

predictably increase the number of old people living within the CNP.

: that as all planning applications submitted within Badenoch & Strathspey may be subject to "call-in" by the CNPA, there was a legal "Duty of Care" for the CNPA to make adequate and commensurate provision (i.e. as for affordable housing) for all strata's of society (including the elderly) and local communities within the CNP.

: that as the CNPA Board by an act of the Scottish Parliament are the designated statutory superior forum to make judgement on all planning matters within the CNP, it was incumbent upon the Highland Council to seek the views of the CNPA Board on the Granttown-on-Spey Grant House Care Home, and future care home development options available via the "3.3.9 Land Adjoining", which lies within the CNP.

: Q1. I therefore trust that social development within the CNP includes provision that will be included in the Local Plan Post Inquiry Modifications, for the elderly and for those in need of care?

: Q2. If this is the case, has the CNPA been invited by the Highland Council to scrutinise their Business Plan for the Grant House Care Home and proposed alternative options for future social care for the elderly within the CNP, and to express the CNPA Boards views on these issues accordingly.

: Q3. Has the CNPA Board made any recommendations to the Highland Council reference these issues?

Question Feedback Comment to Mr Tainsh from the 4 Ward 21 Councillors:

If I recall correctly, the following feedback was expressed by the 4 Ward 21 Councillors:

- Councillor Rimell: Thought my questions and comments were "Poppycock" (i.e. total nonsense).

Note: In the days following, several members of the public subsequently made comment to Mr Tainsh that they thought he had raised an important social issue and that Councillor Rime's Poppycock comment during a Public Meeting, was totally inappropriate for a public figure and CNN Board Member.

- Councillor Fallows: That it was accepted that people were living longer and that there would be more older people living within the CNP, who would be in need of care,

- Councillor Douglas: That Mr Tainsh might be right, and that she would raise this matter with the CNPA (i.e. I understood Councillor Douglas was referring to CNPA Specialist "Subject Matter Expert" Desk Officers and the full CNPA Board), and that further thought and some envisioning should be given to this important social issue, especially when the CNPA Board was directly involved in the determination of other social issues, such as Land Requirement & Development (i.e. internal & outside settlements, replacement houses, affordable housing, Gypsies and Travellers and Travelling Show People).

- Councillor Black: Councillor Black made comment reference Mr Tainsh's concerns over potential rises in Non Domestic Business Rates and Council Tax.

On the Spot and Subsequent Assumptions by Mr Tainsh

Mr Tainsh on the spot and subsequent assumptions of the 4 Councillors reaction and comments reference the above issues and 3 questions is as follows:

- That a large (i.e. and increasing) proportion of the total population in the CNP are elderly.

- The issues and 3 questions raised took all 4 Councillors somewhat by surprise, which indicated that this issue had not been raised or discussed in their capacity as CNPA Board Members.

- That it was highly likely that there was a CNPA Board blind spot in meeting the full social development implications of the CNP 4th aim, especially if the CNPA Board was unable to deliver the CNP 4th Aim, due to a lack; of an appropriate Public Budget, and definitive demographic population statistics and information.

- Indicated that the Highland Council had not sought any input from the CNPA Board reference the Granttown-on-Spey Grant House Care Home.

- That the CNPA Board did not have a social development policy to cater for the elderly and those in need of care, and had not provided any input on their views on this important local community issue to the Highland Council.

- Whilst future CNP planning applications would be judged on their individual merits (i.e. post Highland Council decisions not to build 5 new care homes & means that any subsequent CNPA Board input would be too late to be taken into consideration by Councillors etc), it was important to the Highland Council decision making process, that the CNPA Board should be directly involved in this important social issue, especially in the midst of a major recession and Public budget cutbacks.

- It was absolutely essential that the CNPA Board included provision in the Granttown-on-Spey Local Plan Post Inquiry Modifications for the Principles text including care of the elderly, and to protect the "3.3.9 Land Adjoining" clause.

CNPA Guiding Principles

There is a need for/to review CNPA Guiding Principles to ensure that members of local communities within the CNPA have confidence that:

- The CNPA Board complies fully with all legislation which extends to the UK and CNP.
- Where the CNPA Board can rely on exemptions or derogations from either domestic or international law, the CNPA Board introduce standards and management arrangements that are, so far as reasonably practicable, at least as good as those required by legislation.
- Where there is no relevant legislation, internal standards aim to optimise, protect, and balance the economic and social interests, benefits and risks, for all members of communities (i.e. elderly) within the CNP.
- Create a culture where everyone in the public and CNP private sector understands and delivers their contribution to equally enhance the implementation of all 4 aims of the CNP, regardless of the public budgets available.
- That the sustainable (i.e. and unsustainable or non-deliverable) economic and social development of communities within the CNP is measured, monitored and reported and is consistent with, and supports, wider Government initiatives.
- Work collaboratively with other Government departments, statutory bodies, non- Government organisations to achieve continuous sustainable economic and social development for the full spectrum of all members of communities living within the CNP.

Financial Situation in the Highland Region & Five New Public Care Homes

The Chairwoman Councillor Margaret Davidson of the Highland Council's Social Work Committee is reported via the BBC News network dated 24th June 2010 as having said in the article titled "Highland Care Home Broken Promise — Economic Impact" that:

- "The world's changed, in the autumn of 2008 the economies of the world almost Collapsed".
- "we have to take account of that and how it impacts on this council".
- "and when I went round the five care homes with the convener it was absolutely crystal clear — almost all of the families wanted to retain what they have got, they were not too bothered about a new home.

This statement indicates that the "Grantown-on-Spey 3.3.9 Land Adjoining" area is considered to be a local Grantown-on-Spey community asset, which should be retained by the local community for the future care of the elderly and development of Public Care Home and medical/dental facilities.

Primacy for Planning Economic and Social Issues Within the CNP

I believe that the above comment's below by Councillor Margaret Davidson highlights that when decisions were being made on the proposed five new Public Care Homes by the Highland Council, they were not aware, or failed to fully appreciate and take into account:

- The desire by members of the local Grantown-on-Spey community to retain the Badenoch & Strathspey Local Plan 1997 Principles care of the elderly and Grant House/Hospital 3.3,9 clause in the Grantown-on-Spey Local Plan Post Inquiry Modifications.
- That Grant House Care Home (unlike the 4 other proposed new care homes) is within the CNP.
- That the CNPA Board has primacy over Planning issues within the CNP.
- That the CNPA Board has primacy and is responsible by Statute for the sustainable economic and social development of communities (which includes the elderly) within the CNP.

Highland Council recommended not to proceed with Care Homes

The Highland Council also made comment on the 17th June 2010 that:

- Before any decision is taken on future provision the report advises there should be further consultation with local elected members and interested parties (i.e. CNPA Board), and reports will be presented to the Housing and Social Work Committee.
- At the last meeting it was also agreed that the public be asked for their views on the business cases. The large majority of views submitted did not focus on the proposed new builds, but were in relation to, and in support of the continued operation of the existing establishments.

Has the CNPA Board been involved in any consultation process reference care for the elderly and the Grant House and "3.3.9 Land Adjoining", or been invited to make the CNPA Board views known to the Highland Council.

New Community in the CNP gets the go-ahead article dated 11th June 2010

I note that on the CNP web site, the following comment by Duncan Bryden the CNPA Planning Committee Convener, also indicates that the CNPA has primacy for social community issues (i.e. which includes care and adequate provision for the elderly) within the CNP:

- "This is not about building houses; it's about building a community - a place for people to live, work and play. We will be looking for a development of outstanding quality - something that can be admired, not just UK-wide, but internationally.

Can the CNPA Board confirm that the above statement indicates that building a community, includes adequate provision for care for the elderly within the CNP?

Care Homes Outside and Inside the CNP

Please note that it is my assumption that The Highland Council has been primarily concerned about all 5 proposed new Care Homes, budget cuts and short term financial expediency, and has not made any differentiation between those care homes located outside of the CNP, and the Grant House Care Home which is situated within the CNP.

I therefore conclude that as the CNPA Board is effectively the "Superior" planning authority for all future development and planning within the CNP, it is reasonable for the local Grantown-on-Spey & Vicinity Community Council and members of the local community to expect that the CNPA Board will full-fill in full, its statutory requirements and 4 Aims under the National Parks (Scotland) Act 2000 and Local Government (Scotland) Act 1973, to make the local community wishes known to the Highland Council.

National Park (Scotland) Act 2000 & The Local Government (Scotland) Act 1973

Whilst the Local Government (Scotland) Act 1973 may be a relatively old Act of parliament, I believe that certain elements of its content are more relative today than in 1973, and should be viewed as an important and "valid" local community asset, at a time when compliance with the European Convention on Human Rights (ECHR) and its three fundamental principles of; "Legality, Necessity and Proportionality" need to be taken into consideration in all Public decision making processes.

As the primary purpose of Community Councils is to ascertain and express the views of the community to the local authority and other public bodies. Any deviation or dilution of local community views and input, as provided for under the democratic provisions of National Parks (Scotland) Act 2000 and its 4 Aims and The Local Government (Scotland) Act 1973 legislation, further undermines the democratic forum and operations of the 25 established local Community Councils and Associations within the CNP.

Please note that the Local Government (Scotland) Act 1973 has recently been reaffirmed (i.e. in March 2009) by the Scottish Government, and confirms that Community Councils and the CNPA Board as the Planning Superior, have a renewed statutory duty to represent the views of the local community they represent.

Human Rights Implications & Litigation

I think that it is worth all concerned (i.e. CNPA Board & the Highland Council) bearing in mind that the wider implications of Human Rights issues (i.e. just like the Environment, Health & Safety and Duty of Care which were all initially paid lip service in the past but are legally inescapable today) is forecasted to be a growth area for litigation in the future.

Bearing in mind the large numbers of senior citizens resident in the CNP today. If social development issues for the elderly within the CNP are not adequately dealt with by the CNPA Board. It is predictable that at some time in the future, litigation is likely to follow.

Therefore, transference of the Human Rights implications and lessons to be learned from the following two "worst case" current scenarios, may help to provide the CNPA Board and Highland Council with an insight to the potential legal complications and management risk involved, should they be involved in breaching the Human Rights Act 1998, over inadequate provision for the elderly and those in need of care:

- If councils are also forced to settle about 30,000 existing local government claims for equal women's pay and 6,000 new ones this year the impact on local services could be far more severe.
- having failed to appreciate the full legality, necessity and proportionality implications of the Human Rights Act 1998 and the European Convention on Human Rights (ECHR), to which the UK is a signatory. The Scottish criminal

justice system is currently facing its "biggest challenge in a generation" after the head of Scotland's prosecution service admitted: that an imminent ruling on a landmark case could cause "enormous disruption" and which could also require an emergency review of 100,000 Scottish live legal cases, as well as a review of past convictions, which would cost the taxpayers tens of millions of pounds.

CNPA Involvement in - Our Community a Way Forward

The CNPA has been involved in the "Our Community a Way Forward" scheme to help develop best practice for community engagement throughout Scotland. The CNPA has also indicated that; "this scheme fits well with the Scottish Governments outcomes of 'supporting resilient communities', encouraging vibrant democracy, increasing engagement in voluntary activity and public life, and in community planning".

I therefore trust that at a time when people increasingly feel they have no real political and/or democratic influence, this initiative will include sufficient dialogue and debate to ensure adequate social development for the elderly, within the CNP.

Public Meetings in Support of the Mossie "3.3.9 Land Adjoining" Area

Despite our local community having sought adequate protection for the Principles including provision for the elderly and Grant House and Ian Charles Hospital and the "3.3.9 Adjoining Land" area, and rejected in total all development on the Mossie area at a Public Meeting on the 12th June 2008, that was chaired by the Grantown-on-Spey & Vicinity Community Council (GonS&VCC), and at which the CNPA Head of Planning Don McKee and Planning Officer Mary Grier were present. It would appear that the key Principle of including provision for the elderly and "3.3.9 Adjoining Land" issue has still not been resolved or secured for the local community.

The local Grantown-on-Spey community also supported the Principles including provision for the elderly and "3.3.9 Adjoining Land" issue at the Public Meeting held on the 14th June 2010.

Grantown-on-Spey Local Community Descendants of the Fallen

There are still many families still living in Grantown-on-Spey, who are the direct descendants of the 316 names listed on the Squares War Memorial roll of honour. Who to this day fully appreciate and respect the value of Grant House Care Home and the Ian Charles Health Centre (i.e. which I understand was originally gifted to the local Grantown-on-Spey community), and who are extremely keen to retain the scope for expansion of these facilities, should the need arise, as outlined in the in the Badenoch & Strathspey Local Plan 1997, "3.3.9 Land Adjoining" area.

Conclusions

As outlined in the Scottish Government "Wider Planning for an ageing population — Housing and Communities", there is an urgent need for the CNPA Board to clarify what percentage today (i.e. and are forecasted over the next 25 years):

- Of those living in the CNP are elderly.
- Are in need of care.

If we want to enhance and enrich our local communities, young peoples, family groups, senior citizens (i.e. who have the experience, patience, time and much to offer local communities and the CNPA) engagement and interest in being involved in their local community, community councils and the CNP. Then there is an urgent need for some inspirational and democratic bottom-up flexible renewal, which is not held back by inappropriate adherence to pointless regulation and red tape.

It is also in the Public, CNPA Board and local community interest for a search of the Land Register to be carried out, to clarify ownership and legal title of the area previously referred to in the Badenoch & Strathspey Local Plan as "3.3.9 Land Adjoining".

I therefore suggest that the CNPA Safeguards the Principles including provision for the elderly and "3.3.9 Land Adjoining" text from the Badenoch & Strathspey Local Plan 1997 under Grant House/Hospital 3.3.9 by inserting an appropriate clause, in a revised and unambiguous legally sound format, into the Grantown-on-Spey Local Plan Post Inquiry Modifications.

If the CNPA Board can not "deliver" its statutory 4* Aim for sustainable economic and social development of communities within the CNP (Le. be it for a lack of Public Budget finance or willpower), or in the publics long term interest secure the future of the Mossie "3.3.9 Adjoining land". Then I suggest that the CNPA Board has a legal and

moral duty to inform the Highland Council and local Granttown-on-Spey & Vicinity Community Council and members of the local community accordingly.

(copy of 'Wider Planning for an Ageing Population - Housing and Communities - Consultation on the workstream report and its suggested actions' joint COSLA and Scottish Government publication dated 29th June 2010.

Brief summary of key issues

The Local Plan should make provision to meet the 'sustainable economic and social development of communities' of the 4th aim which should include social provision for the elderly. The text for Granttown on Spey should include this provision, with particular reference to Grant House/Hospital and the need to protect land adjacent to it. The Plan should also make specific provision for the findings of Scottish Governments 'Wider Planning for an ageing population - Housing and Communities' report.

Supporting arguments are appended in support of this objection.

CNPA analysis and response

The objector raises a number of issues regarding the ageing population, the question of a definition in particular to 'land adjoining' and land at Grant House/Hospital. The issue of an ageing population and a definition to 'land adjoining' are issues which were not raised prior to the Local Plan Inquiry when opportunities were available at deposit, 1st modifications and 2nd modifications stages.

At this stage any person or organisation may object to or make representation in support of a proposed post inquiry modification to the plan, including the decision of the planning authority not to accept a recommendation made by the Reporter. Objections cannot be lodged at this stage to the content of the original plan. The objection raises here matters which should have been raised prior to the Inquiry and is not therefore considered to be duly made.

In regard to the comments made seeking the protection of the Grant House/Hospital as previously identified in the Badenoch and Strathspey Local Plan 1996, although this precise request was not lodged with the Reporters, they did consider the impact of development on Grant House as part of their analysis of the evidence submitted to the Inquiry relating to housing development in Granttown on Spey. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector raised here. No material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the text and allocations for Granttown on Spey as published has occurred.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Grantown on Spey

Response to Post Inquiry Modifications

Objection 1 — Number of Dwellings planned for Grantown-on-Spey

The consultation draft Local Plan does not justify or explain the estimated number of new houses needed in Grantown-on-Spey between now and 2016. Based on the information in Appendix 2 Table 4, it would appear that the CNPA estimated requirement for new houses between now and 2016 is no more than 15, however nowhere in the Local Plan this figure explained or justified, Appendix 2 Tables' - 3 footnotes contain an assumption of 950 housing units to meet the total need across the National Park from 2006 to 2016. Again this assumption is not explained or justified. There is a reference to para 5.33, but this paragraph does not exist in the consultation draft. There is a para 5.33 within the 2007 deposit draft of the Local Plan, but this also does not explain or justify the assumption.

CNPA was heavily criticised in 2009 by the Inquiry Reporters for not explaining or justifying housing need both across the National Park and in Grantown-on-Spey. As a result of the Inquiry report, the estimates for housing need to 2016 have been downgraded in the consultation draft Local Plan, but yet again there is no adequate explanation or justification for the revised estimated housing need both across the National Park and in Grantown-on-Spey. CNPA was also criticised by the Inquiry Reporters for not having a settlement vision statement for Grantown-on-Spey. I object to the inclusion of 15 new houses for Grantown-on-Spey (allocated to the Seafield Avenue — Beachen Court site) on the basis that:

1. the estimated housing need has not been explained or justified within the Local Plan
2. there is no vision within the consultation draft Local Plan of how the strategic settlement of Grantown-on-Spey should be developed in contravention of SPP17 paragraph 33. The sole inclusion of the Seafield Avenue — Beachen Court site does not provide a balanced plan for the development of Grantown-on-Spey. To prevent planning mistakes similar to those made over the years in Aviemore, the site should be removed from the Local Plan until a new vision for the development of Grantown-on-Spey is developed.

Brief summary of key issues

Objection to 15 houses allocated at Seafield Avenue/Beachen Court since the estimated housing need has not been explained or justified and there being no vision for Grantown on Spey.

CNPA analysis and response

CNPA has set out its housing land supply information in line with the requirements of SPP3 and in response to the recommendations of the Reporters following the Local Plan Inquiry. Tables 1 - 4 set out the effective supply at the commencement of the process, leading through completions to the final table which sets out how the plan intends to meet the need established. CNPA has set out its reasoning for the modifications made. CNPA has also set out its reasons for not including settlement visions clarifying its commitment to their production as an integral part of engagement on the Local Development Plan. The site referred to was a matter considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the change sought by the objectors. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objections to a second Local Plan Inquiry.

Objector Ref Reidhaven Estate
456o/p/q

Agent Halliday Fraser Munro

Modified Policy/Proposal ref Settlements - Grantown on Spey - land previously allocated H1

Response to Post Inquiry Modifications

We do not agree with the decision to remove housing allocation H1. Despite the Reporter agreeing that Grantown on Spey is a 'Main Settlement' and that the CNPA are obligated to plan for growth, H1 has been removed. This decision seems to be based on the request by the Reporter to review the housing figures. The removal of a housing allocation which will support the future of what has been categorised as a 'Main Settlement' is of great concern. The removal of this allocation will have a significant impact on the provision of affordable housing in Grantown on Spey and the surrounding area. Without allocating a sufficient amount of land for residential development, the opportunity to provide a choice of housing will be lost. The current feasibility for site H1 includes the on site provision of 25% much needed affordable homes.

The Reporter states that due to the lack of a 'settlement vision statement', the demand for housing is not justified. However, whilst the lack of a vision statement may not justify allocations, it does not prove that there is a lack of demand or need, or justify the removal of the H1 site.

A further concern raised by the Reporter is an unfounded concern regarding flood risk. However, site H1 has been allocated in previous Local Plans and dialogue has taken place on numerous occasions between the CNPA and the developer. The threat from flood risk has not been regarded as a constraint to the development of the entire site before. Furthermore, the area of land at potential risk from flooding has been identified through previous studies and a layout has been designed with this in mind. The development area is outside any area of potential flood risk and as part of on-going discussions, the developers are confident that an agreement with SEPA can be reached. The original number of units has been reduced to ensure development does not occur in the 1 in 200 year flood line. The layout also ensures that the area of land adjacent to the caravan site can provide adequate screening.

There will be a no significant adverse impact on biodiversity through the development of this site. The developers have produced a habitat mitigation solution to address any potential impact on the surrounding natural heritage. Limited development in this 'Main Settlement' over the lifetime of the plan will have a particular impact on the local schools. The school roll of Grantown Primary School is set to decline in the coming years and Grantown Grammar School is running below capacity. In order to support these schools in the future, it is important that there are opportunities for future investment in the village to ensure key services are sustained.

Although a planning application for up to 1500 units at An Camus Mor has recently been approved, there are outstanding deliverability issues relating to this that must be considered. Key infrastructure must be put in place prior to the development of any housing. Until this infrastructure is put in place, residential development will have to take place in other areas of the National Park to allow for housing demand to be met. Development in established settlements will allow for a greater choice of housing close to employment opportunities and support for existing local services. A larger strategic vision should not adversely impact on the vitality of other key settlements within the Park.

The area of land remains within the settlement boundary of Grantown on Spey suggesting that a planning application would be supported under Policy 20: Housing Development within Settlement Boundaries. The policy states that proposals within settlement boundaries will be considered favourably where the development is compatible with existing and adjacent land uses and enhances the character of the settlement. Given the inclusion of this 'white land' within the settlement boundary and the absence of any other residential development opportunities, we suggest that this site is allocated for housing, giving the land owner and the community greater certainty.

Site H1, which is a historical allocation, offers a logical site for residential development in Grantown on Spey and has been deemed appropriate in previous Local Plans.

Both the Reporter and the CNPA agree that development on the site could occur if the perceived issues of flooding and biodiversity are resolved. As discussed, a number of studies and discussions have been carried out to ensure that these issues are overcome.

The H1 site is deliverable, can support existing services within the community and can provide a choice of housing in the settlement. Flooding and biodiversity concerns relating to this site are unfounded given the level of work that has been undertaken to ensure that these issues are mitigated and should not restrict the allocation of the land.

We would therefore request that the site H1 is allocated for residential development in line with previous Local Plans and as shown in the enclosed plan.

Brief summary of key issues

Site previously known as GS/H1 should be reinstated into the plan. Supporting arguments are included.

CNPA analysis and response

The removal of the allocations at the Mossie (previously known as GS/H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref George Yule

Agent

542b

Modified Policy/Proposal ref Settlements - Grantown on Spey - land previously known as H1, the Mossie

Response to Post Inquiry Modifications

Objection 2 — Removal of the Seafield Avenue — Castle Road East site (generally known as "the Mossie") from the Local Plan

The reasons given within CNPA Paper 1526 Local Plan Post Inquiry Modifications for accepting that the Mossie site should be removed from the consultation draft of the Local Plan are all linked to the original large scale development plans and resulting planning application for circa 200 houses. I agree with the views of other property owners in the vicinity that given the poor quality of the Muir Homes planning application, the correct decision was reached by the CNPA Planning Committee in rejecting this specific planning application, albeit I believe that a smaller housing development on a smaller part or parts of the Mossie site would meet the effectiveness tests in Scottish Government document SPP3.

CNPA made one mistake by including a large scale development on the Mossie within the 2007 Deposit Draft of the Local Plan without producing adequate explanation or justification for the scale of the development. CNPA has now followed up that mistake with another by not including in this consultation draft Local Plan a smaller scale site or sites within the Mossie area. The result is that the future plan for housing development in Grantown-on-Spey is based by default on the only one site (Seafield Avenue — Beachen Court site), not because this is the most appropriate site to be developed first, but as a result of previous mistakes by CNPA in the drafting of the Local Plan. It is noted from CNPA document (ref: CNPA Paper 1526 Local Plan Post Inquiry Modifications p230) that "CNPA agree that if the site [The Mossie] should become effective under the tests of SPP3 in the future it can be considered for inclusion. This will be reviewed in the search for appropriate sites to meet the need in the Local Development Plan". As stated this proposed delay in considering at least part of The Mossie site as a site for future housing development results in housing development being focussed on only one site just because it is the only one remaining and which may have been considered to attract less objections — this [in my opinion] is a flawed basis for taking this proposal forward

The Reporters criticised CNPA for not having a settlement vision statement for Grantown-on-Spey, and to the best of my knowledge I believe this is still true and that CNPA has no vision of how it wishes the strategic settlement of Grantown-on-Spey to develop. By leaving only one housing development site within the consultation draft Local Plan simply because it is the only one left, CNPA is risking a repeat of the piecemeal development that has dogged Aviemore over the past few decades. I respectfully implore you not to follow suit and to insist that a fully considered 'joined up' settlement plan is prepared for the longer term benefit of Grantown on Spey, a Highland town of great tradition which is currently showing visible signs of negative impact across various parts of the town from recessionary pressures — not least of which is a town centre with numerous retail closures and residential properties which are not selling at a pace owners would wish.

I object to the deletion of The Mossie site from the consultation Local Plan whilst retaining the Seafield Avenue — Beachen Court site. What is needed is a realistic review of housing needs within Grantown-on-Spey and the inclusion of appropriate sites to meet the estimated need as part of a new vision for the town. If this cannot be achieved within the Local Plan period then consideration should be given to suspend all green-field development until this review is completed. I believe there are a number of infill potential sites available within the heart of Grantown on Spey without the need to impose change on the green belt at the back end of Seafield Avenue and over the landscape looking West from the town centre

Brief summary of key issues

Object to the deletion of the Mossie site whilst retaining the Seafield Avenue - Beachen Court site. Greenfield development should be suspended until a review of estimated need for Grantown on Spey is carried out.

CNPA analysis and response

The removal of the allocation at the Mossie (previously known as H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and

there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Granttown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Gordon and Carol Bulloch

Agent

545d

Modified Policy/Proposal ref Settlements - Granttown on Spey - other development

Response to Post Inquiry Modifications

Objection 4 - No updating of the Local Plan

This Local Plan has been under development for at least 5 years now. It is over a year since the Reporters reviewed the Deposit version of the Local Plan and over 7 months since the Reporters reported their findings. All that appears to have happened in the redrafting of the Granttown-on-Spey Settlement Proposal in this consultation draft of the Local Plan is a review and reaction to the Reporters' findings. The opportunity should have been made to update both housing need and housing land supply.

There are several sites around the town, some of which have planning permission, where new housing can be built, and which are very suited to small first time buyer dwellings or affordable housing. An example of this is the former Strathspey Hotel site. Most of these sites within the town fall into the category of brownfield land. In SPP 3 paragraph 64 it is stated "Redevelopment of brownfield sites for housing should be preferred to development on greenfield sites". It is thus very important that the Local Plan acknowledges available brownfield land within the town.

This Local Plan is now totally out of date and does not describe the housing development opportunities and needs of Granttown-on-Spey in the year 2010, far less what the opportunities and needs for housing development will be by 2016.

I object to the wording which remains within the Granttown-on-Spey Settlement Proposal as it does not describe or reflect the housing land supply in Granttown-on-Spey, including the availability of brownfield land, and does not explain or justify housing need.

Brief summary of key issues

Housing need and land supply should have been reviewed in the past year to include recent permissions. Object to the wording for Granttown on Spey which does not describe or reflect the housing land supply in Granttown on Spey, including the availability of brownfield land, and does not explain or justify housing need.

CNPA analysis and response

Tables 1-4 have been included to provide the most up to date published data regarding effective housing land supply. Brownfield and windfall sites are included within these tables as appropriate. CNPA has set out its reasoning for the amendments to the table and the overall need figure. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Granttown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref George Yule

Agent

542c

Modified Policy/Proposal ref Settlements - Grantown on Spey - site H1

Response to Post Inquiry Modifications

Objection 3 - Number of Dwellings planned for the Seafield Avenue — Beachen Court site

I note that the Settlement Proposal indicates a site capacity of 50 dwellings. I appreciate that this number is unaltered from the 2007 Deposit Local Plan, but as the assumptions of housing need made by CNPA have radically changed, the capacity of this site and the comments and recommendations made by the Local Plan Inquiry Reporters need to be questioned. I also note that the original boundary of this site has been extended from the previous draft submitted and that this extension of boundary 'wraps around' 3 sides of REVOAN — a traditional property dating back to 1925 with particular local heritage value given it was built for Lord Provost William Glass in the 1920's.

Appendix 2 Table 4 states that the effective land supply to 2016 in Grantown-on-Spey, using only this site, is 15 dwellings. Until such time that the estimated housing need in Grantown-on-Spey is explained or justified within the consultation draft of the Local Plan, I believe there is no justification for including any dwellings within this site in the Local Plan.

Furthermore, even if the inclusion of 15 dwellings to be built on this site between 2011-16 is subsequently explained and justified, a 50 dwelling site capacity represents on a pro rata basis a 15-20 year housing supply. There is therefore no need for this site to have a capacity of 50 units. Additionally if other housing development sites were identified within the Grantown-on-Spey settlement boundary as part of a planned development of the town — as I touched on above - this would further reduce the need for 50 units to be built on this prominent green-field site. As there has been no justification of housing need included in the consultation draft Local Plan, I object to the inclusion of any dwellings on this site within the Local Plan. If the estimate that 15 dwellings would meet Grantown-on-Spey needs until 2016 can be justified, and assuming that no other sites for housing development can be found, then a maximum capacity of up to 30 housing units on the site should be set as this would provide a more than adequate 10 years housing supply.

(The Development Brief for the Site, issued under a separate consultation also needs to be amended: I will comment on this in a separate letter).

Brief summary of key issues

Objects to the indicated capacity of site H1. There is no justification for any houses being allocated on this site.

CNPA analysis and response

The matter is in reference to site H1. This matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Grantown on Spey - site previously known as H1 (The Mossie)

Response to Post Inquiry Modifications

The former GS/HI (the "Mossie") has now no official designation. Both Park and Reporters acknowledged the considerable importance of the rich biodiversity of the area and its high ecological value. Prior to the Inquiry the Park designated a considerable section of the area as GS/ENV and the accompanying map showed it in "environmental green". The Post Inquiry Modification map delineates the original HI area but in white and without its ENV section, designation or colour. No explanation for this alteration is given in the text and I would like to ask what the Park's definition of the "Mossie" area now is and why the original ENV designation has been deleted. Additionally, I cannot find any reference in the main text providing protection to areas, originally subject to development but refused on the grounds of important biodiversity or other environmental considerations. Does the plan provide any barrier to preserve such areas from actions being taken which - eventually - will remove or destroy the conditions providing the basis for initial preservation? I am no expert in such matters but have been advised by a real expert that -in some instances- merely change of use or a few dressings with a particular fluid or pellets will alter the chemical composition of the soil to such an extent that over time the conditions giving the area its unique environment no longer exist. More radical action is also possible and was attempted near Nethybridge some years ago by a well known insurance company starting (unlicensed) to fell only the species of tree that protected an area of woodland from housing development. There was also the famous case of a local landowner starting to cut down the remnants of the old Caledonian forest, but that was a long time ago. (appropriate references are at Appendix 1)

3. General

Returning to the matter of the old GS/H1 designation. Doubtless you are aware that part of area contains a care home (Grant House), a hospital (The Ian Charles) and a medical and dental unit serving a large area within the Park boundaries. Currently Highland Council is deciding what the future of the care home will be and it is likely that NHS Highland is similarly engaged in respect of the hospital. Grant House could be closed or, more likely, privatised. But that is not entirely relevant in this context. The point is that both care home and hospital were specifically protected from encroachment by the Highland Council 1997 local plan and the adjoining land reserved for future expansion (paragraph 339). A joint Council/NHS plan to develop a combined and extended facility was planned for the site but cancelled for financial reasons. Highland Council is now considering sale, again for financial reasons.

In view of the matters addressed in paragraphs 1 and 2 above you will understand my concern to define the status of the area formerly designated HI. By whatever means it takes, I am confident that these vital facilities will be retained. It would be folly to discard them at this time of severe financial restrictions and I am sure that they will - eventually - become as important to the Park as they will be to the Council. I propose that the Park take action to protect the old 111 area by restoring the original ENV area and extending it to include the entire "Mossie" area or apply some alternative designation providing it with the same or increased protection.

A strong case can be made for returning it to ENV, or a category that would protect it, on the grounds of conservation and retention of biodiversity, the status has already been proved beyond any reasonable doubt and should be awarded as a matter of course and permanently in all similar situations.

Supporting references are at Appendix 2

APPENDIX 1

1. Reporters' Report Page 246: The ENV designation behind the caravan site means that a substantial countryside outlook and setting will be retained.
2. Reporters' Report Page 249: GS/H1 is preserved from development so that it will remain as amenity space to help offset the impact of the loss of GS/H2.
3. Reporters' Report Page 251: GS/H1/OS1/ENV designation, we have firm and recent evidence that shows that the ENV area has considerable biodiversity and natural heritage value. We also have evidence that shows additional and adjoining grassland that is of significance because it supports the value of the ENV site.
4. Reporters Report Pages 251/252: Arguably and given all of the above, it justifies the alternative of enlarging the ENV designation to wrap around behind the caravan site.

5. CNPA Determination Notice : The Mossie encompasses land which is of high ecological value rich in invertebrates and is a productive breeding ground for several species of wading bird. The proposed development would result in the net loss of habitat for breeding wading birds and a range of other species.
6. Pre Inquiry description of the Grantown ENV status : GS/ENV A number of open spaces and land which contributes to the setting of Grantown on Spey are identified and will be protected from adverse development.

Appendix 2

1. Wider Planning for an Ageing Population COSLA/Scottish Parliament
2. Projected Population of Scotland 2008 General Register of Scotland - October 2009
3. Draft Scottish Budget 2010-11: September 2009
4. Headline results from 2007 Scottish Household Survey
5. Housing - Fresh Thinking, New Ideas. May 2010 Scottish Government Publications
6. Scotland's National Dementia Strategy June 2010
7. Outlook for Scottish Government Expenditure, Chief Economic Adviser July 2010.

Brief summary of key issues

Return the land previously known as H1 to ENV and expand to cover the whole of the area. Supporting arguments are included.

Land at Grant House/Ian Charles Hospital should be provided the protection it was offered through the Highland Council Local Plan or designated as ENV.

CNPA analysis and response

The removal of the allocations at the Mossie (previously known as GS/H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

In regard to the comments made seeking the protection of the Grant House/Hospital as previously identified in the Badenoch and Strathspey Local Plan 1996, although this precise request was not lodged with the Reporters, they did consider the impact of development on Grant House as part of their analysis of the evidence submitted to the Inquiry relating to housing development in Grantown on Spey. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector raised here. No material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the text and allocations for Grantown on Spey as published has occurred.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Gordon and Carol Bulloch

Agent

545b

Modified Policy/Proposal ref Settlements - Grantown on Spey - site previously known as H1 (the Mossie)

Response to Post Inquiry Modifications

Objection 2 - removal of the Seafield Avenue - Castle Road East site (generally known as the Mossie) from the Local Plan.

The reasons given within CNPA Paper 1526 Local Plan Post Inquiry Modifications for accepting that the Mossie site should be removed from the consultation draft of the Local Plan are all linked to the original large scale development plans and resulting planning application for around 200 houses. I agree that given the poor quality of the Muir Homes planning application, the correct decision was reached by the CNPA Planning Committee in rejecting this planning application.

I do believe, however, that a smaller housing development on a smaller part or parts of the Mossie site would meet the effectiveness tests in Scottish Government document SPP3. CNPA made one mistake by including a large scale development on the Mossie within the 2007 Deposit Draft of the Local Plan without producing adequate explanation or justification for the scale of the development. CNPA has now followed up that mistake with another by not including in this consultation draft Local Plan a smaller scale site or sites within the Mossie area. The result is that the future plan for housing development in Grantown-on-Spey is based by default on the only one site (Seafield Avenue — Beachen Court site), not because this is the most appropriate site to be developed first, but as a result of previous mistakes by CNPA in the drafting of the Local Plan.

It is noted from CNPA document (ref: CNPA Paper 1526 Local Plan Post Inquiry Modifications p230) that "CNP agree that if the site [The Mossie] should become effective under the tests of SPP3 in the future it can be considered for inclusion. This will be reviewed in the search for appropriate sites to meet the need in the Local Development Plan". As stated this proposed delay in considering at least part of The Mossie site as a site for future housing development results in housing development being focussed on only one site — just because it is the only one remaining and which I believe may have been considered by CNPA to attract less objections.

The Reporters criticised CNPA for not having a settlement vision statement for Grantown-on-Spey. I believe this is still true and that CNPA has no vision of how it wishes the strategic settlement of Grantown-on-Spey to develop. By leaving only one housing development site within the consultation draft Local Plan simply because it is the only one left, CNPA is risking the piecemeal development that has dogged Aviemore over the past few decades.

I object to the deletion of The Mossie site from the consultation Local Plan whilst retaining the Seafield Avenue — Beachen Court site. What is needed is a new review of housing need within Grantown-on-Spey and the inclusion of appropriate sites to meet the estimated need as part of a new vision for the town. If this cannot be achieved within the Local Plan period then all greenfield development within Grantown-on-Spey should be suspended until this review is completed.

Brief summary of key issues

Object to the deletion of the Mossie site whilst retaining the Seafield Avenue - Beachen Court site. Greenfield development should be suspended until a review of estimated need for Grantown on Spey is carried out.

CNPA analysis and response

The removal of the allocation at the Mossie (previously known as H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Grantown on Spey (site previously known as H1)

Response to Post Inquiry Modifications

My objections deal entirely with Grantown on Spey and, in particular, the area of land known as The Mossie, (formerly GS/H1 on initial plans).

You will recall the failed Muir Homes application to develop The Mossie. Throughout the protracted application, the CNPA was provided with a huge number of objections concerning development of The Mossie. Much of the evidence presented concerned the considerable natural heritage and biodiversity value of this area.

As a consequence of both public and professional pressure, the CNPA accepted the significance of The Mossie. (Many planning documents within the Muir Homes application make reference to this.)

For example, in refusal of the Muir application, the short Determination Notice states, (The Mossie)... Encompasses land which is of high ecological value which is rich in invertebrates and is a productive breeding ground for several species of wading bird. The proposed development would result in the net loss of habitat for breeding wading birds and a range of other species.

It was generally understood that the CNPA acknowledged the importance of The Mossie. During the initial stages of the local plan formation a huge swathe of The Mossie was classified as ENV. Most of The Mossie was painted green. The pre-inquiry description of the Grantown ENV states:

GS/Env: 'A number of open spaces and land which contributes to the setting of Grantown-on-Spey are identified and will be protected from adverse development:

In the new and latest post-enquiry modifications to the Local Plan, The Massie is no longer green and is no longer designated as ENV. This is a serious error / omission. Why is it that The Mossie should no longer be protected? Nothing has happened which could alter this designation in any way.

The Inquiry Reporters state on P 245 of the report, 'We accept...the CNPA's general intention that this... area should be excluded from development...'

In support of protection for Grantown's Caravan Park, the Reporters state on P246 of their report, '...the ENV designation behind the caravan site means that a substantial...countryside outlook and setting will be retained...'

P 249 of the same report states, 'recommending GS/H1 (The Mossie) is preserved from development so that it will remain as amenity space to help offset the impact of the loss of GS/H2, (now renamed GS1H1).

On P 251, the Reporters state, 'Starting with the first suggestion, i.e. the GS/H1/OS1/ENV designation, we have firm and recent evidence that shows that the ENV area has considerable biodiversity and natural heritage value because it is at least

- rich in invertebrates, including several UK Biodiversity Action Plan (BAP) butterfly species;
- a spawning ground for toads and frogs;
- a breeding ground for wading birds; and
- a host to aspen, which is a priority species for the Cairngorms Local BAR

We also have up-to-date evidence that shows additional and adjoining grassland that is of significance because it supports the value of the ENV site.'

Spanning P 251-252, the Reporters state, 'Arguably and given all of the above, it justifies the alternative of enlarging the ENV designation to wrap around behind the caravan site...'

Great care has been taken by the CNPA in proposed park plans to protect the 'scenic approaches' to the town of Grantown on Spey so that the town remains attractive to the diverse range of important economic visitors passing through on business, and more importantly vacationers, many of whom come here to use the Mossie Campsite. Hence it is of equal importance that the existing scenic approach and wildness environment to the Mossie Campsite be protected. (This may be one of the reasons why the new GS/H1 is sited many metres back from Seafield Avenue.)

Further, the Landscape Capacity for Housing, Final Report, August 2005, commissioned by the CNPA, recommended leaving the 'hummocky' area at the south-western end of The Mossie adjacent to Seafield Avenue as undeveloped. There is a huge case for designating The Mossie as ENV. In fact, this could be a wonderful opportunity for the CNPA

to create I support a conservation area I nature reserve within a stone's throw of its principle office. The CNPA could be seen as more influential and assertive by firmly nailing its green flags to the mast. Potentially, this could be a real feather in the cap of the CNPA.

To re-designate The Mossie as ENV, or better still, to promote the conservation of The Mossie would resolve this objection

Brief summary of key issues

The objection is to area of land known as the Mossie (formerly GS/H1 on the initial plans). The land identified within the housing allocation as open space should be indented as ENV with the possibility of creating a nature reserve or similar.

CNPA analysis and response

The removal of the allocations at the Mossie (previously known as GS/H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Alistair McLeod

Agent

062

Modified Policy/Proposal ref Settlements - Grantown on Spey (site previously known as H1, and GS/ED1)

Response to Post Inquiry Modifications

Delighted that H1 is now removed but very concerned that this area is still within the settlement boundary. Even a smaller development accessed from Seafield Avenue would cause chaos as it would require the same roadway and infrastructure access to the field. This field needs to be protected and part altering the settlement boundary would achieve this. This modification would remove my objection. Apart from environmental reasons, traffic congestion at the Co-op/Bank of Scotland junction is already serious, sometimes traffic trailing back to near Ravenscourt Hotel.

Brief summary of key issues

Concerned that although the allocation has been removed the land remains within the settlement boundary. Even a small amount of development would cause chaos to existing infrastructure. The field should be protected and the settlement boundary amended accordingly.

CNPA analysis and response

The removal of the allocation at the Mossie (previously known as H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Kelsey Tainsh

Agent

540b

Modified Policy/Proposal ref Settlements - Grantown on Spey and Glossary

Response to Post Inquiry Modifications

Objections to appropriate elements of the whole Cairngorms National Park Plan Post Inquiry Modifications Consultation May 2010 document; Grantown on Spey page 73 and 74; Glossary 112.

Please find further information in the attached continuation sheet:

Wider Planning for an Ageing Population.

Scotland's Dementia Strategy,

An Ageing Population "Stand Alone Priorities for Action", Clarification of CNP 4th Aim "Social Development".

Definition of "Social Development in the Glossary.

To address the objections the Local Plan should include:

- a) greater "visioning" focus and appropriate provision for growing "CNP Ageing Population" in the whole Cairngorms National Park Plan Post Inquiry Modifications Consultation May 2010 document.
- b) protection of the former Badenoch & Strathspey Local Plan 1997 Grantown-on-Spey "Para 3.3.9 Land Adjoining" text, in order to safeguard this area for; amenities purposes and to retain scope for expansion of facilities for a growing "CNP Ageing Population", and associated medical/dental facilities, should the need arise.
- c) provision of a CNP Ageing Population "Stand Alone Priorities for Action".
- d) new Priorities for Action to facilitate a proposed future; CNP development up front or staged CNP "Community Gain" policy, to cater for a "CNP Ageing population".
- e) CNPA Board commitment to ensure future proposed development throughout this recession, will not subsequently result in existing CNP residents paying an increase in Council Tax or Non Domestic Rates.
- f) greater clarity of CNPA Board & Planning:
 - Statutory Requirements.
 - Areas of Services & Social Development Budgets Primacy.
 - CNP 4th Aim - The Social Development of communities.
 - Glossary definition of Social Development.

Additional information supplied -

Introduction

It is absolutely crystal clear to me that the CNPA Board and Planners need to make adequate provision today "in Plain English", to ensure that the CNPA 25 Year Vision and Cairngorms National Park Local Plan Post Inquiry Modifications Consultation May 2010 document, encompasses and delivers adequate provision for an aged population over the next 25 years.

CNPA Board — Lack of Clarity

The attached email (which is in the public domain) from Alison Lax to: devplans: Malcolm MacLeod — Planning dated 09 November 2009, epitomizes the lack of clarity that many interested members of CNP communities have reference:

- the delivery of issues such as the CNP 4th Aim.
- the lack of a clear "Strategy" for an aged population.
- lack of a clear definition of sustainable "social" development of communities.
- lack of clarity of areas of CNPA Board & Planning social development primacy.
- what CNPA budgets are available to deliver CNP sustainable social development.
- the mechanics and relationships protocols and policy for the provision of "Services" by the Highland Council and the CNPA Board.

Planning Development in Highland

Whilst I understand that the Highland Council "Planning Development in Highland" provide "Services" within the CNP (as outlined on page 5 of the Highland Development Plan Scheme 2010 summer 2010 document), and the

CNPA Board and Planners have control over planning. There is a lack of clarity, especially in a recession, as to how the CNPA Board can deliver and finance its; 4th Aim, Priorities for Action, and its 25 Year Vision.

CNP Statutory Requirements

Whilst the Cairngorms National Park Plan Post Inquiry Modifications document outlines that the CNPA is the sole authority within the CNP in respect of functions in relation to local plans, which are to be "collectively achieved" in a co-ordinated way, and that the CNPA is responsible for managing the park. There is a lack of clarity as to what provision is being made in the CNP Post Inquiry Modifications for CNPA Policies for:

- the CNP Ageing Population.
- those with dementia.
- primacy for these issues.
- the financial budgets required.

Wider Planning for an Ageing Population June 2010 — Housing and Communities

The Wider Planning for an Ageing population report highlights the demographic problems that the CNP is likely to encounter with regards to planning for a growing CNP ageing population, which for people aged 75 and over is now projected to increase by 84% between 2008 and 2033 (i.e. a 25 year period).

Scotland's National Dementia Strategy June 2010

This strategy, which makes frightening reading, indicates that over the next 25 years it is expected that the 71,000 people in Scotland with dementia, will double. It also lays out eight specific actions to support improvements in the care of people with dementia, focusing particularly on improving the support given in the wake of a dementia diagnosis and improving hospital care, and outlines that all too often dementia patients are discharged inappropriately to a care home.

Council Tax and People with Severe Mental Impairment

It should be kept in mind that people with Severe Mental Impairment (SMI) are expensive to the Public Purse and taxpayer, and that people with SMI:

- are entitled to claim SMI exemption from paying Council Tax.
- may well require formidable local authority financial assistance.

If the numbers of those suffering from SMI increase, there will be a commensurate loss of revenue from Council Tax, and requirement for increased Public expenditure for their care.

CNPA Board and Planning Department Envisioning

I suggest that the "timing is right" to give this subject considerable further academic and commonsense envisioning, so that the CNPA Board and Planners can make adequate provision for the growing CNP Ageing Population.

I also suggest that in line with the Scottish Governments Ageing Population and Dementia strategies and recommendations, and taking the following issues into consideration, this issue should be fast tracked by the CNPA Board:

- the timing is right.
- we cannot afford to get this wrong.
- we have to do things differently.
- there is a lack of finance in the Public and Private sector.
- we want a new era of respect, dignity and self-determination for an ageing population's and those people with dementia.
- there has to be adequate provision for purpose built Public and Private sector care and alternative facilities and options.

Cairngorms National Park 25 Year Vision

In the same CNP 25 Year Vision period, I perceive that there is a lack of clarity as to what provision the CNPA Board have made in consultation with the Highland Council and interested third parties, to cater for "Planning for an Ageing Population and those with dementia and in need of care" in the:

- Cairngorms National Park Plan Post Inquiry Modifications Consultation May 2010 document.
- the Highland Structure Plan 2001.
- Aberdeen City & Shire Structure Plan 2009.
- the Moray Structure Plan 2007.
- Dundee and Angus Structure Plan 2002
- the Highland Wide Local Development Plan.
- Local Development Area Plans.
- National Park Plan.
- The Cairngorms National Park Local Plan.
- The CNPA 25 Year Vision.
- CNPA Board "Priorities for Action".

Note: I certainly have great difficulty trying to link together all these various plans, and feel that it is inevitable that members of local communities encounter a large degree of confusion and a lack of clarity, when trying to understand the relevant; management, budgets, priorities, primacy, responsibility, and in Plain English exactly "where the buck stops".

CNPA "Stand Alone" Priorities for Action

Whilst the CNP Local Plan is only one of the delivery tools of the various Park Plan's, and is not itself enough to achieve the vision. It may be wise to include "Planning for an Ageing Population" as a "Stand Alone Priorities for Action" major issue, and where appropriate include all of these issues in the National Park Local Plan, for all communities within the CNP.

New Priorities for Action - CNP Community Gain - Envisioning

In the midst of this unpredictable recession and at a time of up to 40% cut backs in Public Budgets and expenditure, I firmly believe that it is absolutely essential that the CNPA Board and Planners focus their envisioning attention on a new "Priorities for Action CNP Community Gain Policy" to help facilitate future "Planning for an Ageing Population" requirements.

Whereby, any small and medium sized proposed development (i.e. An Camus Mor being a "gigantic and highly controversial" proposed development) would be required to provide, donate or make some other form of Community Gain provision (i.e. a substantial gift of land, finance or other community gain to the Public sector) for an "Ageing Population".

Suggested Developer Community Gain Requirements I suggest that it is extremely important that:

- any CNP Community Gain initiative for an Ageing Population is completely separate, and totally independent of any other; CNP Affordable Housing and/or other Housing Development Initiatives, and/or other Community Gain initiative.
- all CNP Community Gain development for an Ageing Population should be of an "exemplar" design, and avoid in total, any form of "Material Change of Use" and/or "Conversion's" of existing properties within the CNP.
- this proposed new CNP Priorities for Action provision for the Ageing Population would be unambiguous and legally binding, and delivered by a developer on proportionally "up front and/or an agreed staged basis" of the development process, so that it can be beneficial to CNP communities, at the earliest opportunity within the CNPA 25 Year Vision period.
- that any failure by a developer to meet an "unambiguous and legally binding agreement", would incur:
 - A developer concerned being banned from further development within the CNP.
 - A number of other "substantial, reasonable and if appropriate financial" penalties.
- If appropriate environmental and landscape remediation,
 - : all proposed future CNP development's (including those with a Community Gain element) will not subsequently result in an increase to the existing CNP residents Council Tax or Non Domestic Rates (i.e. some CNP residents are already struggling financially and/or living on social benefits - I also understand that up to two thirds of those in Highland Council social housing, already claim DSS financial assistance, and that many of those involved do not pay Council Tax).

Also supplied - Copy of email - CNPA response to The Highland Wide Local Development Plan

Brief summary of key issues

The Local Plan should be clear on its vision for the ageing population and those with dementia. There is a need for primacy for these issues, and a financial budget. The issue should be one addressed through the developer contributions policy. Supporting information is provided to expand the arguments and support the further modifications requested.

CNPA analysis and response

The objector raises a number of issues regarding the ageing population and how addressing this issue will be paid for. The issue of an ageing population is one what was not raised prior to the Local Plan Inquiry when opportunities were available at deposit, 1st modifications and 2nd modifications stages. At this stage any person or organisation may object to or make representation in support of a proposed post inquiry modification to the plan, including the decision of the planning authority not to accept a recommendation made by the Reporter. Objections cannot be lodged at this stage to the content of the original plan. The objection raises here matters which should have been raised prior to the Inquiry and is not therefore considered to be duly made.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Granttown on Spey and settlement map

Response to Post Inquiry Modifications

I welcome the CNPA Board's decision to accept the Planning Section's advice and the recommendation of the Scottish Government Reporters to remove the Mossie (originally designated GS/H1) from the CNPA Modified Local Plan, on the grounds that there are too many unresolved problems associated with this area.

I am surprised and somewhat perplexed however, to note that having decided to remove the designation GS/H1 from the "Mossie" area on the modified settlement map of Granttown-on-Spey, CNPA has also removed the ENV designation from the large area in the centre of the Mossie, which is the most important conservation area within the settlement boundary. Far from removing the ENV protection from this area, it would seem much more logical, in view of the significant number of uncertainties associated with the entire "Massie", to allocate an ENV designation to the whole of the original GS/H1 area, at least until such time as all of the unresolved problems have been thoroughly examined and the necessary action taken to resolve them, where this is deemed to be possible. With the Muir Homes Planning Application now firmly rejected and no appeal having been lodged, this would surely be the ideal opportunity for the Authority to demonstrate its commitment to protecting areas of special conservation value within the Park and at the same time to clearly establish the precise criteria by which an area should be judged to merit an ENV designation, in line with the recommendations of the Local Plan Inquiry Report which is heavily critical of the numerous inconsistencies in the present application of the CNPA ENV designation. There is however, one part of the original GS/H1 area which merits particularly close examination and that is the section which lies between Grant House and Ian Charles Hospital and which is currently protected by Clause 3.3.9 of the 1997 Local Plan. It is important that this area should be assessed to determine if any or all of it is of high biodiversity value and therefore in need of protection by an ENV designation or alternatively if it is not of high biodiversity value and is affected by no other constraints it should be protected by a clause or policy which embodies the spirit and intent of Clause 3.3.9 of HC 1997 Local Plan.

Brief summary of key issues

The whole of the previous H1 site should be allocated as ENV. In particular land between Grant House and Ian Charles Hospital should be assessed to determine its biodiversity value and protected as ENV if found to have high biodiversity value, or protected by a clause such as that used in the Badenoch and Strathspey Local Plan.

CNPA analysis and response

The removal of the allocations at the Mossie (previously known as GS/H1) is in accordance with the Reporters recommendations who recommended that site H1 should be deleted. The matters raised were previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Granttown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Gordon and Carol Bulloch

Agent

545c

Modified Policy/Proposal ref Settlements - Grantown on Spey H1

Response to Post Inquiry Modifications

Objection 3 - Number of dwellings planned for the Seafield Avenue - Beachen Court site

I note that the Settlement Proposal indicates a site capacity of 50 dwellings. I appreciate that this number is unaltered from the 2007 Deposit Local Plan, but as the assumptions of housing need made by CNPA have radically changed, the capacity of this site and the comments and recommendations made by the Local Plan Inquiry Reporters need to be questioned. Appendix 2 Table 4 states that the effective land supply to 2016 in Grantown-on-Spey, using only this site, is 15 dwellings. Until the estimated housing need in Grantown-on-Spey is explained or justified within the consultation draft of the Local Plan, there is no justification for including any dwellings within this site in the Local Plan.

Furthermore, even if the inclusion of 15 dwellings to be built on this site between 2011-16 is explained and justified, a 50 dwelling site capacity represents on a pro rata basis a 15-20 year housing supply. There is therefore no need for this site to have a capacity of 50 units. Additionally if other housing development sites were identified within the Grantown-on-Spey settlement boundary as part of a planned development of the town, this would further reduce the need for 50 units on this prominent site.

As there has been no justification of housing need included in the consultation draft Local Plan, I object to the inclusion of any dwellings on this site within the Local Plan. If the estimate that 15 dwellings would meet Grantown-on-Spey needs until 2016 can be justified, and assuming that no other sites for housing development can be found, then a maximum capacity of up to 30 housing units on the site should be set as this would provide a more than adequate 10 years housing supply.

Brief summary of key issues

Objects to the indicated capacity of site H1. There is no justification for any houses being allocated on this site.

CNPA analysis and response

The matter is in reference to site H1. This matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Grantown on Spey H1 and ED1

Response to Post Inquiry Modifications

Objection - Paragraph GS/H1: The boundaries of this site have been extended on the map but no mention is made in the text. No mention has been made of the fact that access is to be only via Beachen Court, and no comment is made about the fact that a transport survey will be necessary. The area of the site has been removed, why? Paragraph GS/ED1 states that site H1 is partially affected by flooding. I-11 is never affected by flooding. This observation clearly refers to the old site H1 (The Mossie) and not the amended H1 site (the field North of Beachen Court).

I would like to see the boundaries of site H1 correctly identified.

- the SW boundary does not include the extension of properties at 5 & 6 Revoan Drive into the development site.
- the NE boundary of the site does not follow the contour of the land which the development will have to, for reasons obvious to anyone who has visited the site.

GS/H1 : included in this paragraph should be the necessity of a traffic survey to establish the impact of 50 households worth of traffic on the surrounding road network including not only Beachen and Dulaig Court, but also, Mackay Avenue, Cairngorm Avenue and Strathspey Road, all of which can be difficult and dangerous to negotiate at busy times.

I would like to know the exact area of the site, based on the actual boundaries.

GS/ED1: the blue amendment should either be removed as it is not referring to the amended site HI, or it should be amended to clarify that it refers to The Mossie (the old H1).

It would be beneficial if the person writing this report actually visited the site.

Brief summary of key issues

Object to the change to the boundary of H1 and to any access being via Beachen Court. Text should clarify that a transport survey will be necessary. The text should also include the area of the site. The boundaries of H1 should be reviewed to remove the extension of properties at 5 and 6 Revoan Drive which do not fall within the development site. The NE boundary should follow the contour of the land but the development would have to.

Also object to the reference that ED1 will be subject to a flood risk assessment. The reference to H1 in regard to ED1 is incorrect and refers to the previous H1 now removed.

CNPA analysis and response

The change to the boundary of H1 comes as a result of the consideration by the Reporters and the modification is in accordance with their recommendations. Prior to final publication however the most up to date maps will be used and final checks on the accuracy of boundaries will be carried out to reflect the most up to date position. The need for a traffic survey would be required under policy 29 of the Plan.

Reference to the need for a flood risk assessment comes as a result of an assessment of SEPA 1 in 200 flood risk maps. The reference to H1 is incorrect and this will be removed before final publication.

The matters raised were previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published, other than those minor alterations mentioned above.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Grantown on Spey H1 extension

Response to Post Inquiry Modifications

Objection 5 — Extension of Site Boundary for the Seafield Avenue — Beachen Court site
note that the shape and boundary of this site has been extended, compared with the site boundary shown in the Deposit Draft of the CNPA Local Plan, which was the subject of the Local Plan inquiry. I understand that the extension of the site was first recommended by the Inquiry Reporters. This extension of the Site is totally unjustified. My reasons for objecting to this extension of the site are:

1. The Inquiry Reporters only recommended this extension to the site on the basis that removal of the Mossie site from the Local Plan might require a more intensive development on the Seafield Avenue — Beachen Court site. As CNPA does not appear to consider more intensive development necessary there is no need for any extension of the site.
2. CNPA has not provided any justification for extending the site. CNPA Paper 1526 Local Plan Post Inquiry Modifications p230 states, "Taking into account the possible limitations on the development of the whole site to take account of biodiversity interests, which are not as yet quantified, the Reporters conclude the most appropriate course of action is to include the larger site, identified in the current plan". These (self-admitted) un-quantified comments are not justification for enlarging the site.
3. Policy 16 (Design Standards for Development) states, "Design of all development will seek, where appropriate, to protect the amenity enjoyed by neighbouring properties". Extension of the site as described will not in my opinion protect the amenity enjoyed by the owners of either Revoan or our house, The Dulaig. Extension of the site as proposed is therefore in breach of one of CNPA's policies.
4. The additional land on the NE of the Site which CNPA has included is visually prominent from many parts of Grantown-on-Spey and its surroundings. Development on or close to the edge of this old river terrace slope will spoil many views from within and outwith the town.
5. The Site boundary on its NE side (as described in the Deposit Draft of the CNPA Local Plan) followed existing old field boundaries (delineated by a ruined stone wall and turf dyke). This is a feature could be used as an attractive site boundary to any future development — as admitted within the CNPA consultation draft Development Brief for the site. Extending the site to the edge of the old river terrace slope will swallow up this feature within the development.

Brief summary of key issues

Object to the change to the boundary of site H1. Supporting reasons are included.

CNPA analysis and response

The amendment to site H1 is in accordance with the Reporters recommendations. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Gordon and Carol Bulloch

Agent

545f

Modified Policy/Proposal ref Settlements - Grantown on Spey H1 supporting text

Response to Post Inquiry Modifications

Objection 6 — Significant Site Constraint for the Seafield Avenue — Beachen Court site has been omitted from the Settlement Proposal

The only stated constraint on the Seafield Avenue — Beachen Court site is the need for an ecological survey. A highly significant constraint that has been overlooked is site access. From the consultation draft on the Development Brief document for the Site, CNPA envisage road access to the site to be via Beechen Court. I believe the existing roads in this area are only currently just adequate and would not cope with an additional 50 houses. Additionally, I doubt whether access via Beechen Court would meet the required standards for emergency vehicles. The alternative access via Seafield Avenue is both difficult and expensive. The access road would need to bridge the Kylintra Burn flood plain and a traffic survey would be needed to demonstrate whether the existing design of Seafield Avenue, including the junction onto The Square can accommodate the traffic generated by another 50 houses. Without appropriate traffic surveys and a costed feasibility study on site access, it is arguable that the site does not meet the effectiveness tests set out in SPP3.

I object to the Seafield Avenue — Beachen Court site being included in the consultation draft Local Plan on the basis that suitable and affordable access has not been demonstrated. As a compromise, if the site is retained within the Local Plan, access must be shown to be a constraint and words should be included which require traffic surveys and an access feasibility study to be completed on any proposed road access to the site.

Brief summary of key issues

Site H1 has constraints which should be included including access. The site should be removed since a suitable and affordable access has not been demonstrated. Alternatively as a compromise access must be shown to be a constraint and words should be included which require traffic surveys and an access feasibility study to be completed on any proposed road access to the site.

CNPA analysis and response

The need for a traffic survey would be required under policy 29 of the Plan.

This matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published, other than those minor alterations mentioned above.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref George Yule

Agent

542a

Modified Policy/Proposal ref Settlements - Grantown on Spey housing allocations

Response to Post Inquiry Modifications

Objection 1 — Number of Dwellings planned for Grantown-on-Spey

The consultation draft Local Plan as presented does not justify or explain the basis for the estimated number of new houses allegedly required in Grantown-on-Spey between now and 2016. From Appendix 2 Table 4, it would appear that the CNPA estimated requirement for new houses between now and 2016 is no more than 15, however nowhere in the Local Plan is the basis for this figure explained or justified. Appendix 2 Tables 1 - 3 footnotes contain an assumption of 950 housing units to meet the total need across the National Park from 2006 to 2016, but again this assumption is neither explained nor justified.

There is a reference to a paragraph 5.33, but this does not exist in the consultation draft as is, however there is a paragraph 5.33 in the 2007 deposit draft of the Local Plan, but this also does not explain or seek to justify the basis for this assumption.

As I understand it, the CNPA was criticised in 2009 by the Inquiry Reporters for not explaining or justifying housing needs both across the National Park and in Grantown-on-Spey. As a result of the Inquiry report, the estimates for housing needed to 2016 have been downgraded in the consultation draft Local Plan, but again no satisfactory explanation or justification for the revised estimated housing need across the National Park and Grantown-on-Spey is included

Given that the current outline plan borders 3 sides of my property [REVOAN] I therefore object to the inclusion of 15 new houses for Grantown-on-Spey (allocated to the Seafield Avenue — Beachen Court site) on the basis that:

1. The estimated housing need has not been explained or justified within the Local Plan
2. There is no apparent vision within the consultation draft Local Plan of how the strategic settlement of Grantown-on-Spey should be developed. It is my own opinion the sole inclusion of the Seafield Avenue — Beachen Court site does not provide a balanced plan for the development of Grantown-on-Spey, and accordingly — and to prevent planning mistakes similar to those made over previous years in Aviemore - this site should be removed from the Local Plan until such time that a new / considered / justified vision for the development of Grantown-on-Spey is developed.

Brief summary of key issues

Objection to 15 houses allocated at Seafield Avenue/Beachen Court since the estimated housing need has not been explained or justified and there being no vision for Grantown on Spey.

CNPA analysis and response

CNPA has set out its housing land supply information in line with the requirements of SPP3 and in response to the recommendations of the Reporters following the Local Plan Inquiry. Tables 1 - 4 set out the effective supply at the commencement of the process, leading through completions to the final table which sets out how the plan intends to meet the need established. CNPA has set out its reasoning for the modifications made. CNPA has also set out its reasons for not including settlement visions clarifying its commitment to their production as an integral part of engagement on the Local Development Plan. The site referred to was a matter considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the change sought by the objectors. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objections to a second Local Plan Inquiry.

Objector Ref George Yule

Agent

542d

Modified Policy/Proposal ref Settlements - Grantown on Spey site H1

Response to Post Inquiry Modifications

Objection 4 — Extension of Site Boundary for the Seafield Avenue — Beachen Court site

As identified above, I note that the shape and boundary of this site has been extended, compared with the site boundary shown in the Deposit Draft of the CNPA Local Plan, which was the subject of the Local Plan Inquiry. I understand that the extension of the site was first recommended by the Inquiry Reporters but this extension of the Site is totally unjustified in my opinion. My reasons for objecting to this extension of the site are:

1. The Inquiry Reporters only recommended this extension to the site on the basis that removal of the Mossie site from the Local Plan might require a more intensive development on the Seafield Avenue — Beachen Court site. As CNPA does not appear to consider more intensive development necessary there is no need for any extension of the site.
2. CNPA has not provided any justification for extending the site. CNPA Paper 1526 Local Plan Post Inquiry Modifications p230 states, "Taking into account the possible limitations on the development of the whole site to take account of biodiversity interests, which are not as yet quantified, the Reporters conclude the most appropriate course of action is to include the larger site, identified in the current plan". These un-quantified comments are not justification for enlarging the site.
3. Policy 16 (Design Standards for Development) states, "Design of all development will seek, where appropriate, to protect the amenity enjoyed by neighbouring properties". Extension of the site as described will not under any circumstances protect the amenity enjoyed by the owners of either Revoan — particularly when the proposed development will look downwards on my amenity and surrounds my property on 3 sides.
4. The additional land on the NE of the Site which CNPA has included is visually prominent from many parts of Grantown-on-Spey and its surroundings. Development on or close to the edge of this old river terrace slope would spoil many views from within and outwith the town.
5. The original Site boundary on its NE side followed existing old field boundaries (delineated by a ruined stone wall and turf dyke). This is a feature which could be used as an attractive site boundary to any future development — as admitted within the CNPA consultation draft Development Brief for the site. Extending the site to the edge of the old river terrace slope will swallow up this feature within the development.

Brief summary of key issues

Object to the change to the boundary of site H1. Supporting reasons are included.

CNPA analysis and response

The amendment to site H1 is in accordance with the Reporters recommendations. The matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref George Yule

Agent

542e

Modified Policy/Proposal ref Settlements - Grantown on Spey site H1

Response to Post Inquiry Modifications

Objection 5 — Significant Site Constraint for the Seafield Avenue — Beachen Court site has been omitted from the Settlement Proposal

The only stated constraint on the Seafield Avenue — Beachen Court site is the need for an ecological survey. A highly significant constraint that has been overlooked is site access infrastructure. From the separate site Development Brief document, CNPA envisage road access to the site to be via Beachen Court. I believe the existing roads in this area are only currently just adequate and would not cope with an additional 50 houses. Additionally, I doubt very much whether access via Beachen Court would meet the required standards for emergency vehicles. The alternative access via Seafield Avenue is both difficult and expensive in my opinion, as any such access road would need to bridge the Kyntra Burn flood plain and a traffic survey would be needed to demonstrate whether the existing road leading from The Square can accommodate another 50 houses.

I object to the Seafield Avenue — Beachen Court site being included in the consultation draft Local Plan on the basis that suitable and affordable access has not been demonstrated. As a compromise, if the site is retained within the Local Plan, access must be shown to be a constraint and words should be included which require traffic surveys to be completed on any proposed road access to the site.

Plan does not take account of windfall sites in the town (e.g. the ground of the former Strath-Spey Hotel) which have planning permission for small housing units (potentially affordable housing) or which could gain planning permission allowing estimated housing need to be met without cause to impact on green-field site proposed.

Brief summary of key issues

Site H1 has constraints which should be included including access. The site should be removed since a suitable and affordable access has not been demonstrated. Alternatively as a compromise access must be shown to be a constraint and words should be included which require traffic surveys and an access feasibility study to be completed on any proposed road access to the site.

CNPA analysis and response

The need for a traffic survey would be required under policy 29 of the Plan.

This matter was previously considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented at the Inquiry the Reporters did not recommend the changes sought by the objector. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Grantown on Spey as published, other than those minor alterations mentioned above.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

Objector Ref Roy Turnbull

Agent

390w

Modified Policy/Proposal ref Settlements - Nethy Bridge (and other settlement) proposals

Response to Post Inquiry Modifications

With reference to:

"Mixed uses which support sustainable developments and communities will also be supported where evidence indicates this to be the most appropriate way to take forward proposals."

I have no idea what this means. What are mixed uses??

The paragraph is meaningless waffle which contributes nothing to the clarity of the local plan. Nor is it evident how it relates to anything that arose as a result of the Public Local Inquiry and the Reporters' Report thereon nor from any public consultation.

I object to these paragraphs. They should be deleted wherever they occur within the local plan.

Brief summary of key issues

The objector considers the term 'mixed use' meaningless. It does nothing to improve clarity and it is not evident how it relates to anything that arose as a result of the Local Plan Inquiry and Reporters Report. The paragraphs should therefore be removed.

CNPA analysis and response

The term 'mixed use' is a commonly used planning terminology which means a combination of uses within the referred to area e.g. a combination of residential, commercial, office or other uses. CNPA has set out its response to the Reporters suggestions that the Local Plan support mixed uses in their analysis of Section 3 of the Reporters Report. The matter was therefore considered by the Reporters during the Local Plan Inquiry. Following consideration of the evidence presented the Reporters suggested the Plan make clear its support for mixed use development. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals and supporting text for Nethy Bridge as published.

CNPA decision - No change. Do not refer the objection to a second Local Plan Inquiry.

Modified Policy/Proposal ref Settlements - Nethy Bridge NB/H2, NB/ED1

Response to Post Inquiry Modifications

Objection - Nethy Bridge housing allocations NB/H2 & economic development allocation NB/ED1

The Reporters' Report stated,

"66.10 we can see some logic in extending the boundary of the settlement to incorporate the component of NB/H2 which lies to the east of School Road. ..we suggest that the area be identified as ENV in the proposals map. We can see no similar logic in the extension of the settlement to the east thereby violating a further piece of School Wood and providing nothing at all by way of an easily recognisable robust and defensible boundary."

However, these suggestions have been ignored by the CNPA: the component of NB/H2 which lies to the east of School Road has not been identified as ENV in the subsequent proposals map and nor has the extension of the settlement to the east been removed from the settlement boundary, nor have any reasons for not following these suggestions been given by the CNPA.

I object that the CNPA has not responded positively to these two suggestions and I object that the CNPA has: given no reasons for not so doing and did not even address these issues in CNPA Paper 3565 Board Paper 2 Annex A. Similarly, the CNPA states in CNPA Paper 3565 Board Paper 2 Annex A:

1.3 Removing the sites NB/H2 and NB/ED1 would not, as the Reporters point out, remove the benefit of permissions, and would not safeguard the sites from development. CNPA do not therefore consider it appropriate to remove these sites as allocations from the Local Plan.

This is a straw-man argument. Neither the Reporters, nor to my knowledge any of the objectors, make the claim that removing these sites would, at a stroke, "remove the benefit of permissions". I think we can safely assume that the Reporters' knowledge of planning law was more advanced than that. This response from the CNPA is, quite frankly, fatuous.

What the removal of the sites NB/H2 and NB/ED1, and the redrawing of the settlement boundary as outlined above, would achieve is the following:

- It would provide a strong material consideration with respect to the settlement boundary and the local plan allocation that would be taken into account during any determination of the application by the CNPA.
- It would reduce confusion and uncertainty for the local community, many of whom at present have no confidence that the CNPA will defend the woodlands that create the setting of the 'Forest Village' of Nethy Bridge and do so much to enhance its amenity, landscape and conservation value.
- It would send a strong signal throughout the national park that the CNPA will defend native woodlands, and particularly ancient and semi-natural woodland in the Ancient Woodlands Inventory, like School Wood, with the additional beneficial results discussed below.
- It would ensure that, in the event of a re-application for development within School Wood, for whatever reason, then that application would be considered in the context in which there was no allocation within School Wood for development, that the area adjacent to School Road was identified as ENV, and that the rest of School Wood was outwith the settlement boundary.

If the Reporters' suggestions were followed then it would result in a more logical settlement boundary with respect to the 'component of NB/H2 which lies to the east of School Road', since this would then be identified similarly to the adjacent Balnagowan Wood which is now also within the settlement boundary and identified as ENV. In both cases such identification would acknowledge the importance of these areas of ancient semi-natural woodland, within the settlement of Nethy Bridge, for local amenity, landscape and nature conservation. Further, allowing the extension of the settlement boundary to the east in this illogical and ad hoc manner does not result, as the reporters correctly asserted, in an easily recognisable, robust and defensible boundary. Thus it engenders precisely that kind of "confusion for the reader, and the local community" that the CNPA claims it wishes to avoid (Paper 3565 Board Paper 2 Annex A, P.274 Para.1.3) since if such ad hoc extensions to the settlement boundary can be accepted by the CNPA then there is no assurance for the community that similar extension will not be accommodated elsewhere by the CNPA. Indeed, since the publication of Paper 3565 Board Paper 2 Annex A, P.274, a substantial area (49 acres) of the adjacent Culstank Moss pinewood has been offered for sale for £125,000, a sum that only someone considering development of the area would be prepared to pay: that is the result of a perception by

developers that the CNPA would allow development in native woodlands. Similarly, Thus, the complete failure of the CNPA to defend even ancient and semi-natural woodlands such as School Wood has created a situation in which such woodlands are regarded as potential development sites. That in itself threatens to bring the Cairngorms National Park into disrepute.

This situation is a form of "planning blight", in which the failure of the CNPA to defend these areas results in a scramble amongst building companies to develop them. But the damage caused extends far beyond this development pressure, and again School Wood stands as an exemplar of this damage: School Wood was purchased in 1985, along with substantial other areas of woodland in NE Scotland, by Eagle Star Insurance Company, then a wholly-owned subsidiary of British American Tobacco. Shortly afterwards, Eagle Star attempted to fell all broadleaved trees (with which School Wood is particularly well-endowed) within the wood, an act of vandalism that was only prevented by prompt local action. Had this felling occurred it would have simultaneously degraded the conservation, amenity and landscape value of the woodland, thus making objections to development less powerful, and would have maximised the commercial timber value of the woodland. Since that time (May 2006), almost no management has occurred in the woodland.

However, from the point of view of the 1st Aim of the national park and the objective within the National Park Plan, p.58 "Strategic Objectives for Forest and Woodland Management" b) Enhance the condition of existing woodland cover, School Wood is in urgent need of management. In order to enhance the condition and natural and cultural heritage of School Wood, the planted commercial exotic trees (mainly lodgepole pine, but with some Norway spruce) need to be sensitively removed, and broadleaved trees need to be encouraged by removing competition. Instead, School Wood, in common with numerous other woodlands in the national park, languishes in a limbo situation, remaining as a land-bank for companies or individuals whose only interest is in development. It is blighted by the encouragement afforded to developers by the CNPA, which is writ large within Paper 3565 Board Paper 2 Annex A, P.274, and which results in minimal possibility of management in accordance with the 1st aim of the national park and the National park Plan. The planning blight perpetuated by the failure of the CNPA to act to protect woodlands means that they remain in the hands of individuals or organisations that have demonstrated little or no interest in enhancing the condition of their woodland cover. It also hardly needs to be said that destroying woodland for development does not enhance its condition.

Thus, a process that began in School Wood as a speculative investment by part of the multi-national tobacco industry now continues to be nurtured and abetted by the CNPA in defiance of its own founding legislation, its own National Park Plan and the finding of the Scottish Government Reporters' Inquiry. As an illustration of how profoundly the CNPA has lost its way, that takes some beating.

In order for these woodlands to contribute as they should to the natural and cultural heritage of the national park it is necessary for them to be no longer seen as potential sites for development. That requires firm action by the CNPA. The complete absence of such action by the CNPA, and indeed substantial signs of encouragement in the opposite direction towards development, is not only completely at odds with the 1st Aim of the National Park, the National Park Plan, and the finding of the Local Plan Inquiry, it is, quite frankly, a dereliction of the duty of the CNPA and a national disgrace.

Brief summary of key issues

The objector seeks the removal of the allocations at NB/H2 and NB/ED1, the redrawing of the settlement boundary. The objector sets out a number of arguments to support their objection.

CNPA analysis and response

The matter of the allocation at NB/H2 and NB/ED1 was considered by the Reporters during the Local Plan Inquiry. In its analysis of the recommendations set out by the Reporters CNPA has set out its reasoning for not following their recommendations. The position of CNPA has not changed and the objection raises no new planning issues, nor has there been a material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Nethy Bridge as published.

CNPA decision - No change. Do not refer the objections to a second Local Plan Inquiry.

Objector Ref Dr A M Jones

Agent

400i(r) Badenoch and Strathspey Conservation
Group

Modified Policy/Proposal ref Settlements - Nethybridge

Response to Post Inquiry Modifications

Object to the CNPA not following the Reporters' recommendations in terms of a moratorium on almost all housing within Nethybridge for the lifetime of this LP.

Object to the CNPA not removing H2 and EDI from the allocations.

Object to CNPA not realigning the settlement boundary to exclude the extension of the settlement to the east;

Object to CNPA not designating the H2 area east of School Road as ENV.

The CNPA has not provided reasoned justifications for not introducing a moratorium on most new housing; nor for retaining the H2 and EDI allocations in their entirety in the LP.

BSCG fully understands that removing allocations with outline permission does not afford them protection from development. However, removing them is of significance in planning terms: It would be a consideration for any future detailed planning permission application; it would also be a consideration for the future LDP; and a consideration in reviewing the settlement boundary. The Reporters would obviously have been aware of these points.

Changes: Insert that there will be a moratorium for the lifetime of the LP on all building in Nethybridge other than on windfall sites that already have detailed planning permissions.

Insert ENV designation for the area of H2 east of School Road

Realign the settlement boundary to exclude the portion of H2 and EDI from being within the SB; Delete this extension of the settlement to the east from the proposals map.

Brief summary of key issues

Object to the retention of H2 and ED1, not changing the settlement boundary to exclude the land to the east, and not allocating the land as ENV.

Also object to not including text regarding a moratorium on development for the life of the plan in Nethybridge.

CNPA analysis and response

The issue of housing land allocations in Nethybridge was considered by the Reporters at the Local Plan Inquiry and CNPA has set out the reasons for its decision not to accept their recommendation to amend the allocations and supporting text accordingly. The matters raised were therefore considered by the Reporters during the Local Plan Inquiry. The objection raises no new planning issues and there is no material change in circumstances to warrant either reference to a further Local Plan Inquiry or modification to the proposals for Nethy Bridge as published.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry. .

Objector Ref Kelsey Tainsh

Agent

540d

Modified Policy/Proposal ref The Local Plan in total

Response to Post Inquiry Modifications

Objects to the Cairngorms National Park Local Plan Post Inquiry Modifications Consultation May 2010 document. The Outlook for Scottish Expenditure June 2010 Emergency Budget Update by Dr Andrew Goudie Chief Economic Advisor July 2010.

UK Government's Comprehensive Spending Review to be published 20 October 2010. - see additional information supplied.

Changes to resolve objection -

The inclusion within the Cairngorms National Park Local Plan lay out in "Plain English" the CNPA Boards "Economic and Social Business Policy and Plans" for the following periods:

- 2010 up to 2014/15.
- 2010 up to 2025/26,
- the CNPA 25 Year Vision

Additional Information supplied -

Outlook for Scottish Government Expenditure June 2010 Emergency Budget Update by Dr Andrew Goudie Chief Economic Adviser July 2010

As outlined in the "Introduction" of this document (see attached), quote:

This report provides an update to research by the Office of the Chief Economic Advisor on the outlook for future expenditure by the Scottish Government, following the June 2010 Emergency UK Budget. It passes no judgement on the wisdom or otherwise of the UK Government's plans. Rather it details the implications for Departmental Expenditure Limits and in particular the Scottish budget.

Outlook for Public Spending in Scotland

On Page 18, Section 2, the Summary of this report states that: As highlighted, the UK Government plans for almost 80% of the scheduled fiscal consolidation to come from reductions in public spending

UK National Parks — Financial Restraint and Economic Skill Set The above indicates that all of the UK National Parks:

- a) will be subject to unprecedented levels of financial restraint.
- b) be unlikely to possess the economic; knowledge, experience and skill set required, to meet the formidable future economic and social challenges ahead.

Comprehensive Spending Review — 20th October 2010

This report also highlights that whilst the full implications for public expenditure will not be known until 20 October 2010, it is clear that public spending will be subject to a period of significant constraint in the years ahead, and that Scotland (i.e. including the CNP & five Local Authorities; Highland, Aberdeenshire, Angus, Moray, Perth & Kinross) will not be immune from these financial pressures.

Page 29 to 33 - Section 3: Alternative Scenarios

Please note Charts 16, 17 & 18 of this report, which provides graphic detail of just how devastating these financial pressures and cuts will adversely impact upon Scotland (i.e. & the CNP) between 2009/2010 to 2015/16 and 2025/2026.

Scottish Government DEL expenditure could be:

- chart 16: £5.3 billion below its 2009/10 peak in real terms by 2015/16.

Page 34 Report Conclusions

The following extracts from this Report's Conclusions emphasize that:

- over the next five years to 2015/16, the UK Government is planning to enact a combination of:
 - a) tax rises.

b) spending cuts.

Both of which will adversely impact upon the sustainable economic and social development of communities and businesses within the CNP.

- The Scottish Government Departmental Expenditure Limit (DEL) may experience six consecutive years of real-terms cuts.

- This report concludes that for Scottish DEL:

a) by 2014/15, the Scottish DEL could be approximately £4.3 billion lower in real terms than in 2009/10.

b) it will take a period of sustained adjustment lasting 16 years before 2009/10 levels of expenditure are reached once again in real terms in 2025/26.

CNP Residents, Households and Business — Review of Financial Situation

In light of the Scottish Governments Office of the Chief Economic Advisers Report and the Scottish Governments impending (i.e. 20th October 2010) Comprehensive Spending Review. Every single resident, household and business within the CNP is going to be forced to review their financial situation, and implement measures to secure their future.

Needless to say, it is predictable that there will be many CNP economic and social casualties, and that the number of small businesses in Grantown-on-Spey (i.e. shops already closed and/or up for sale) and associated jobs, will be placed on a knife edge.

CNP Local Plan - Economic and Social Financial Business Policy and Plans

Everyone is aware that there is no money, and that viable small businesses, with comprehensive business plans, are encountering great difficulty in borrowing money from Banks, or securing grants from the various enterprise organisations and Public sector.

Under the circumstances and in the interests of all concerned, the CNPA Board has a Public duty to clearly lay out in its Cairngorms National Park Local Plan, its Economic and Social Business Policy and Plans for the following periods:

- 2010 up to 2014/15.

- 2010 up to 2025/26.

Cairngorms National Park Local Plan Post Inquiry Modifications Consultation May 2010

I feel that it is essential that prior to the CNPA Board and Planning Department taking any further action with regards to publishing their definitive CNP Local Plan that:

- the CNPA Board all read the Outlook for Scottish Government Expenditure June 2010 Emergency Budget Update report "Conclusions" by the Office of the Chief Economic Adviser Dr Andrew Goudie.

- no CNP Local Plan decisions are taken until the:

a. Publication of the Comprehensive Spending Review which is forecast to be published 20th October 2010.

b, The Office of the Chief Economic Adviser Dr Andrew Goudie has submitted his subsequent recommendations to the Scottish Government.

- to ensure the sustainable economic and social development of communities within the CNP, it is "highly desirable" that the:

a) proposed CNP Local Plan is subjected to the scrutiny and endorsement of the new CNPA Board and Convenor (i.e. I understand that new Convenor and CNPA Board Members will be appointed, and in post by the end of October 2010).

b) as the new CNPA Convenor, will have the leadership mandate and responsibility to implement the new CNP Local Plan, the new Convenor should ideally have the opportunity to view it with new eyes, and if appropriate seek to amend it accordingly, prior to publication.

c) the new CNPA Convenor and CNPA Board, consult with the five CNP Local Authorities, the 25 CNP Community Councils and other interested organisations within the CNP.

d) the Office of the Chief Economic Adviser is invited to scrutinise the proposed CNP Local Plan prior to its publication.

Additional list of references -

I. Wider Planning for an Ageing Population COSLA Scottish Parliament .

2. Projected Population of Scotland 2008 General Register of Scotland - October 2009.
3. Draft Scottish Budget 2010 -11 : September 2009
4. Headline Results from 2007 Scottish Household Survey.
5. Housing - Fresh Thinking, New Ideas. May 2010. Scottish Government Publications.
6. Scotland's National Dementia Strategy, June 2010.
7. Outlook for Scottish Government Expenditure, Chief Economic Adviser, July 2010.

Additional reference included in full - Scottish Government publication 'Outlook for Scottish Government Expenditure June 2010 Emergency Budget Update'

Brief summary of key issues

The objection raises issues regarding finances, the spending and committing of public funds and the availability of public funds to pay for various developments promoted in the plan. The objector seeks that no further decisions be made regarding the Local Plan until the publication of the Comprehensive Spending review is published and has been fully considered by the CNPA Board, and the Office of the Chief Economic Adviser has submitted his recommendations to government. They also request the Local Plan to include the CNPA economic and social business policy and plans for 2010-2014/15, 2010 - 2025/26 and the CNPA 25 year vision.

CNPA analysis and response

The issue of the CNPA budgets is not a matter for the Local Plan.

CNPA is obliged to produce a Local Plan for the whole of the National Park in accordance with the National Parks (Scotland) Act 2000, the Town and Country Planning (Scotland) Act 1997 and the Planning etc. (Scotland) Act 2006. The objection raises no new planning issues and there is no material change in circumstances in planning terms to warrant either reference to a further Local Plan Inquiry or modification to the Local Plan.

CNPA decision - no change. Do not refer the objection to a second Local Plan Inquiry.

