as this would help to facilitate the community's aspirations for this land.

It would appear that the Kingussie and Vicinity Community Council (130) have been referring to the text in the current adopted Local Plan - adopted October 2010 (SDXX page 98) rather than the map in the Proposed Local Development Plan, April - July 2013 (SDXX) when making their comments. The adopted Local Plan includes reference in KG/ED2 to land west of Spey street and includes other compass directions when reference sites. However, the Proposed Local Development Plan (SDXX pages 162-167) does not include any such references, and as such there is no need to amend any of the text in response to this point.

Regarding flood plain information, the CNPA uses third party information from SEPA about floodplains. SEPA have been consulted on the Proposed Local Development Plan and have not advised the CNPA of any changes. Therefore no changes are needed in response to KVCC (105) observation that the land suggested as within SEPA 1 in 200 year flood risk area is incorrect, as the CNPA have not been advised that this is the case.

Site ED2

SEPA (063); Kingussie and Vicinity Community Council (130) - The CNPA would not object to the inclusion of SEPA's (063) additional wording at the end of Site ED2 saying "The majority of the site is within SEPA's indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed."

This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

The CNPA would suggest that the creation of a new section on ED2, separate from ED3 would aid clarity. This new section ED3 could then read in full “ED2: Council Depot provides much needed economic development in the community and should be protected from adverse development or any reduction in facilities which support the wider economy. “The majority of the site is within SEPA’s indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.”

Site ED3

SEPA (063); Kingussie and Vicinity Community Council (130) - The CNPA would not object to the inclusion of SEPA’s (063) additional wording for Site ED3 saying “The site is adjacent to SEPA’s indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed.”

This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

The CNPA would suggest that the creation of a new section on ED3, separate from ED2 would aid clarity. This new section ED3 would then read in full “ED3: McCormack’s Garage provides much needed economic development in the community and should be protected from adverse development or any reduction in facilities which support the wider economy. The site is adjacent to SEPA’s indicative 1:200 year flood risk area. Development proposals may require a FRA to accompany them, particularly if an increase in development vulnerability or footprint is proposed”.

Site T1

SEPA (063) - The CNPA would not object to the inclusion of SEPA’s (063) additional wording at the end of Site T1 so that it says “Part of the site is within SEPA’s indicative 1:200 year flood risk area. A FRA may be required to accompany any further development proposals, particularly where an increase in footprint or development vulnerability is proposed.”

This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

Woodland Trust Scotland (196) - The CNPA remains committed to the allocation of T1 for tourism uses. 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.

Other policies in the plan will already 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. CNPA do not therefore support any change to the text or allocation relating to T1.

Additional Employment Sites

Kingussie and Vicinity Community Council (130) - Although the CNPA recognises the importance placed on the current industrial buildings and land lying north of railway line, adjacent to and on west side of the railway station buildings, and the metals scrap yard south of railway line at the eastern end of Kingussie, it is not felt necessary to allocate these sites as employment land. They are already protected for economic development uses by other policies in the plan, notably the final section of Policy Four: Supporting Economic Growth (Proposed Local Development Plan page 22) which states 'Any proposal which would reduce the range and quality of businesses or tourism attractions and facilities will be resisted unless it can be demonstrated that there will be no adverse impact on the local economy or on the quality of visitor's experience'. The Plan must be read as a whole and CNPA do not therefore support the addition of these sites as allocations.

Additional Land for Community Uses

Kingussie and Vicinity Community Council (130) - As has already been explained above the purpose of the community plans section of the Plan (from page 51-193) is to "identify parcels of land where development can help provide support for and maintain sustainable communities across the Park. Para 13.4 (SDXX page 51) of the Plan explains "It is also important to support existing uses, which, although not specifically identified, are vitally important to the community. Proposals to change uses away from the existing use without clear justification and suitable alternatives being provided will be resisted". It is therefore not necessary to allocate land opposite Badenoch Centre and adjoining the Bowls Club as for Community Use, as suggested by Kingussie and Vicinity Community Council (105) and to do so could give the incorrect impression that such sites are identified and available for re-development.

Additional Open Space

Badenoch and Strathspey Conservation Group (080); Kingussie and Vicinity Community Council (130) - The CNPA believes it is not necessary to identify the land include surrounding the Kingussie High School as open space, as suggested by Kingussie and Vicinity Community Council (105) . This is because the land forms part of the school and its environs, rather than an area of open space which could, potentially be used for another use. The CNPA considers the addition of this land would not add to the overall settlement plan for Kingussie, and does not therefore support this suggestion.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage (040) request that SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and agree there is a need for consistency in naming SSSIs when they are also European sites.

The CNPA would not object to Scottish Natural Heritage (040) suggestion that the second bullet of para 36.5 is amended to read 'Land south of the railway to the east of Ruthven Road is designated as a Ramsar Convention Site (River Spey-Insh Marshes Ramsar), is a Special Area of Conservation (Insh Marshes SAC and River Spey SAC)', a Special Protection Area (River Spey-Insh Marshes SPA), a National Nature Reserve (Insh Marshes NNR) and a Site of Special

Scientific Interest (River Spey-Insh Marshes SSSI).’

SNH (040) request para 36.6 is amended 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 (040) suggestion that the para 36.7 is amended 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...”

This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

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

Existing Permissions

Kingussie and Vicinity Community Council (105) - The observations from Kingussie and Vicinity Community Council (105) that the land marked grey (existing permissions) should be extended to include site bounded by the line of the A9, the A86 and the line of the General Wade Road with permission for economic development is noted. CNPA accept that where land is identified in the final Plan as ‘with existing permission’ the boundary must accurately reflect the permission granted. This is a factual update, and CNPA therefore seek to update this information as a non notifiable modification.

Explanatory Text

Badenoch and Strathspey Conservation Group (080) - It would appear that Badenoch and Strathspey Conservation Group (080) request to add a reference to wildcats to para 16.7 should in fact refer to para 36.7 (which is in the Kingussie section and relates to Natural Heritage interests. Although the CNPA recognises the importance of wildcats, 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 36.7 as information on wildcats is not necessary to enable the planning authority to carry out an Appropriate Assessment.

Kingussie and Vicinity Community Council (130) - The CNPA would not object to Kingussie and Vicinity Community Council (105) request to refer to ‘town’ and not ‘village’ in paras 36.3 - 36.5. CNPA do not object to this community led suggestion, and consider this could be dealt with as a non-notifiable modification.

The CNPA does not however agree with Kingussie and Vicinity Community Council (105) suggestion that the second bullet point of para 36.5 requires clarification in order to protection of woodland north of the settlement boundary or the woodland north of West Terrace. The text at para 36.5 relates specifically to woodland identified in the Ancient Woodland Inventory. Much woodland

surrounding Kingussie is included within this designation and CNPA considers the text sufficiently clear to ensure applicants get an understanding that they must consider the impact their proposal would have on such woodland. It is the intention of CNPA to provide this third party data as a separate suite of information on its web site to support the Local Development Plan. The CNPA do not however consider it appropriate to embed this third party information within the plan. CNPA is therefore committed to this provision of this additional information once the LDP is adopted. CNPA does not support any change to the plan or maps in this regard.

Regarding mitigation or compensatory planting, the requirements for this is set out in supplementary guidance (SDXxx page 26-41 Natural Heritage). CNPA do not consider it appropriate to repeat this detailed guidance within the Plan itself.

Further, CNPA does not agree with Kingussie and Vicinity Community Council (105) that the text of bullet point three in para 36.5 requires correction. The CNPA relies on third party data (from SNH) to indicate the boundary of the various Natural Heritage Designations in the Park. SNH have not identified any errors in the mapping and at the scale of the current map for Kingussie it is, and remains accurate to say that that the Ramsar Convention site, SAC, SPA and SSSI to the west, not on both sides of the Ruthven Road. As above, CNPA is committed to the provision of this third party information in support of the adopted LDP, but does not consider it appropriate to embed this within the Plan. CNPA does not therefore consider it appropriate to make any further change.

Correction of Spelling Error

The word 'undertaken' has been incorrectly spelt in para 36.3 on page 162 and the word 'area' is a missing its capital letter in the first bullet point of para 36.5 on page 163. The CNPA would seek to correct these as a non-notifiable modification.

NEWTONMORE (proposed LDP pages 178 -183)

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. 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 explain 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 Newtonmore as they are “the most sustainable places for future growth and the focus for housing land supply focusing new growth on the while maintaining the integrity of designated sites”. This settlement hierarchy is illustrated by a diagram on page 43 of the CNPPP (SDXX) showing Newtonmore is a ‘Main Settlement’.

As paras 39.1, 39.2, and 39.3 of the Proposed Plan (SDXX) explain Newtonmore is popular with outdoor enthusiasts and home to a healthy tourist trade. There are concerned around the ageing of its population and the need for new development to be sensitively designed and small scale.

Site H1

Badenoch and Strathspey Conservation Group (080) - A larger version of the site H1 is identified for housing development in the current adopted Local Plan (SDXX page 103). This included the site now shown as H1 in the proposed Local Development Plan and the land shown in the proposed Local Development Plan as an existing permission. This reflects the fact that part of the site now has planning perm (SDXxx planning permission). CNPA consider it 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 (SDXxx). This has been carried forward into the proposed Supplementary Guidance (SDXX pages 102-105) and was considered as part of the Main Issues Report (SDXX pages XXX to XXX). The CNPA remains committed the allocation of H1 and believes the site provides for the long term growth requirements for Newtonmore which is recognised as a Main Settlement in the settlement hierarchy.

Site ED2

SEPA (063) - Part of the site ED2 was identified for employment use in the current adopted Local Plan (SDXX page 103) it important to provide certainty to developers and communities, and to this end the continuation of this allocation is important. The allocation has been extended in order to allow as the Proposed Plan (SDXX, page 181) explains for the consolidation of the economic provision of this site. This recognises Newtonmore's role as a Main Settlement in the settlement hierarchy. The CNPA would not object to the incorporation of the additional wording at the end of ED2 as suggested by SEPA (063) saying "The site is adjacent to SEPA's indicative 1:200 year flood risk area and a small watercourse runs through the site. Depending on development location and layout, some further proposals for development would have to be accompanied by a FRA." This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

Open Space

Badenoch and Strathspey Conservation Group (080) - No reductions in the Open Space in Newtonmore are proposed. No change is therefore considered necessary.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage's (040) request that SACs, SPAs, Ramsar sites, NNRs and SSSIs are named within the relevant community section of the plan and that there is consistency in naming SSSIs when they are also European sites. Therefore, the CNPA would not object to Scottish Natural Heritage (040) suggestion that the second bullet of para 39.6 should be amended to read "Land to the west is also registered in the Ancient Woodland Inventory and is designated as a Site of Scientific Interest (Creag Dhubh SSSI) and amend third bullet of para to say 'Land to the south of the railway is designated as a Site of Special Scientific Interest (River Spey-Insh Marshes SSSI, with River Spey SSSI to north of railway line), a Special Protection Area (River Spey-Insh Marshes SPA), a Special Area of Conservation (Insh Marshes SAC and River Spey SAC) and is a Ramsar Convention Site (River Spey-Insh Marshes Ramsar) ", as this would aid clarity.

The CNPA would not object to Scottish Natural Heritage (040) suggestion that para 39.7 should be amended 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", as this would aid clarity.

The CNPA would not object to Scottish Natural Heritage's (040) suggestion that para 39.8 should be amended to say "...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..." This additional wording would aid clarity and assist developers and communities to understand what is required to enable development to proceed.

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

Badenoch and Strathspey Conservation Group (080) – 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 39.8 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.

Reporter's conclusions:

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Reporter's recommendations:

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