

Issue 15	Miscellaneous Settlements	
Development plan reference:	15 Angus Glens 18 Blair Atholl 21 Bruar and Pitagowan 22 Calvine 28 Glenlivet 30 Glenshee 34 Killiecrankie 37 Laggan 41 Tomintoul	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
165 Anthony Hill 046 Blair Atholl and Struan Community Council 176 Ewan McIntyre 172 Isabel and Ewan Hay 110 Perth and Kinross Council 239 Ristol 051 Scottish Government 040 Scottish Natural Heritage 234 Stuart Richardson 070 The Crown Estate 196 Woodland Trust Scotland		
Provision of the development plan to which the issue relates:	15 Angus Glens 18 Blair Atholl 21 Bruar and Pitagowan 22 Calvine 28 Glenlivet 30 Glenshee 34 Killiecrankie 37 Laggan 41 Tomintoul	
Planning authority's summary of the representation(s):		
<p>ANGUS GLENS</p> <p><u>Natural Heritage Issues</u> 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. Para 15.5 - Reference to Glen Isla and Glen Esk natural heritage designations and SSSI should be included. Specific mention of European sites should be included in the bullet points. Para 15.6- A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.</p> <p>BLAIR ATHOLL</p>		

Site ED1

Woodland Trust Scotland (196) - Object to sites ED1 due to impact of development on ancient woodland. Suggest if development occurs it must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Site C1

Blair Atholl and Struan Community Council (046) - Request the text is clarified to indicate what development might be possible at Tilt Caravan Park. Seek clarification that housing may be possible on community use sites.

Stuart Richardson (234) - Objects to site C1. Land should remain as a caravan park.

Woodland Trust Scotland (196) - Object to C1 due to impact of development on ancient woodland. Suggest if development occurs it must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Site T1

Woodland Trust Scotland (196) - Object to sites T1 due to impact of development on ancient woodland. Suggest if development occurs it must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Natural Heritage Issues

Scottish Natural Heritage (040) - Reference should be made to Blair Atholl Meadow to east of settlement boundary. Para 18.7 - 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. Para 18.8 - 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.

Settlement Boundary

Blair Atholl and Struan Community Council (046) - Request full consultation if changes to the settlement boundary are considered.

Map

Blair Atholl and Struan Community Council (046) - There is a recycling centre in Blair Atholl in the car park opposite the entrance to the Castle, this should be shown on the map.

BRUAR and PITAGOWAN

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. Para 21.4 - Need to clarify Bruar Water and River Garry are part of River Tay SAC. Para 21.5- A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.

Need for Settlement Boundary

Perth and Kinross Council (110) - Settlement boundaries should be identified for Braur/Pitagowan, Calvine and Glenshee as they were in the Perth and Kinross Highland and Eastern Area Local Plans.

Developer Contributions

Ristol (239) – Para 21.10 Need to ensure viability of developments is not adversely affected. A level of latitude should be introduced to ensure levels of contributions consider viability and accord with the provisions of Circular 3/2012. Para 21.18 Support recognition of the importance of the House of Bruar as an employer and tourist destination.

CALVINE

Need for Settlement Boundary

Perth and Kinross Council (110) - Settlement boundaries should be identified for Braur/Pitagowan, Calvine and Glenshee as they were in the Perth and Kinross Highland and Eastern Area Local Plans.

Developer Contributions

Ristol (239) – Para 22.10 Provision for developer contributions and infrastructure should not be at the expense of impacting upon the viability and deliverability of rural development. Should provide for latitude on the application of such contributions in order to ensure rural land supply requirements are met and any obligations structured in accordance with Circular 3/2012.

GLENLIVET

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. Para 28.5 Should specifically refer to River Spey SAC. Para 28.6 - A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.

GLENSHEE

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. Para 30.6 - SACs and SPAs should be identified for clarity. Para 30.7 - A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.

Need for Settlement Boundary

Perth and Kinross Council (110) - Settlement boundaries should be identified for Braur/Pitagowan, Calvine and Glenshee as they were in the Perth and Kinross Highland and Eastern Area Local Plans.

Supporting Text

Ewan McIntyre (176) - Development within Glenshee should not be restricted to activities within the Park as this would further depopulation and result in a community dependant on tourism and agriculture. There is also a need for a focus for cycling and motorcycle tourism in the area.

Ewan McIntyre (176) - Para 30.1 – disagree that the Spittal of Glenshee hotel serves as a focal point for the community. Blackwater Hall and Kirkmichael village (which are both outside the Park boundary) are the focus for community events.

Ewan McIntyre (176) - Para 30.2 - Support the need to address depopulation in Glenshee area. Suggest people moving to the Glen but working outside it should be encouraged.

Ewan McIntyre (176) - Para 30.4 - Glenshee community depend on facilities outwith the Park boundary.

Ewan McIntyre (176) - Para 30.5 - Disputes the notion of a Glenshee village, the community depend on facilities outwith the Park boundary as well as the facilities between the Laird and the ski centre, and this section should be amended to reflect this. The current requirements are not practical in a rural glen with it variety of built forms. There is difficulty in securing pedestrian connectivity, a lack of shops and services to meet daily needs, and the community relies on facilities outside the Park for these.

Ewan McIntyre (176) - Para 30.16 - Observes there is no public sewer in Glenshee.

Ewan McIntyre (176) - Para 30.18 - Disputes the notion of a Glenshee village, the community depend on facilities outwith the Park boundary.

Ewan McIntyre (176) - Para 30.19 - The community at Spittal of Glenshee depend on facilities outwith the Park boundary including Kirkmicheal viallge, Blackwater Hall and Bridge of Cally. Increased population is needed before a shop at Spittal could be sustainable. Any housing development must be sympathetic to its location, but should not be restricted to operational need given lack of businesses in the Glen and dependence on facilities outside the boundary to the south.

GLEN TANAR

Need to Identify Additional Settlement

Glen Tanar Estate (233) Request the core of upper Glen Tanar should be identified as a settlement, this would assist with the delivery of the enabling development policy (page 41 of the Proposed Plan) in this area. Seek clarification as to how policies inside and outside of the National Park would work together in relation to enabling development.

KILLIECRANKIE

Site H1

Isabel and Ewan Hay (172) - As owners of site H1 in Killiecrankie object to allocation of land for housing. Concerned about parking issues on site and whether safe access can be achieved from the junction of Sheil Brae and B8019. Concerned expressed about the LDP consultation process.

Scottish Government (051) - INFORMAL COMMENT - It is not clear from the text or plan that allocation H1 at Killiecrankie is within the designated battlefield. Text could clarify that there may be a requirement for further assessment to understand the impact on the landscape and any archaeological remains associated with the battlefield in advance of development.

Woodland Trust Scotland (196) - Object to H1 because of impact of development on ancient woodland. If development is to occur it must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Perth and Kinross Council (110) - Site H1 is not effective and should be removed as an allocation. The settlement boundary should however remain unaltered.

Natural Heritage Issues

Scottish Natural Heritage (040) – Para 34.6 - Wording is not accurate in relation to Habitats Regulations. Need to make it clear that the Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan, and so they have been screened in and require high level mitigation. Para 34.7 - 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.

Settlement Boundary

Anthony Hill (165) - Reiterates comments made in response to Highland Perthshire Local Plan in 2004 seeking inclusion of garden area next to telephone exchange within the settlement boundary (map provided).

LAGGAN

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. Para 37.7- A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan.

TOMINTOUL

Site ED3

The Crown Estate (070) - Broadly support the map for Tomintoul (page 193) but seek clarification in respect of ED3 which is allocated for economic uses. Requests confirmation that the site is also suitable for tourism uses, as has been previously discussed and agreed with CNPA, such a clarification would help deliver the Tomintoul and Glenlivet Regeneration project.

Natural Heritage Issues

Scottish Natural Heritage (040) Para 41.6 - Reference needed in second bullet point that these water courses are part of River Spey SAC. Para 41.7 - Is not accurate in relation to Habitats Regulations. Need to make it clear that the Natura sites listed are those HRA has identified as likely to be of significantly affected by proposals in the Plan, and so they have been screened in and require high level mitigation. Para 41.8 - 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.

Modifications sought by those submitting representations:

ANGUS GLENS

Natural Heritage Issues: Scottish Natural Heritage (040) request national and international designated sites and SSSIs are named and that there is consistency in naming SSSIs. They seek amendments to the first bullet points of para 15.5 so it reads "Glen Clova is largely designated as Cairngorms Massif Special Protection Area. The River South Esk is designated as a Special Area of Conservation" and amendments to the third bullet point so it reads and "In Glen Prosen, the Prosen Water is designated a Special Area of Conservation (River South Esk SAC) and is also adjacent to Cairngorms Massif Special Protection Area. They also request two additional bullet points in para 15.5 saying "The heads of Glen Isla and Glen Esk are largely designated as Cairngorms Massif Special Protection Area. The River Isla flows into the River Tay Special Area of Conservation" and "At the head of Glen Clova is Red Craig Site of Special Scientific Interest (Geological)." They also seek additional wording at the end of para 15.6 saying "Developments will not be in accordance with this plan is 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."

BLAIR ATHOLL

Site ED1: Woodland Trust Scotland (196) Seek removal of site ED1 because of the impact development will have on ancient woodland. If development is to occur this must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Site C1: Woodland Trust Scotland (196) Seek removal of site C1 because of the impact development will have on ancient woodland. If development is to occur this must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken. Blair Atholl and Struan Community Council (046) - Text should be clarified to indicate what development might be possible at Tilt caravan park. Clarification should be provided that housing may be possible on community use sites and full consultation will be required if changes to the settlement boundary are considered. Map should be amended to show the recycling facility is in the car park opposite the entrance to the Castle. Stuart Richardson (234) - Delete site C1 and retain it as a caravan site

Site T1: Woodland Trust Scotland (196) Seek removal of site T1 because of the impact development will have on ancient woodland. If development is to occur this must include sufficient buffering. Seek assurances that appropriate species surveys will be undertaken.

Natural Heritage Issues: Scottish Natural Heritage (040) seek an additional bullet point in para 18.6 saying "to the east of the settlement is Blair Atholl Meadow a Site of Special Scientific Interest". SNH (040) seek an amendment to para 18.7 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 18.8 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..."

Settlement Boundary: Blair Atholl and Struan Community Council (046) request full consultation if changes to the settlement boundary are considered.

Map: Blair Atholl and Struan Community Council (046) request an amendment to the information on the map to show the recycling facility is in the car park opposite the entrance to the Castle.

BRUAR and PITAGOWAN

Natural Heritage Issues: Scottish Natural Heritage (040) seek an amendment to the second bullet point of para 21.4 to read "In addition, the Bruar Water and River Garry and bank areas are designated as Special Area of Conservation (part of River Tay SAC)". They also seek additional wording at the end of para 21.5 saying "Developments will not be in accordance with this plan if the Planning CNPA 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."

Need for Settlement Boundary: Perth and Kinross Council (110) seek the inclusion of a settlement boundary for Braur/Pitagowan as per the Perth and Kinross Highland and Eastern Area Local Plans.

Developer Contributions: Ristol (239) seek flexibility and assurances in para 21.10 to ensure that the viability of developments is not adversely affected.

CALVINE

Need for Settlement Boundary: Perth and Kinross Council (110) seek the inclusion of a settlement boundary for Calvine as per the Perth and Kinross Highland and Eastern Area Local Plans.

Developer Contributions: Ristol (239) seek flexibility and assurances in para 22.10 that the provision for developer contributions and infrastructure will not be at the expense of impacting upon the viability and deliverability of rural development.

GLENLIVET

Natural Heritage Issues: Scottish Natural Heritage (040) seek an amendment to para 28.5 so its reads "...are also designated as a Special Area of Conservation (part of River Spey SAC)." Para 28.6 - A stronger policy caveat is needed to remove any possible 'tensions' between the settlement chapters and the Natura protective policy elsewhere in the Plan. They also seek additional wording at the end of para 28.6 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."

GLENSHEE

Natural Heritage Issues: Scottish Natural Heritage (040) seek the identification of SACs and SPA in para 30.6. They also seek additional wording at the end of para 30.7 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."

Need for Settlement Boundary: Perth and Kinross Council (110) seek the inclusion of a settlement boundary for Glenshee as per the Perth and Kinross Highland and Eastern Area Local Plans.

Explanatory Text: Ewan McIntyre (176) seek revisions to the text to better reflect that many of the needs of the Glenshee community are met outside the Park boundary and that sensitive development to supports those facilities, not just economic enterprise within the Park, should be encouraged.

GLEN TANAR

Need to Identify Additional Settlement: Glen Tanar Estate (233) seek the

identification of Glen Tanar as a settlement and seek clarification as to how policies inside and outside of the National Park would work together in relation to enabling development.

KILLIECRANKIE

Site H1: Isabel and Ewan Hay (172) and Perth and Kinross Council (110) seek the removal H1 from the plan. Woodland Trust Scotland (196) also seek the deletion of site H1 because of the impact development will have on ancient woodland. If development is to occur this must include sufficient buffering and they seek assurances that appropriate species surveys will be undertaken. Scottish Government (051) seek clarification as whether or not Site H1 at Killiecrankie is within the designated battlefield.

Settlement Boundary: Anthony Hill (165) seeks an extension to the settlement boundary to include field to the left of the telephone exchange (map provided). Perth and Kinross Council (110) seek retain of the settlement boundary.

Natural Heritage Issues: Scottish Natural Heritage (040) seek an amendment to para 34.6 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) seek an amendment to para 34.7 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..."

LAGGAN

Natural Heritage Issues: Scottish Natural Heritage (040) seek additional wording at the end of para 37.7 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."

TOMINTOUL

Site ED3: The Crown Estate (070) - Clarify tourism use is acceptable in ED3.

Natural Heritage Issues: Scottish Natural Heritage (040) seek an amendment to para 41.6 to read "...are also Special Area of Conservation (part of River Spey SAC)". SNH (040) seek an amendment to para 41.7 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) seek an amendment to para 41.8 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...”

Summary of responses (including reasons) by planning authority:

ANGUS GLENS (Proposed LDP pgs 60-62)

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA agree with the suggestion of Scottish Natural Heritage (040) that national and international designated sites including SSSIs should be named and specific mention of European sites could be included in the bullets as this would aid clarity.

The CNPA would therefore not object to references to Glen Isla and Glen Esk natural heritage designations and SSSI being added to the Plan and would support the suggested amendments to the first and third bullet points of para 15.5 so they read “Glen Clova is largely designated as Cairngorms Massif Special Protection Area. The River South Esk is designated as a Special Area of Conservation” and “In Glen Prosen, the Prosen Water is designated a Special Area of Conservation (River South Esk SAC) and is also adjacent to Cairngorms Massif Special Protection Area”, as this would provide clarity.

The CNPA would also not object to the addition of two further bullet points to para 15.5 reading “The heads of Glen Isla and Glen Esk are largely designated as Cairngorms Massif Special Protection Area. The River Isla flows into the River Tay Special Area of Conservation” and “At the head of Glen Clova is Red Craig Site of Special Scientific Interest (Geological)”, as this would aid clarity.

The CNPA would also not object to SNH’s suggestion of adding additional wording to the end of para 15.6 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.

BLAIR ATHOLL (Proposed LDP pgs 79-83)

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) shows Blair Atholl is designated as one of the ‘Other Settlements with sites for development’. The identification of sites for development in Blair Atholl is particularly difficult due to the flooding constraints (see SEPA’s interactive flood map http://www.sepa.org.uk/flooding/flood_extent_maps/view_the_map.aspx)

Site ED1

Woodland Trust Scotland (196) - The CNPA continues to support the allocation of site ED1 for employment. The site already exists as a successful business park and has consent for additional capacity (Planning perm ref xxx) as the proposed plan indicates (SDXX page 82). The purpose of the allocation is to enable any new development required to complement existing operations.

Other policies in the plan require appropriate species surveys and appropriate design and layout, and will be considered as part of the assessment 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 C1

Blair Atholl and Struan Community Council (046); Woodland Trust Scotland (196) - The CNPA continues to support the allocation of site C1 for community use. The proposed plan (SDXX page 82) already recognises that the site is “an existing tourism use” and the allocation does not prevent this use from continuing. The allocation would however enable redevelopment should the site become available during the plan period and “recreation and tourism development” is one of the possible uses identified.

The text accompanying allocation C1 already makes it explicit that housing could be provided on sites for community use including at the Bridge of Tilt caravan Park stating that ‘the site provides an opportunity for redevelopment’ and that any ‘Redevelopment proposals must benefit the community in some way’ and this could include ‘affordable housing, open market housing, mixed use including employment provision, and recreation and tourism development’. The intention of this allocation is to enable redevelopment of the site to be considered in a holistic way. The intention is not to tie down opportunities but enable creative

redevelopment proposals which could include any number of uses, so long as it benefits the community. It is not felt appropriate to be more specific as this could undermine potential ideas. Any specific proposal would still require planning permission and the community, and others, would be consulted on any proposal as part of this process.

Site T1

Woodland Trust Scotland (196) - The CNPA continues to support the allocation of site T1 for tourism. As the Proposed Plan explains, Blair Castle is already a popular tourism destination and the purpose of the allocation is to enable enhancements and diversification to be supported.

Other policies in the plan require appropriate species surveys and appropriate design and layout, and will be considered as part of the assessment 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 SNH's (040) request for an addition of another bullet point at the end of para 18.6 reading "To the east of the settlement is Blair Atholl Meadow a Site of Special Scientific Interest" as this would aid clarity.

The CNPA would not object to SNH's (040) suggestion to amend para 18.7 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 SNH's (040) suggestion to amend para 18.8 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 also acknowledges that HRA may also need to be updated to reflect this latest information.

Settlement Boundary:

Blair Atholl and Struan Community Council (046) - The proposed Plan includes a clearly defined settlement boundary for the Blair Atholl and the CNPA is not proposing any changes to it. If changes were proposed at a later stage in the plan preparation process, consultation will comply with legislation regarding post examination modifications.

Map

Blair Atholl and Struan Community Council (046) - The CNPA would not object to the moving of the symbol indicating the recycling centre in Blair Atholl on the map to the site identified by the Community Council. The positioning as set out in the

proposed LDP is an error, and as such this will be addressed through a non-notifiable modification.

BRUAR and PITAGOWAN (Proposed LDP pgs 96-98)

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to Scottish Natural Heritage's (040) request to amend the second bullet point of para 21.4 to read "In addition, the Bruar Water and River Garry and bank areas are designated as Special Area of Conservation (part of River Tay SAC)" as this would aid clarity.

The CNPA would also not object to SNH's suggestion of adding additional wording to the end of para 21.5 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.

Need for Settlement Boundary

Perth & Kinross Council (110) - Bruar/Pitagowan is identified as a small community within the settlement hierarchy see para 13.7 of the Proposed Plan (SDXX). Chapter 21 of the Proposed Plan sets out the vision and development opportunities in the community. The purpose of the settlement boundary is to identify the land within an identified settlement where development could occur. Settlement boundaries have not been identified for any of the small communities because these locations are not the focus for new development. However the lack of the settlement boundary would not prevent proposals for development being considered on their merit. Any housing development proposal in Bruar/Pitagowan would be considered against the rural group section of the housing policy (as set out on page 17 of Proposed LDP). The CNPA continues to believe a settlement boundary for any small community, including Bruar/Pitagowan, is not required.

Developer Contributions

Ristol (239) - The CNPA recognises its important role in helping to enable sustainable growth and development and the viability of development is an important consideration. As the policy on Development Contributions (SDXX page 48) explains "contributions will be consistent with the scale and nature of development proposed". Paras 12.9, 12.10 and 12.11 of the Proposed Plan (SDXX page 48) and the Supplementary Guidance on Developer Contributions (SDXX pages 80-86) also provide further information on how developer contributions are negotiated. In practice therefore flexibility is provided through the application of the policy on a case by case basis during the planning application process.

CALVINE

Need for Settlement Boundary (Proposed LDP pgs 99-101)

Perth & Kinross Council (110) - Calvine is identified as a small community within the settlement hierarchy and Chapter 22 of the Proposed Plan therefore sets out

the vision and development opportunities in the community. The purpose of settlement boundary is to identify the land within an identified settlement where development could occur. Settlement boundaries have not been identified for any of the small communities because these locations are not the focus for new development. However the lack of the settlement boundary would not prevent an application for development being considered on its merit. Any housing development proposal in Calvine would be considered against the rural group section of the housing policy (as set out on page 17 of Proposed LDP). The CNPA continues to believe a settlement boundary for any small community, including Calvine, is not required.

Developer Contributions

Ristol (239) - As outlined above (see response for Bruar/Pitagowan) the CNPA recognises its important role in helping to enable sustainable growth and development and the importance of development viability and deliverability as a consideration. Flexibility is already provided through the use of the policy on a case by case basis during the assessment of planning applications, and all obligations/agreements have to comply with the relevant legislation and circulars.

GLENLIVET

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to SNH's (040) suggestion to amend para 28.5 to read "...are also designated as a Special Area of Conservation (part of River Spey SAC)" as this would aid clarity.

The CNPA would also not object to SNH's suggestion of adding additional wording to the end of para 28.6 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.

GLENSHEE

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to SNH's (040) suggestion that SACs and SPAs should be identified in para 30.6 as this would aid clarity. Text could therefore be set out in bullets to read: "Land to the north is designated as Cairngorms Massif Special Protection Area; The Shee Water and its banks are designated as a Special Area of Conservation (part of the River Tay SAC); In addition, land to the south and west is designated as a Special Protection Area (Forest of Clunie SPA)"

The CNPA would also not object to SNH's suggestion of adding additional wording to the end of para 30.7 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.

Need for Settlement Boundary (Proposed Plan pgs 137- 138)

Perth & Kinross Council (110) - Glenshee is identified as a small community within the settlement hierarchy see para 13.7 of the Proposed Plan (SDXX). Chapter 30 of the Proposed Plan sets out the vision and development opportunities in the community. The purpose of the settlement boundary is to identify the land within an identified settlement where development could occur. Settlement boundaries have not been identified for any of the small communities because these locations are not the focus for new development. However the lack of the settlement boundary would not prevent an application for development being considered on its merit. Any housing development proposal in Glenshee would be considered against the rural group section of the housing policy (as set out on page 17 of Proposed LDP). The CNPA continues to believe a settlement boundary for any small community, including Glenshee, is not required.

Supporting Text

Ewan McIntyre (176) - Although the CNPA is sympathetic to the observation that many of the needs of the Glenshee community are met outside the Park boundary, any applications to support facilities located outside of the Park, would be dealt with by Perth and Kinross Council which is the relevant planning authority. The support of economic enterprise is only one of the six objectives listed for Glenshee in the Proposed Plan and the Plan as currently worded would not prevent speculative applications for other kinds of development, or justified by reference to the other aims and objectives of the Plan, within the Park Boundary from coming forward. Any such applications would be assessed on their merit.

GLEN TANAR

Need to Identify Additional Settlement

Glen Tanar Estate (233) - The CNPA does not support the view of Glen Tanar Estate (233) that Glen Tanar should be identified as a settlement. The Glen Tanar estate comprises of a variety of buildings in a variety of uses - homes, estate offices, workshops, a riding centre etc set out in a dispersed manner. Any proposals for new housing development on the estate could, depending on their location, fall under the 'housing development in an existing rural group' or 'housing in the countryside' as set out in Chapter 3 page 17 SDXxx). Whilst other types of development would be considered on merit on a case by case basis, policies in the proposed Plan indicate a generally supportive approach for economic development and tourism developments in suitable locations. As para 13.7 of the Proposed Plan explains, development outwith settlement boundaries will require justification for their selected location. The need for enabling development may be one such justification, and there is already a specific section of the Cultural Heritage Policy (see Proposed Plan SDXX page 41) that deals with this issue.

The purpose of the settlement boundary is to identify the land within an identified settlement where development could occur. Glen Tanar has not been identified as a settlement as it is not a focus for new development. However the lack of the

settlement boundary would not prevent an application for development being considered on its merit. The CNPA continues to believe a settlement boundary for such a small and dispersed is not required and could lead to confusion in understanding the settlement strategy as set out in Policy 1.2 of the Cairngorms National Park Partnership Plan (SDXX page 42).

The CNPA recognises the difficulties presented to landowners and developers where their land and sites fall both inside and outside the boundary. The CNPA works closely with its constituent local authorities on numerous matters including planning policy and development management, and this includes any occasions where a particular issue or application raises cross-boundary issues. In such an event close working and mutually supportive and compatible approaches would be essential.

KILLIECRANKIE

Site H1

Isabel and Ewan Hay (172); Perth & Kinross Council (110); Scottish Government (051); Woodland Trust Scotland (196) - The CNPA agree with the views expressed by the landowner and the local authority that the site is no longer deliverable, in light of new information provided (ref any new info). The CNPA therefore would not object to the removal of this site from the Plan, and recognise that to do so would require consequential changes in other sections of the Plan including to the housing numbers. However the CNPA believes that these minor implications for the housing supply tables can be resolved by adjusting the phasing of other sites. The CNPA has set out a possible amendment under its assessment of Issue xx Housing land supply/Spatial Strategy to reflect this.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to SNH's (040) suggestion to amend para 34.6 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", as this would aid clarity.

The CNPA would not object to SNH's (040) suggestion to amend para 34.7 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.

Settlement Boundary

Anthony Hill(165) - The CNPA would not object to the request from Anthony Hill (165) to extend the settlement boundary to include the field to the left of the telephone exchange (see map included with Mr Hill's representation SDXx). Site inspections show that this forms part of the property. The site appears to be

currently used for car parking in association with the Old Telephone Exchange residence. To include it within the settlement boundary therefore seems logical. However, CNPA recognise that this position is not supported by Perth and Kinross Council who seek retention of the settlement boundary in its current form.

LAGGAN (proposed LDP pages 169-171)

Scottish Natural Heritage (040) - The CNPA would also not object to SNH's suggestion of adding additional wording to the end of para 37.7 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.

TOMINTOUL (proposed LDP pages 188-193)

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) that shows Tomintoul is designated as one of the 'Other Settlements with sites for development'.

Site ED3

The Crown Estate (070) - Although the CNPA is aware of discussions which considered the potential to provide tourism use on ED3. These discussions have advanced further to confirm this is no longer a viable proposal. The CNPA would therefore not support any changes to the Plan and wish to see the site continue as an allocation employment use. The site ED3 is identified for employment uses in the current adopted Local Plan (SDXX page 129) and CNPA consider it is important to provide certainty to developers and communities. To this end the continuation of this allocation is important. This would not prevent an application for tourism use coming forward and being considered on its merits.

Natural Heritage Issues

Scottish Natural Heritage (040) - The CNPA would not object to SNH's (040) suggestion to amend the end of para 41.6 to read "...are also Special Area of Conservation (part of River Spey SAC)".

The CNPA would not object to SNH's (040) suggestion to amend para 41.7 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 would not object to SNH's (040) suggest that para 41.8 should be 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..."

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

Correction of Type Setting Error

There is a typesetting error on page 190 of the Proposed Plan at H2 where the text does not continue on the same line as intended. The CNPA would seek to correct this as a non-notifiable modification.

Reporter's conclusions:

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Reporter's recommendations:

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