

Policy/site ref Policy 17
Objector Ref Name John Forbes-Leith Esq
418j Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is open to misinterpretation and should be clarified to explain how developments might contribute to “developing attractions”.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria are included to achieve the best outcome for the National Park and its settlements.

Proposed 1st Modification

Redraft supporting text to clarify reasoning for policy.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection maintained

Policy/site ref Policy 17
Objector Ref Name Rona Main
425m Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

Support this policy.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications required.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The original support for this policy are welcomed. No further action required.

Objection maintained

Policy/site ref **Policy 17**
Objector Ref **Name** DW and IM Duncan
037f Pineacre
 West Terrace
 Kingussie
 PH21 1HA

Agent Name

Company

Summary of objection to Deposit Local Plan

To protect sustainable communities there should be a presumption against any more large supermarkets.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria are included to achieve the best outcome for the National Park and its settlements. Confirm developments such as that would require to include a retail impact assessment to consider the impact it may have on existing shops. This is done along with the planning application and there are regulations on this kind of consideration given by the Scottish Government.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Whilst a specific reference to supermarkets has not been added para 5.5 clarifies that new developments should support the economic function of settlements, and should have a sense of local identity and character. No further modifications are therefore proposed.

Objection maintained

Policy/site ref **Policy 17**
Objector Ref **Name** Mr Michael Bruce
403g Glen Tanar Estate

Agent Name John Wright
 Strutt and Parker
 28 Melville Street
 Edinburgh
 EH3 7HA

Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

Glen Tanar should be identified as a settlement to support it as a sustainable community in social, economic and environmental terms. Its designation would fit comfortably within the existing hierarchy of settlements within the National Park.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. Confirm that the policy applies to settlements, and issue of being included as a settlement is considered elsewhere.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further action required.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 17	Agent Name
Objector Ref 017f	Name Mrs Sally Spencer Pitagowan House Newtonmore Inverness-shire PH20 1BS	Company

Summary of objection to Deposit Local Plan

There should be greater links between development and the Health and Safety Executive to allow developments to go ahead sensibly.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The CNPA work hard and ensuring meaningful links with other agencies and key partners, and this will continue in working to implement this plan. No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modification necessary as a result of this representation.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 17	Agent Name	Debbie Mackay
Objector Ref	Name The Crown Estate		Smiths Gore
419j			12 Bernard Street
			Edinburgh
			EH6 6PY
		Company	The Crown Estate

Summary of objection to Deposit Local Plan

The policy is open to misinterpretation and should be clarified to explain how developments might contribute to “developing attractions”.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria are included to achieve the best outcome for the National Park and its settlements.

Proposed 1st Modification

Clarify wording on issue of a) Change reference to 'prosperity'.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The supporting text to this policy has been redrafted to improve clarity. The policy is intended to assess how developments help improve settlements. The original objection related to the word 'attraction'. This has been changed to 'prosperity'. No further modification is proposed.

Objection maintained

Policy/site ref	Policy 17	Agent Name	
Objector Ref	Name Jamie Williamson		
439p	Alvie and Dalraddy Estate		
	Alvie Estate Office		
	Kincraig, Kingussie		
	PH21 1NE	Company	Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

The growth of settlements and improvements to services should not focus on tourism, but also facilities that support countryside activities such as abattoirs, game dealers, saw doctors and veterinary practices.

New development within settlements should not compromise the cultural heritage of those settlements and should be in sympathy with the character

and

architecture of the original settlement.

Amended wording -

Change wording to 'Within identified settlements, development proposals may be required to demonstrate how they contribute to the following criteria:

a) Improving the economic viability and diversity of the community, increasing the provision of accommodation or increasing the range and variety of shops and

services

b) Improving the quality or extent of open spaces, mitigating the impact of new development on the landscape, our built cultural heritage and safeguarding local

services.

c) Improving amenity, e.g. make centres pedestrian friendly; introduce high standards of management and maintenance; promote good design; make the centre safe

and secure.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria

are included to achieve the best outcome for the National Park and its settlements. The policy is intended to improve the public realm within settlements. The

provision of businesses to support rural businesses would not be considered reasonable in this instance.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Within settlements development proposals will demonstrate how they contribute to the following criteria:

a) develop prosperity ...existing services: and / or

b) increase accessibility , e.g. encourage a range of ... goods and services including new and extending existing water supplies and sewerage systems.; and

c) improving amenity ... secure.

Development in many areas of the Park is constrained by a lack of services including water and sewerage systems. Further development of both private and public

sector services should be encouraged and supported.

CNPA analysis of objections to 1st modifications

The issue of water and sewerage is covered in policy 13. all policies of the plan relevant to a proposals should be read together and repetition is not therefore

required. No modification is therefore proposed.

Objection maintained

Policy/site ref Policy 17

Agent Name

Objector Ref Name Dr A M Jones
400g(4) Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Do not regard additional housing provision as a measure of settlement improvement. In para 5.62 text states that development leading to settlement growth of over 20% is unlikely to enhance the settlement's character. Yet such growth is proposed in a number of settlements.

Para 5.15 - The plan does not protect areas of relatively productive, low lying agricultural land by allocating such sites for housing development.

Para 5.17 - Growth and prosperity are two distinct issues that do not necessarily work hand in hand.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria are included to achieve the best outcome for the National Park and its settlements. Confirm it relates to settlement centres as defined in the proposals maps and not agricultural land.

Proposed 1st Modification

In revised policy 17 remove 'encourage housing provision'.
Redraft supporting text to clarify reasoning for policy.

Response to 1st modification objections

No additional representation included regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 17

Agent Name

Objector Ref Name John Anderson
463p Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. State any significant development must also provide amenity / play areas if not within easy reach of existing

facilities, whose capacity would not be overwhelmed by the additional usage.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria are included to achieve the best outcome for the National Park and its settlements. Confirm provision of aspects of development proposals such as play areas are considered under policy relating to developer contributions.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

These need to include water supply and waste water treatment. Poor infrastructure leading to high water pressure to get sufficient supplies through small diameter mains to settlements such as Kingussie and Drumguish, causes problems for properties on the back road B970 side of the valley, which will continue until the pipes are replaced. Likely to impact on the scope for new development until sorted. See also comment re policy 13a regarding more local sources of supply.

CNPA analysis of objections to 1st modifications

The policy relating to water is 13. The intention of the plan is that all relevant policies are considered together. No modification to this policy is therefore proposed.

Objection maintained

Policy/site ref Policy 17
Objector Ref Name Muir Homes Ltd
038h

Agent Name Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhall, Fife
KY12 9NZ

Company

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

This policy states that "Improvements to Settlements Within settlements, development proposals will demonstrate how they contribute to the following criteria:

- a) developing prosperity, eg by improved economic viability; increase the range and variety of shops and services; develop quality open spaces; include appropriate landscaping; safeguard existing services; and
- b) increasing accessibility, eg encourage a range of multi-use paths and transport options; provide adequate vehicle and cycle parking; provide for

special needs

groups; provide for delivery of goods; and

c) improving amenity, eg make centres suitable for non motorised traffic; introduce high standards of management and maintenance; promote good design; make the centre safe and secure.

Developments which would result in a loss of vitality, viability and amenity of settlements and their communities will be resisted unless the effect can be mitigated."

Despite the limited "red" text (modifications) contained within this policy it appears as entirely new as compared with the Deposit Local Plan. The only comment

here is that in the event that a site is allocated for development it would appear entirely unnecessary for compliant development to have to demonstrate that part a)

and the final paragraph would be complied with. If it is allocated then that status has to be recognised. The same comments apply to paragraphs 5.5 and 5.6.

Paragraph 5.4 refers to a Sustainable Design Guide. The status of this guide, unless it is part of the local plan and able to be commented on as part of the process is

questioned. If it is not then how can reliance/compliance be required.

Paragraph 5.8 requires that all development has a positive impact on the built environment. This will not provide mitigation to the natural environment. This

inherent conflict requires to be recognised.

CNPA analysis of objections to 1st modifications

Para 5.4 - the reference to the sustainable design guide highlights the ongoing work to produce a design guide as supplementary guidance in support of the local

plan. This document will be produced for adoption at the same time as the local plan.

Para 5.8 - the paragraph relates to development within settlements where the impact on the built environment is important. It is not considered to have any conflict

with natural heritage.

Policy 17 - The policy is a rewording of previous policy 22 in the deposit plan. It encourages a positive approach to ensuring sustainable communities through the

settlements in which they live, work and shop, and supports the 4th aim of the Plan and the Government's approach to supporting rural settlements and their

services. No second modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref Policy 17

Objector Ref Name Mrs Audrey MacKenzie

Agent Name

416g

Aviemore and vicinity Community Council
Tamsduchus
10 Dalfaber Road
Aviemore,PH22 1PU

Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

The list provided will not improve settlements.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy has been worded to correspond to national guidance on the subject, but will be reviewed to ensure the most appropriate criteria

are included to achieve the best outcome for the National Park and its settlements. Confirm that the inclusion of the policy goes some way to ensuring that developments do achieve this.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18
Objector Ref Name John Forbes-Leith Esq
418h Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company Dunachton Estate

Summary of objection to Deposit Local Plan

The design guide must be consulted on to ensure that it does not deter appropriate development. It must be clear and user friendly. Reference to this consultation should be included in the policy.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is

used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to

the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

Amend text to state clearly that the sustainable design guide will be adopted as supplementary planning guidance, only after it has been through wide ranging and thorough consultation with the public, developers, builders and other organisations.

Response to 1st modification objections

Paragraph 5.14 Sustainability Checklist. Specifically;

“The guide will contain a checklist which must be filled in and submitted with every planning application. This checklist will generate a “sustainability score” and all proposals will be expected to attain an agreed score as a minimum standard.”

While the principle of increasing the sustainability of developments in the Park is readily supported, there are concerns over the burdens which this will place on the

Park Authority in terms of assessing and scoring applications. The tick box approach may be open to interpretation. While it is accepted that such approaches are

gradually emerging across the country in the light of the various targets for zero carbon developments, undue restrictions should not be placed on development by

skills gaps and lack of consistency in application by local planning authorities in assessing the sustainability of applications. These skills gaps and potential

inconsistencies must be addressed the Park Authority.

In any case, the Sustainable Design Guide is yet to be consulted on and therefore while the principle of such a guide is supported and accepted, there is no need at

Local Plan stage to go into the level of detail on its application which paragraph 5.14 sets out. Instead the detail on the application of the Sustainable Design Guide

should be set out and consulted upon at an appropriate time as Supplementary Planning Guidance rather than being included in the Local Plan. Setting out this level

of detail in fact pre-empts the consultation process. It is impossible for the public to comment in an informed manner on the proposals as set out here when they are

not being given the full picture which will no doubt emerge through the Design Guide.

Proposed amendment - The removal of the entire second half of paragraph 5.14 from “The Guide will contain a checklist.....” would resolve this objection.

CNPA analysis of objections to 1st modifications

The comments are noted on the implementation of the design guide and checklist. The wording is intended to clarify how the guide will be used. It is therefore not

proposed to amend this.

Objection maintained

Objector Ref 409k
Name William Stuart Paterson
3 Lynstock Park
Nethy Bridge
PH25 3EL

Company

Summary of objection to Deposit Local Plan

Planners should be able to tell developers what design to use to be in keeping with the surrounding village.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide. Add policy 19 regarding carbon emissions.

Response to 1st modification objections

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of objections to 1st modifications

Policy 18 has been completely redrafted. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 18
Objector Ref 419h
Name The Crown Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The design guide must be consulted on to ensure that it does not deter appropriate development. It must be clear and user friendly. Reference to this consultation should be included in the policy.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to

the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear. the sustainable design guide will be adopted as supplementary planning guidance, only after it has been through wide ranging and thorough consultation with the public, developers, builders and other organisations.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide. Add policy 19 regarding carbon emissions.

Response to 1st modification objections

Paragraph 5.14 Sustainability Checklist. Specifically;

“The guide will contain a checklist which must be filled in and submitted with every planning application. This checklist will generate a “sustainability score” and all

proposals will be expected to attain an agreed score as a minimum standard.”

While the principle of increasing the sustainability of developments in the Park is readily supported, there are concerns over the burdens which this will place on the

Park Authority in terms of assessing and scoring applications. The tick box approach may be open to interpretation. While it is accepted that such approaches are

gradually emerging across the country in the light of the various targets for zero carbon developments, undue restrictions should not be placed on development by

skills gaps and lack of consistency in application by local planning authorities in assessing the sustainability of applications. These skills gaps and potential

inconsistencies must be addressed the Park Authority.

In any case, the Sustainable Design Guide is yet to be consulted on and therefore while the principle of such a guide is supported and accepted, there is no need at

Local Plan stage to go into the level of detail on its application which paragraph 5.14 sets out. Instead the detail on the application of the Sustainable Design Guide

should be set out and consulted upon at an appropriate time as Supplementary Planning Guidance rather than being included in the Local Plan. Setting out this level

of detail in fact pre-empts the consultation process. It is impossible for the public to comment in an informed manner on the proposals as set out here when they are

not being given the full picture which will no doubt emerge through the Design Guide.

Proposed amendment - The removal of the entire second half of paragraph 5.14 from “The Guide will contain a checklist.....” would resolve this objection.

CNPA analysis of objections to 1st modifications

The comments are noted on the implementation of the design guide and checklist. The wording is intended to clarify how the guide will be used. It is therefore not

proposed to amend this.

Objection maintained

Policy/site ref	Policy 18	Agent Name
Objector Ref	Name Mrs Sally Spencer	
017d	Pitagowan House	
	Newtonmore	
	Inverness-shire	
	PH20 1BS	Company

Summary of objection to Deposit Local Plan

How do you implement such a policy when there are so many new developments which do not reflect the local vernacular and distinctiveness. This is also true in regard to the amenity enjoyed by neighbouring properties.

CNPA analysis of objection to Deposit Local Plan

The policy attempts to draw a line under previous poor quality design and promote good design within the National Park for all new developments. The CNPA will work to promote this policy and its aims across the Park to raise standards and ensure that new developments do reach an improved standard to the benefit of all communities. No further modification is considered necessary as a result of this representation.

Proposed 1st Modification

No further modification necessary as a result of this representation.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 18	Agent Name
Objector Ref	Name Nicola Abrams	
399SEA(l)	SEPA	
	Greyhope House	
	Greyhope Road	
	Torry, Aberdeen	Company SEPA

Summary of objection to Deposit Local Plan

How will this policy have a positive effect as the policy does not make any reduction to the re-use of materials or waste minimisation.

CNPA analysis of objection to Deposit Local Plan

The issue of reduction and reuse of materials will be included in the design guide which will support the policy and provide additional level of

information to support

all forms of sustainable development. No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications needed at this stage.

Response to 1st modification objections

No further comments regarding the SEA received in the submission on the modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18

Agent Name

Objector Ref Name Hank Dittmar

476a The Prince's Foundation
19-22 Charlotte Road
London
EC2A 3SG

Company The Prince's Foundation

Summary of objection to Deposit Local Plan

The Princes Foundation supports the production of a sustainable design guide. In addition to its role as described in the Local Plan, we suggest that the plan should

also make reference to a section in the Design Guide that addresses the conversion and reuse of redundant buildings, as a simple sustainable practice. The Princes

Foundation would welcome the opportunity to further comment or contribute towards the Guide.

The Princes Foundation supports the aim of the Park to promote the sustainable use of natural resources of the area, and policies 7, 10, 11, 18, 25, 27 and 29. Also

Policy 17 pertains to the sustainable use of resources and minimisation of climate change.

The sustainable design guide should set out detailed specification for the colour, texture, and performance of stone types in certain areas as well as appropriate

usage. The distinctions between the carried building stones traditionally used are important to the character and variety of settlements within the Park.

CNPA analysis of objection to Deposit Local Plan

The issues raised in the representation will be fed into the work ongoing to develop the design guide and checklist. This document will then be subject to full and

comprehensive public consultation and further amendments to it can be made throughout the process. No further amendments are considered necessary to the

policy as a result of this policy.

Proposed 1st Modification

No modifications considered necessary

Response to 1st modification objections

Thank you for your letter of 18th September. We do not wish to maintain our specific objections.

Whilst the Prince's Foundation's earlier comments and recommendations still stand and although not all of these appear to have been fully reflected in the revised

deposit Local Plan, our specific objections, to mono-functional, land-use zoning have been mitigated by inclusion of the following important qualification under

Settlement Proposals (P61):

"Within these proposal types, 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 development proposals".

As a matter of emphasis, we would suggest that in principle, mixed use is always the most appropriate way to take forward development, unless evidence suggests

otherwise. This is not, however sufficient cause to maintain our objections. Mixed uses places help generate vibrant public realm and reduce dependency on car use.

The Prince's Foundation would still very much welcome the opportunity to contribute to the Park's Sustainable Design Guide, possibly providing suitable case

studies or from our experience of 'pattern books'.

Overall the revised Deposit Plan reads as a carefully balanced document and we look forward to working with the National Park Authority and other stakeholders

towards the achievement of its vision

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 18	Agent Name
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Objector Ref	Name Alison Hogg	
473k	Aberdeenshire Council, Planning and Development	
	Woodhill House	
	Westburn Road	
	Aberdeen, AB16 5GB	

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Suggest the policy should also refer to siting standards. Good siting is as critical (sometimes more critical) than good design.

CNPA analysis of objection to Deposit Local Plan

The reference to siting standards is noted and will be fed into the work ongoing on the design guide and checklist. In addition the wording of the policy will be

amended to reflect the comment made. Clarify that issues such as siting of development in the landscape would be considered in policy 7.

Proposed 1st Modification

Redraft new Policy 18 to combine previous policies 17 and 18.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18

Agent Name

Objector Ref Name Susan Davies

465n Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

Seek change from the term 'landscape quality' to 'landscape character', or use 'landscape character' as an additional term.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The proposed rewording will be reviewed in line with the links between the policy, the Park Plan and the aims of the Park, and the policy

wording modified accordingly. The issue of landscape is considered in policy 7.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide. Add policy 19 regarding carbon emissions.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18

Agent Name Debbie Mackay

Objector Ref 418f
Name John Forbes-Leith Esq
Dunachton Estate

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is unworkable in every case and the wording should therefore be amended to: "All new development will seek wherever possible to conserve and enhance the natural and cultural environment"

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks

(Scotland) Act 2000 and are clear and reasonable and provides an appropriate level of detail and guidance to developers in line with SPP1. Any amendments to

draw the wording in line with these will be made by way of modification. Confirm all policies should be read together so issues of impact on natural and cultural environment would be considered under other policies.

Proposed 1st Modification

Amend to read 'where appropriate'.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any appraisal to certain scales of

development. This guide will be supplementary to the local plan and will be the subject of full and comprehensive public consultation before it is used to support

this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No further

modification is proposed.

Objection maintained

Policy/site ref 425i
Policy 18
Objector Ref Name Rona Main
Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

The design guide should be the subject to wide consultation. The guide should not impede modernisation and upgrading business premises and the viability of new schemes.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

policies 17 and 18 have been merged to form a revised policy 17. Revised point b) makes reference to encouraging innovation in design and materials use.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is used to support this policy.

The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear. No further modification is therefore proposed.

Objection maintained

Policy/site ref Policy 18
Objector Ref Name The Crown Estate
419f

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy is unworkable in every case and the wording should therefore be amended to: "All new development will seek wherever possible to conserve and enhance the natural and cultural environment"

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks

(Scotland) Act 2000 and are clear and reasonable. Any amendments to draw the wording in line with these will be made by way of modification. Confirm all policies should be read together so issues of impact on natural and cultural environment would be considered under other policies.

Proposed 1st Modification

Policies 17 and 18 have been merged to form a revised policy 18.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any appraisal to certain scales of development. This guide will be supplementary to the local plan and will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No further modification is proposed.

Objection maintained

Policy/site ref	Policy 18	Agent Name
Objector Ref 399j	Name Nicola Abrams SEPA Greyhope House Greyhope Road Torry, Aberdeen	Company SEPA

Summary of objection to Deposit Local Plan

The policy does not include reference to sustainable waste management by design. This omission is contrary to PAN 63 (para 51-52 and 80-83) and SPP10 (paras 45-46). The Policy does not require the minimisation of waste during the construction and operation of development. The justification text states that the policy supports the CNPA strategic objectives for inter alia waste management, however the wording does not actively promote sustainable waste management. The policy should be modified to highlight explicitly that all new development should provide for reducing, recycling, reusing and composting waste as a criterion to be met, such as "all new development shall be designed to enable the storage, segregation and collection of recyclable material and make provision for home composting". The policy should also be modified to highlight the requirement to minimise waste during the construction and operation of development, alternatively this could be included in Policy 17.

Furthermore clarification should be provided as to whether this will be included as part of the supplementary planning guidance to be produced by the CNPA.

However, SEPA welcomes the inclusion of recycling facilities and waste management into Table I of Developer Contributions Policy 19.

CNPA analysis of objection to Deposit Local Plan

The issues raised in the representation will be fed into the work ongoing to develop the design guide and checklist. This document will then be subject to full and comprehensive public consultation and further amendments to it can be made throughout the process. The appropriate amendments to the wording of the policy will also be made to clarify the position regarding all forms of sustainable development.

Proposed 1st Modification

Policies 17 and 18 have been merged to form a revised policy 18. Policy includes the following wording "d) demonstrate sustainable use of resources (including the minimisation of waste) ensuring the highest design standards throughout the construction and within the future maintenance arrangements and any decommissioning which may be necessary". The issues raised relating to recycling, composting etc will be addressed in the sustainable design guide.

Response to 1st modification objections

While SEPA welcomes the positive stance taken to promote sustainable use of resources during construction and sustainable design standards, SEPA maintains its objection to the wording of the Policy. While SEPA welcomes the application of this policy to all new developments, and SEPA notes that the Policy does not include a reference to sustainable waste management by design, SEPA objects to the omission which does not comply with PAN 63 (para 51-52 and 80-83) nor with SPP10 (Para 45-46).

Suggested modification – SEPA requests that the Policy be modified to highlight explicitly that all new development should provide for reducing, recycling, reusing and composting waste as a criterion to be met, such as "all new developments shall be designed to enable the storage, segregation and collection of recyclable material (and make provision for home composting)"

SEPA understands that it is intended to address this matter in the Sustainability guidance which is to be produced, SEPA would welcome the opportunity to input to this guidance.

CNPA analysis of objections to 1st modifications

The 2nd modifications will include an additional criteria after d) 'enable the storage, segregation and collection of recyclable material and make provision for home composting'.

Objection maintained

Policy/site ref Policy 18
Objector Ref Name Muir Homes Ltd
038i

Agent Name Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhall, Fife
KY12 9NZ

Company

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

Policy 18 – same comments as paragraph 5.43 related to the Sustainable Design Guide. Part b) requires development to “reflect and reinforce the traditional pattern and character of the surrounding area, and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials”.

The word “reflect” should be replaced with “respect”. In addition, the idealised requirement will fall apart where the traditional development pattern (whatever that is) is not consistent with the character of the surrounding area. The local plan should seek to outline within the settlement statements the traditional pattern and character and the local vernacular and local distinctiveness which is to be built upon. A character based on a commercial town centre core will not equally apply/translate to an edge of settlement residential development. The policy is, I fully understand, seeking to give guidance and in doing so to reflect present national policy statements. This however is no excuse for setting such a standard without also providing guidance on its interpretation.

CNPA analysis of objections to 1st modifications

The reference to the sustainable design guide highlights the ongoing work to produce a design guide as supplementary guidance in support of the local plan. This document will be produced for adoption at the same time as the local plan.

The word 'reflect' is defined as 'remind oneself' whereas 'respect' is defined as 'have regard with deference or esteem'. It is considered in the context of the policy that

the former is more appropriate. In reading the policy the 1st sentence does state that the criteria should be considered where appropriate. Therefore clearly if there is no identifiable traditional character this would not apply.

The criteria are intended as guidance to assist in the design of new developments, and it is considered that the policy does this and will be further assisted through the previously mentioned design guide. No second modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref Policy 18
Objector Ref Name John Forbes-Leith Esq
418e Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

How can applicants demonstrate whether a proposal makes a contribution or not. The size of development could be used to filter which proposals should make such a contribution. However overall the policy seems unworkable.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any

appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is

used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No modification considered necessary as a result of this representation.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide. Clarify the policy applies to all developments.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any appraisal to certain scales of

development. This guide will be supplementary to the local plan and will be the subject of full and comprehensive public consultation before it is used to support

this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No further modification is proposed.

Objection maintained

Policy/site ref Policy 18
Objector Ref Name Roy Turnbull
390j Torniscar

Agent Name

Nethy Bridge
Inverness-shire
PH25 3ED

Company

Summary of objection to Deposit Local Plan

Support

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

no modification considered necessary as a result of this representation.

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18

Agent Name

Objector Ref Name D R MacKellar
430g Cairngorms Chamber of Commerce
PO Box 15
Kingussie
PH21 1WF

Company Cairngorms Chamber of Commerce

Summary of objection to Deposit Local Plan

High quality design is important in all forms of development, and it is crucial that the conditions applied to Housing Policy, such as the minimum percentages, do not impact on future inspirational Design. The standards set should not lead to an excellent design standard, but no development to apply it.

CNPA analysis of objection to Deposit Local Plan

The policy regarding design will apply equally to all forms of development, including housing. To promote the concept work is being included within the design

guide on efforts that can be made to achieve good quality design without additional cost, and this will be fully promoted as good practice within the Park to ensure

that the requirements of policy 18 do not hamper new development. No further modification is therefore considered necessary as a result of this representation.

Proposed 1st Modification

No modifications considered necessary as a result of this representation.

Response to 1st modification objections

Objection withdrawn

CNPA analysis of objections to 1st modifications

No further action.

Objection withdrawn

Policy/site ref Policy 18

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate
422n Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

In the intro, Para 5.2 and 5.3 refer to sustainability, sustainability credentials and sustainable development, but there is no definition of what is expected. Some reference to criteria or relevant documentation would be useful if decisions are to be made against sustainability credentials.

In policy 18 designs which retain the character of an area should also allow for innovation, particularly in the fields of energy efficiency, reducing carbon emissions and sustainable development. Design guidance should be suitably flexible to allow for this and to allow progression in design. The policy should perhaps be separated into clauses for clarity. (This is also the case for Policy 20)

CNPA analysis of objection to Deposit Local Plan

The comments regarding layout are noted and the appropriate modifications will be made to clarify and ensure the policy is easy to read and understand. Additional information will also be included within the supporting text to clarify the terms referred to. Where appropriate links with the design guide will be reinforced. The reference to design innovation is also noted. It is intended that the design guide will make suitable reference and encourage exactly this type of design. Further reference to this will also be included in the wording of the policy.

Proposed 1st Modification

policies 17 and 18 have been merged to form a revised policy 18. Revised point b) makes reference to encouraging innovation in design and materials use. A new policy 19 has been included which addresses the issues relating to carbon emissions from buildings set out in SPP6.

Response to 1st modification objections

No additional comments included.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18
Objector Ref Name Jamie Williamson
439zd Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

Design of all development ...for new developments. All proposals (must) may require to be accompanied by a statement ... Sustainable Design Guide.

For some developments how some of these requirements will be met will be obvious. For others some of these desirable aims will be irrelevant. Where possible the planning application process should be simplified, not made more onerous or complicated for the potential developer.

CNPA analysis of objections to 1st modifications

The wording of the policy aims to give clarity to developers of what is expected under the policy. The proposed amendment would undermine this clarity and is not therefore proposed as a modification.

Objection maintained

Policy/site ref Policy 18
Objector Ref Name John Anderson
463m Kincraig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincraig, Kingussie
PH21 1QE

Agent Name

Company Kincraig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Concern expressed that the sustainable design guide may inhibit innovative designs which are otherwise in keeping with the landscape qualities of the park. Seek full details of the sustainable design guide to be included in an appendix to the plan.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is

used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

policies 17 and 18 have been merged to form a revised policy 18. Revised point b) makes reference to encouraging innovation in design and materials use.

Response to 1st modification objections

Policy 18 b) one view is that the term 'local vernacular' and 'innovation' are potentially contradictory. Innovation suggests modern design and inappropriate

materials for a national park. In a tourist area like this, building design should always reflect the vernacular.

However this suggestion is not supported by another commentator, who expresses the view that we should be able to exploit modern designs and materials.

A compromise might be to say something on the lines of 'innovation including the use of modern designs and materials need to be appropriate to the situation to

avoid being intrusive to the general character of the development location.'

(however what might be considered intrusive to one person could be acceptable to another – while g) in the text relating to this policy states 'accord with the design

standards and palette of materials set out in the Sustainable Design Guide and any other supplementary guidance produced relating to design of new development'.

This would suggest a significant degree of control over what can be done or used, and begs the question is this too dictatorial or would g) be acceptable within the

spirit of the possible compromise suggested above?

CNPA analysis of objections to 1st modifications

The response is somewhat conflicting, but for clarity the policy does not preclude any innovative design or material, and encourages appropriate use of any option

which is in accordance with its location. No modification is therefore proposed.

Objection maintained

Policy/site ref Policy 18

Objector Ref Name Donald Lockhart
385d Albyn Housing Association
98-100 High Street
Invergordon
IV18 0DL

Agent Name

Company Albyn Housing Association

Summary of objection to Deposit Local Plan

Support for the use of a Sustainable design guide but would not wish it to be too prescriptive particularly in terms of adding cost to affordable housing developments.

There should be additional promotion in Policy 18 of design innovation and contemporary design solutions in favour of reinforcing the existing patterns, character and vernacular. This represents a lost opportunity which the launch of a National Park in the Cairngorms area at the start of the 21st Century affords.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is

used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to

the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

policies 17 and 18 have been merged to form a revised policy 17. Revised point b) makes reference to encouraging innovation in design and materials use.

Objection maintained

Policy/site ref Policy 18

Agent Name

Objector Ref Name Fred Mackintosh

472k The Highland Council

Company The Highland Council

Summary of objection to Deposit Local Plan

The preparation of a Design Guide to ensure a consistent and appropriate standards of design and construction for new roads within the park area would be most

welcome and Highland Council I looks forward to further consultation on the detail of such a guide.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is

used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to

the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

Amend text to state clearly that the sustainable design guide will be adopted as supplementary planning guidance, only after it has been through wide ranging and

thorough consultation with the public, developers, builders and other organisations.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 18
Objector Ref Name Scottish and Southern Energy Plc
447g

Agent Name Jones Lang Lasalle
7 Exchange Crescent
Conference Square
Edinburgh
EH3 8LL

Company Scottish and Southern Energy Plc

Summary of objection to Deposit Local Plan

The wording should not require all development to conserve and enhance the natural and cultural heritage while, although reflecting the 1st aim of the park, para

3.2 of the plan acknowledges that not all development will make equal contributions to the aims and that some developments "may contribute to one or more aims whilst conflicting with others".

The policy does not provide for this flexibility and is therefore contradictory. There are also many situations when developments will not 'enhance' the landscape

qualities 'surrounding' the development site. These requirements are therefore unreasonable. Particular reference is made to the issues created with transmission

lines in regard to this policy.

Of particular concern is the reference in para 3.7 and it is not considered reasonable that developments must comply with all policies in the plan in order to comply with policy 1.

The plan contains no guidance regarding where infrastructure development might be considered favourably and as previously stated does not define the 'special qualities'.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks

(Scotland) Act 2000 and are clear and reasonable and provides an appropriate level of detail and guidance to developers in line with SPP1. Any amendments to

draw the wording in line with these will be made by way of modification. Confirm all policies are to be read together.

Proposed 1st Modification

Combine policies 17 and 18 into new policy 18 and reinforce the link to design guide.

Response to 1st modification objections

See previous objection.

CNPA analysis of objections to 1st modifications

No further action. See objection 447f

Objection maintained

Policy/site ref Policy 18
Objector Ref Name The Proprietors of Mar Centre
394g

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company The Proprietors of Mar Centre

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

Our Client supports good design standards for new development. Policy 18, part b) encourages innovation in design. The Park needs to move forward in its design

aspirations and support modern development that respects traditional form and materials. Although the policy does touch on this we believe that the justification and

implementation elements need to clarify that modern design is acceptable.

Changes Required to Resolve the Objection

Clarify that modern design is acceptable in the justification and implementation sections.

CNPA analysis of objections to 1st modifications

The wording of the policy clearly encourages good design and it is not considered appropriate to single out traditional, modern or any other style. The issue

remains that it be good quality. No modification is therefore proposed.

Objection maintained

Policy/site ref Policy 18,19
Objector Ref Name Dr A Watson
020h Clachnaben
Crathes, Banchory
Kincardineshire

Agent Name

Summary of objection to Deposit Local Plan

Wording is not clear in reference to reinforcing pattern and local vernacular. How will this policy be assessed.

In para 5.2 add at the end 'to the same extent' to ensure future consistency of use.

The creation of sustainable communities conflicts with recent experience of increased populations in the Park from commuters, holiday homes and retired people.

This will reduce the natural and semi natural habitats.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The design guide and checklist which will support this policy will be the subject of full and comprehensive public consultation before it is

used to support this policy. The aim of the guide is to be clear and user friendly and it is hoped that it will support sustainable communities and developments to

the benefit of the Park and all its communities. The wording of the policy will be amended to ensure the links with the guide and checklist are clear.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Policies 18 and 19 have been completely redrafted. No further modifications therefore proposed.

Objection maintained**Policy/site ref Policy 18,19**

Objector Ref Name Mrs Jane Angus

4371 Darroch Den

Hawthorn Place

Ballater

AB35 5QH

Agent Name**Company****Summary of objection to Deposit Local Plan**

The design guide should include 'low C02' after efficiency'. The guide should be provided quickly to match development pressure.

CNPA analysis of objection to Deposit Local Plan

The design guide and checklist are being prepared to support the local plan policies, and following the necessary consultation will be complete and ready for

implementation prior to the adoption of the Local Plan.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide. Add policy 19 regarding carbon emissions.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 18,19,20	Agent Name John Wright
Objector Ref	Name Mr Michael Bruce	Strutt and Parker
403e	Glen Tanar Estate	28 Melville Street
		Edinburgh
		EH3 7HA
		Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

Support the polices regarding sustainable design and development, and developer contributions.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications required.

Response to 1st modification objections

No further action required.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name Sarah Jane Laing	
429s	SRPBA	
	Stuart House	
	Eskmills	
	Musselburgh, EH21 7PB	Company SRPBA

Summary of objection to Deposit Local Plan

The wording is confusing and the policy should be removed.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any sustainability appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the

underlying thinking

behind the policy. The policy wording will be amended to reflect this link and to clarify the underlying aims.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19
Objector Ref Name The Crown Estate
419e

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

How can applicants demonstrate whether a proposal makes a contribution or not. The size of development could be used to filter which proposals should make such a contribution. However overall the policy seems unworkable.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any sustainability appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. The policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any appraisal to certain scales of development. This guide will be supplementary to the local plan and will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No further modification is proposed.

Objection maintained

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name Ian Francis	
4241	RSPB Scotland East Regional Office 10 Albyn Terrace Aberdeen, AB10 1YP	Company RSPB Scotland

Summary of objection to Deposit Local Plan

The wording should reflect the duty to further the conservation of biodiversity and reworded as: "ensure a healthy, affordable, resource efficient and functional building environment that avoids damage to the natural environment and where possible enhances it"
The plan should also set local targets for low and zero carbon developments in line with SPP6. Consideration should also be given to para 36 of SPP6 on local

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any sustainability appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. The policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

No further comments added.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19

Agent Name

Objector Ref Name Dr Alister Scott
477g University of Aberdeen
Department of Geography and Environment
Elphinstone Road
Aberdeen

Company

Summary of objection to Deposit Local Plan

The policy is too vague. The Park should take a lead by implementing and reinterpreting the Merton Rule to a rural situation. The policy should also include making

a contribution to social and economic needs of the community thus acting as a bridge for Sec 75 agreements or other benefits in kind.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording of the policy will be reviewed to ensure it is clear, and delivers the underlying aims of promoting sustainable communities and development.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Hello and apologies for not replying sooner. I have resigned from my job in order to take up a new position in New Zealand and the issues with this have rather

been at the forefront of my mind. My principal concerns lay with the landscape section of the plan and i am glad to see that the revisions strengthen this

considerably. Specific reference could be made and indeed should be made to the European landscape Convention as justification.

I therefore have no outstanding objections. I do still have some comments and at this stage wonder if they have to be formed in the form of an objection. Perhaps a

short written response would be OK

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19

Agent Name Steve Crawford

Objector Ref Name Rona Main
425h Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

There must be a balance between the sustainability objectives and economic development criteria.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording of the policy will be reviewed to ensure it is clear, and delivers the underlying aims of promoting sustainable communities and development.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

We acknowledge the modifications carried out under Section 5 Living and Working in the Park to encourage the growth of sustainable communities, the Economy &

Employment and Outdoor Access/Recreation. We have some concerns about the prescriptive nature of the design standards and the impact this may have on the

viable of new developments or restoration projects. Policy 19 we appreciate is a direction from National Planning Guidance on zero and low carbon emission

developments > 500 m², however again we have a concern this is too prescriptive and may render some development proposals unviable.

CNPA analysis of objections to 1st modifications

The guidance on design is not intended to be prescriptive in any way, but to assist in the creation of high quality developments which compliment the National Park.

The requirements under policy 19 are in line with recently produced government guidance on the subject. No further modifications are therefore produced.

Objection maintained

Policy/site ref Policy 19

Objector Ref Name Dr A M Jones

400g Badenoch and Strathspey Conservation Group

Fiodhag

Nethybridge

PH25 3DJ

Agent Name

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Para 5.2 and 5.6 - Definition of sustainable development is incomplete. Add "Sustainable development means...that future generations can continue to use and enjoy

them to a comparable degree" or similar.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording of the policy will be reviewed to ensure it is clear, and delivers the underlying aims of promoting sustainable communities and development.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

No additional representation included regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19
Objector Ref Name Scottish and Southern Energy Plc
447f

Agent Name Jones Lang Lasalle
7 Exchange Crescent
Conference Square
Edinburgh
EH3 8LL

Company Scottish and Southern Energy Plc

Summary of objection to Deposit Local Plan

The wording should add “where relevant” and define exceptions, as it is not necessarily appropriate for all development to include certain aspects of the ‘integrated social, community and environmental factors’ as referred to in the policy. This change would bring the policy more in line with PAN 49.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any

appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is

used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. The

policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Policies 17 and 18 of the deposit local plan have been modified and combined into a new Policy 18 ‘Design Standards for Development’. It is acknowledged that the

modified policy includes the term ‘all development, where appropriate’ but this gives rise to the potential for considerable debate as to what is meant by ‘where

appropriate’. It is considered that it is necessary to include some explanatory text explaining that it would not be expected than an infrastructure development such

as an overhead transmission line would necessarily meet the literal terms of Policy 17 since the application of the policy would clearly not be appropriate in those

circumstances.

CNPA analysis of objections to 1st modifications

The policy applies to all developments, and the wording indicates that from the list not all will be relevant to all development proposals. However it highlights the issues which need to be addressed and therefore is considered to be clear and give appropriate direction. No modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name	
390i	Roy Turnbull Torniscar Nethy Bridge Inverness-shire PH25 3ED	Company

Summary of objection to Deposit Local Plan

The wording of the 2nd bullet point should be "Minimise the effect of the development on climate change."

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording of the policy will be reviewed to ensure it is clear, and delivers the underlying aims of minimising the impact new development has on climate change.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name	
374	Mrs Thelma van Tienen 4 Bridge Square Ballater Aberdeenshire AB35 5QJ	Company

Summary of objection to Deposit Local Plan

The use of earth shelters would be in line with the sustainability objectives of the local plan and reference to them should be included in the local plan.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The CNPA is developing a sustainable design guide and checklist to support this policy and this document will go into a greater level of detail

on forms of development which may offer individual solutions within the Park. No modification considered necessary as a result of this representation.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Objection withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name Nicola Abrams	
399i	SEPA	
	Greyhope House	
	Greyhope Road	
	Torry, Aberdeen	Company SEPA

Summary of objection to Deposit Local Plan

Although the policy makes reference to sustainable use of resources there is no direction provided for developers to show what is expected in order to meet these

requirements. NPPG 10 (now replaced by SPP10) and PAN63 require new development to minimise waste during construction and operation of development and

require provision for the storage, segregation and collection of recyclables and provision for home composting. The policy should be amended at 3) to read

"demonstrate sustainable use of resources (including minimisation of waste)" Reference should also be made in this policy to the Sustainable Design Guide.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any

appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is

used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. The

policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Accept - withdraw objection conditional upon modification being made.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19

Agent Name

Objector Ref Name Nicola Abrams

399SEA(k)

SEPA

Greyhope House

Greyhope Road

Torry, Aberdeen

Company SEPA

Summary of objection to Deposit Local Plan

SEPA accepts the results of the assessment in regard to Policy 17.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

Comments noted. No modifications needed at this stage.

Response to 1st modification objections

No further comments regarding the SEA received in the submission on the modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 19

Agent Name

Objector Ref Name Alison Hogg

473j

Aberdeenshire Council, Planning and Development

Woodhill House

Westburn Road

Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Suggest the addition of a specific reference to reducing the need to travel.

Suggest that consultation is undertaken with the local councils and economic development bodies in relation to supplementary planning guidance for development of micro-generation energy production within the Park.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any sustainability appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. The policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in the deposit local plan. Theses comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 19
Objector Ref	Name Glenmore Properties Ltd
453s	Viewfield Farm
	Craigellachie
	Aberlour
	AB38 9QT

Agent Name	Steve Crawford
	Halliday Fraser Munro
	8 Victoria Street
	Aberdeen
	AB10 1XB
Company	Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

This policy aims to reduce carbon emissions of certain developments by at least 15% above that required by the 2007 Building Regulations. We have concerns regarding the role of planning in this process, in terms of relevance, appropriately qualified officers, and the weight that might be attached to such a policy in determining planning applications. The Scottish Building Standards Agency report 'A Low Carbon Building Standards Strategy For Scotland' (the Sullivan Report, 2007) tackles the issue of the respective roles of planning and building standards, stating that:

"The panel appreciates the intention of the last administration in introducing the requirements in Scottish Planning Policy 'Renewable Energy' (SPP6) for on-site low and zero carbon equipment. While this measure aims to reduce carbon dioxide emissions and promote the development of the renewables industry, the installation of low carbon equipment is unlikely to produce cost-effective reductions in carbon dioxide emissions without energy efficiency measures. We therefore consider that as energy standards in building regulations become more demanding it will be necessary to reconsider the role of planning. There is also a need to consider more generally what the respective roles of planning and building standards should be in promoting the development of local energy centres." In these circumstances it is hard to envisage a development proposal which could be refused planning permission when it fully complies with the Building Standards in terms of carbon emissions.

With the use of the policy as presently suggested it would appear that the CNPA could be considering refusing planning permission on the basis of proposals not going

15% beyond Building Standards. This is impractical in terms of process. Planning Officials are also not qualified to assess this.

In essence, the main aspiration of this policy: -

- is either a Building Standard - which has to be met; OR

- is a planning aspiration which encourages development to go beyond what is required as a standard – but if it is this then the CNPA should find another means by

which this could be achieved.

CNPA analysis of objections to 1st modifications

The wording of the policy is in line with Scottish Government planning advice on the topic and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 19

Objector Ref Name D R MacKellar

4301 Cairngorms Chamber of Commerce
PO Box 15
Kingussie
PH21 1WF

Agent Name

Company Cairngorms Chamber of Commerce

Summary of objection to Deposit Local Plan

As a general comment 'Sustainability' is not just about "maintaining" the status quo as suggested but also means to nourish and grow. The plan should be more

about the aspirational and enabling connection with our economy and businesses.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any

sustainability appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public

consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking

behind the policy. The policy wording will be amended to reflect this link.

Proposed 1st Modification

Redraft policy 17 as Policy 18 and ensure better links to the proposed content of the Sustainable Design Guide.

Response to 1st modification objections

Objection withdrawn

CNPA analysis of objections to 1st modifications

No further action.

Objection withdrawn

Policy/site ref	Policy 19	Agent Name
Objector Ref	Name David Horsfall	
391f	Homes for Scotland 5 New Mart Place Edinburgh EH14 1RW	Company

Response to 1st modification objections

The principles of the important issues being addressed by sustainable policies cannot be questioned from either the national or international perspective. The

advantages to the economy and the need to tackle the consequences of climate change are clear and the Scottish Home Building Industry continues to stress the

need for a partnership between government and business to deliver real progress in this agenda.

Our member companies accept that this policy is intended to support the delivery of a National Framework and Development Plans that contribute sustainable

development. Homes for Scotland fully supports the underlying objectives in that regard. However, our concern focuses on the premature introduction of local

sustainable building standards that will lead to inconsistency in approach across the country. This focus is concerned with the relationship over time between the

requirement for energy reduction measures (increased insulation of the building fabric) in new homes and provision of renewable energy (on-site micro-generation).

The main concerns with the latter are the high capital costs and the present refusal of the principle private housing warranty providers to give cover to homeowners

for these technologies.

SPP6 (paragraph 36) sets out a policy framework aimed at reducing CO2 emissions by 15% beyond the 2007 building regulations carbon dioxide emissions standards.

It would be a matter of grave concern if the development industry was required to work to 34 different sets of standards across Scotland. On this basis Homes for

Scotland will always prefer to have changes in building standards contained within building regulations, promoted and implemented by the Scottish Building

Standards Agency (SBSA) rather than through the forum of subjectively applied Planning Policies and decisions

Rather than simply low carbon equipment, we support the objective of placing the emphasis on the overall carbon and thermal efficiency of new homes. This is a

matter addressed within the Government appointed research document 'A Low Carbon Building Standard Strategy For Scotland' (hereby referred to as the Sullivan

Report) which states that low carbon equipment is not appropriate as the industry is not yet sufficiently well developed to deliver low carbon equipment. The

Sullivan Report goes on to state that the requirement for low carbon equipment, set out in SPP6 (Renewable Energy) should be reviewed and probably removed in time.

Our members are ready and willing to work with the Cairngorms National Park Authority. Nonetheless, this must be in a climate where planning officers have the

necessary resources and technical expertise to manage such measures. Concerns relate to

- 1) Whether planning officers have the capacity to make judgements?
- 2) What happens when a Planning Consent is contravened or the Building Warrant withdrawn?
- 3) In the case of point 2, who does what when?

Planning officers must be aware of the effect that new standards will have on the viability of a scheme and consideration must be given to associated matters such as

density standards which may need to be increased to make some schemes viable.

Our members are happy to engaged with Cairngorms National Park Authority but maintain that the industry is not yet adequately experienced in the design,

operational and cost issues associated with sustainable power generation. We would also question whether the technology is sufficiently robust and cost-effective for

CNPA analysis of objections to 1st modifications

The policy reflects the requirements of PAN84 Reducing Carbon Emissions in new development, and it is therefore appropriate for it to be considered through the planning process as well as building standards. Para 5.15 relates to the impact new development has on carbon emissions. Within all new developments, including those on allocated sites, the siting of buildings can have an impact on reducing carbon emissions and this should therefore be considered in the development process. No second modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref Policy 19

Objector Ref Name Jamie Williamson
439ze Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Response to 1st modification objections

Development with a total floorspace of 500 square metres or more (should) may be required to incorporate on-site zero and low carbon equipment contributing (at least an extra 15%) a significant reduction in carbon dioxide emissions ... emissions standard. The policy as stated is too prescriptive. Planners should be given more flexibility in determining such matters.

CNPA analysis of objections to 1st modifications

The wording of the policy is in line with Scottish Government planning advice on the topic and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 19

Objector Ref Name John Anderson
463ze Kincraig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincraig, Kingussie
PH21 1QE

Agent Name

Company Kincraig and Vicinity Community Council

Response to 1st modification objections

see comment re policy 16 energy generation

CNPA analysis of objections to 1st modifications

The policy is in line with recent government guidance on carbon emissions and no modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 19
Objector Ref Name The Proprietors of Mar Centre
394h

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company The Proprietors of Mar Centre

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

This policy aims to reduce carbon emissions of certain developments by at least 15% above that required by the 2007 Building Regulations. We have concerns

regarding the emphasis on the planning process in this respect - in terms of relevance, appropriately qualified officers, and the weight that might be attached to such

a policy in determining planning applications. The Scottish Building Standards Agency report 'A Low Carbon Building Standards Strategy For Scotland' (the Sullivan

Report, 2007) tackles the issue of the respective roles of planning and building standards, stating that: "The panel appreciates the intention of the last administration

in introducing the requirements in Scottish Planning Policy 'Renewable Energy' (SPP6) for onsite low and zero carbon equipment. While this measure aims to reduce

carbon dioxide emissions and promote the development of the renewables industry, the installation of low carbon equipment is unlikely to produce cost-effective

reductions in carbon dioxide emissions without energy efficiency measures. We therefore consider that as energy standards in building regulations become

more demanding it will be necessary to reconsider the role of planning. There is also a need to consider more generally what the respective roles of planning and

building standards should be in promoting the development of local energy centres."

In these circumstances it is hard to envisage a development proposal which could be refused planning permission when it fully complies with the Building Standards

in terms of carbon emissions. With the use of the policy as presently suggested it would appear that the CNPA could consider refusing planning permission on the

basis of proposals not going 15% beyond Building Standards. This is impractical in terms of process. Recent experience has also reinforced the case that Planning

Officials are also not qualified to assess carbon reduction calculations. In essence, the main aspiration of this policy: -

- is either a Building Standard - which has to be met; OR

- is a planning aspiration which encourages development to go beyond what
- is required as a standard – but if it is this then the CNPA should find another means by which this could be achieved.
As either of these it should also allow for locally sensitive areas, such as those around Braemar, to opt out of on-site solutions where they impact adversely on the
national nature designations e.g. wind turbines, solar panels etc. Other less obvious technologies i.e. well insulated and sealed housing, can contribute similar CO2 reductions.
Changes Required to Resolve the Objection
Remove policy. At the very least allow for locally sensitive solutions and optout.

CNPA analysis of objections to 1st modifications

The wording of the policy is in line with Scottish Government planning advice on the topic and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 19
Objector Ref Name Muir Homes Ltd
038j

Agent Name Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhall, Fife
KY12 9NZ

Company

Response to 1st modification objections

This policy is objected to in its entirety. This requirement should be a matter for Building Standards and not related to the assessment of a planning application.

Paragraph 5.15 surely the allocation of a site within the local plan must provide support for the siting of that particular development and this should be accepted/referred to within the text.

CNPA analysis of objections to 1st modifications

The policy reflects the requirements of PAN84 Reducing Carbon Emissions in new development, and it is therefore appropriate for it to be considered through the
planning process as well as building standards. Para 5.15 relates to the impact new development has on carbon emissions. Within all new developments, including
those on allocated sites, the siting of buildings can have an impact on reducing carbon emissions and this should therefore be considered in the development
process. No second modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name Alison Hogg

473r
Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Concern expressed about impact on Ballater and Braemar schools and Aboyne Academy by the additional number of children predicted to be living in the new houses to be built.

CNPA analysis of objection to Deposit Local Plan

The detailed comments are noted and are particularly useful when considering in detail the requirements for the Aberdeenshire area. It is the intention that policy

19 will be implemented by way of community needs surveys and this information will be important for the Ballater and Braemar areas. Further work is needed to

clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is

proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Confirm school development is included in policy 19, and thank for up to date info on school roles, etc.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20

Agent Name

Objector Ref Name Phillip John Swan

462e
30 Monaltrie Avenue
Ballater
AB35 5RX

Company

Summary of objection to Deposit Local Plan

Concern expressed about impact on Ballater primary school from proposed new housing and Scottish Governments intention to reduce class sizes. Seek changes to plan to provide adequate assurance of the suitability of future primary schooling facilities.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. CNPA will continue to work closely with the relevant local authority to ensure that any new development does not place undue pressure on existing services including school roles. This will be done through policy 19 which will be amended to clarify the expectations placed on developers. Confirm that up to date information on the impact on Ballater school has been obtained from Aberdeenshire Council, and this would be included in the consideration of any proposal in Ballater, and covered under Policy on Developer Contributions.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

I wish to maintain my objections to the CNPA Deposit Plan.

CNPA analysis of objections to 1st modifications

The CNPA continue to work closely with the local authority to ensure that new development is factored into growth plans for public services. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 20

Objector Ref Name Roy Turnbull

390k Torniscar

Nethy Bridge

Inverness-shire

PH25 3ED

Agent Name

Company

Summary of objection to Deposit Local Plan

The wording implies that any development that "increases or improves public services" etc. will be acceptable as there is appropriate developer contribution. This is an unacceptable commitment.

The Policy should be re-written: "... or mitigate adverse effects, it will only be considered where the developer makes ..."

Table 1 should also include:

- water supply
- sewage disposal and treatment

- road infrastructure (if not included in Transportation)
- road furniture (lighting etc.)

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the

wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be

included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments

regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the

expectations of the policy.

Proposed 1st Modification

Reword supporting text to clarify role of developer contributions. Confirm role of community needs assessments in deciding where the need lies.

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20

Objector Ref Name John Anderson

463n Kinraig and Vicinity Community Council
Goldenacre, Dunachton Road
Kinraig, Kingussie
PH21 1QE

Agent Name

Company Kinraig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Support Alvie estate view on this policy

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The issue will be considered under the Alvie representation. No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications required.

Response to 1st modification objections

Developer contributions for large developments (how large?) would be acceptable but not for individual developments such as for first time buyers and self builds

where keeping costs down is an imperative. But see policy 21 contributions to affordable housing below.

If a limit were to be set under which developer contributions were not charged – under three houses say, consider doing so in the context of no repeat build following a successful application in the vicinity for at least another five years to avoid ‘development creep’ to achieving a 10 house ‘vision’ without making a developer contribution.

CNPA analysis of objections to 1st modifications

The contribution made by a developer will be directly related to the impact that development has on services, facilities and infrastructure. If a small development

makes no impact then there would be no need for such a contribution. Where there is an impact it is however completely reasonable that the developer should pay.

No modification is therefore proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name Mrs Audrey MacKenzie
416f Aviemore and vicinity Community Council
Tamsduchus
10 Dalfaber Road
Aviemore, PH22 1PU

Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

Who decides what contributions will be and what they will be used for. Will it be ring fenced for the local area. Why have police and fire service been omitted.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

The list of themes in the table is merely indicative and should be read as such. The funds are normally passed to the local authorities for the identified projects

within the area. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not

open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to

ensure a consistent approach is taken. Mechanisms for implementation will come through subsequent protocol note and are based on the impacts a development

has on facilities etc. The contributions are then towards those impacts. The issue of police and fire services are already covered through normal taxes and the policy

must be careful not to include things covered elsewhere.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20

Agent Name

Objector Ref Name Ian Francis

424m RSPB Scotland
East Regional Office
10 Albyn Terrace
Aberdeen, AB10 1YP

Company RSPB Scotland

Summary of objection to Deposit Local Plan

Table 1 should include biodiversity as a theme to account for the potential effects of development on species, habitats or ecosystems.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Proposed 1st Modification

Confirm biodiversity will be added to the table.

Response to 1st modification objections

No further comments added.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20

Agent Name

Objector Ref Name Dr A M Jones

400g(a) Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Replace "will be approved" with "will only be considered"

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The policy will be reviewed to clarify the expectations of the policy and the proposed wording will be assessed within this

review.

Proposed 1st Modification

Change 1st sentence to 'Development which gives ... will normally require the developer to make'

Response to 1st modification objections

No additional representation included regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name Hank Dittmar	
476b	The Prince's Foundation	
	19-22 Charlotte Road	
	London	
	EC2A 3SG	Company The Prince's Foundation

Summary of objection to Deposit Local Plan

Lack of supply of appropriate material for building and repair could be overcome by supporting the opening of small scale quarries, which would assist with the 4th

aim of the Park, where this is for the cutting of dimension stone. It can have low visual impact and allow for easy reclamation as a natural habitat.

The concept of

'snatch' quarrying relates planning permission for the extraction to a specific duration or needs basis which may be a consideration where economically viable.

Significant development areas rather than piecemeal growth may provide enough certainty and demand to make viable the opening or reopening of a quarry. The

additional costs of using appropriate sustainable materials should be specifically noted under Policy 19.

CNPA analysis of objection to Deposit Local Plan

The comments are noted and the issue of quarries will be addressed under policy 14 in addition to the other policies of the Plan. In regard to themes for

contribution, it is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Proposed 1st Modification

No modification proposed

Response to 1st modification objections

Thank you for your letter of 18th September. We do not wish to maintain our specific objections.

Whilst the Prince's Foundation's earlier comments and recommendations still stand and although not all of these appear to have been fully reflected in the revised

deposit Local Plan, our specific objections, to mono-functional, land-use zoning have been mitigated by inclusion of the following important qualification under

Settlement Proposals (P61):

“Within these proposal types, 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 development proposals”.

As a matter of emphasis, we would suggest that in principle, mixed use is always the most appropriate way to take forward development, unless evidence suggests

otherwise. This is not, however sufficient cause to maintain our objections. Mixed uses places help generate vibrant public realm and reduce dependency on car use.

The Prince’s Foundation would still very much welcome the opportunity to contribute to the Park’s Sustainable Design Guide, possibly providing suitable case

studies or from our experience of ‘pattern books’.

Overall the revised Deposit Plan reads as a carefully balanced document and we look forward to working with the National Park Authority and other stakeholders

towards the achievement of its vision

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20

Agent Name

Objector Ref Name Mrs Jane Angus

437m Darroch Den
Hawthorn Place
Ballater
AB35 5QH

Company

Summary of objection to Deposit Local Plan

Such contributions should be used for training and skills development.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Confirm table is only indicative and contributions will be based on community needs assessments, and other information available and relevant to particular applications.

Proposed 1st Modification

No modification proposed

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name Mrs Sally Spencer	
017e	Pitagowan House Newtonmore Inverness-shire PH20 1BS	Company

Summary of objection to Deposit Local Plan

To ensure sustainable communities are created and maintained, developer contributions should be used to provide basic community facilities such as church halls, shops, and a place for people to gather.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Proposed 1st Modification

Amend text in para 5.20 to confirm use of community needs assessments in establishing need created as a result of the development.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name Alison Hogg	
473m	Aberdeenshire Council, Planning and Development Woodhill House Westburn Road Aberdeen, AB16 5GB	Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Table 1: Developer Contribution Themes - suggest changing wording to the following:

“The effect of the Development on transportation infrastructure and services, and sustainable travel options, assessed against the relevant Regional and Local Transport Strategies”

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the

supporting text.

Proposed 1st Modification

Reword table in line with comment.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name DW and IM Duncan	
037e	Pineacre	
	West Terrace	
	Kingussie	
	PH21 1HA	Company

Summary of objection to Deposit Local Plan

The local community should be able to advise of what projects they consider to be a priority.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Proposed 1st Modification

Clarify the role of community needs assessments in para 5.20.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The approach to developer contributions will be based on information gathered and in line with government guidance on what is appropriate. The use of

community needs assessments will be key to this. Reference has been added to clarify this in para 5.20. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name Alison Hogg

4731
Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Suggest revising wording to state that the developer must provide or meet the cost of infrastructure which is necessary as a consequence of the development.

Questions what the "sequential approach" is in para 5.7- not clear what this refers to in this context.

Suggest revising the wording of the table in relation to schools, and adopt the wording of the section on Libraries and refer to the adequacy of the existing facilities.

Suggest adding the following into the table: Community Learning and Development-The effects of the development on the adequacy of the existing Community

Learning & Development service

(Whilst it may be that it was intended that the Community Facilities item should cover this, the wording suggests that the heading is more concerned with health and social work.)

CNPA analysis of objection to Deposit Local Plan

The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the

services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when

considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the

table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Proposed 1st Modification

Add suggested wording into supporting text of policy.

Amend table 1 in line with comments.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20
Objector Ref Name Scottish and Southern Energy Plc
447h

Agent Name Jones Lang Lasalle
7 Exchange Crescent
Conference Square
Edinburgh
EH3 8LL
Company Scottish and Southern Energy Plc

Summary of objection to Deposit Local Plan

This policy is inconsistent with circular 12/96 because it states that not all developments which result in adverse effects that require to be mitigated against, will require a cash or in kind donation. The legality of this policy is questioned. It is not considered to be acceptable as it states that any project that requires the mitigation of adverse effects will only be approved where the developer makes a fair and reasonable contribution in cash or kind towards other costs or requirements. The policy does not allow for or envisage the possibility of necessary infrastructural development, brought forward in the national interest (specific reference is made to transmission lines which may have significant adverse effects on the environment or amenity, but would be brought forward with suitable mitigation measures designed to make the development acceptable and which may result in compensatory measures being provided some way from the development site or measures not related directly to the planning system and provided not through such a policy). The wording should also be amended to include 'significant' rather than all adverse effects.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The wording will also be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Proposed 1st Modification

Confirm the wording of the policy states that not all development will be affected, only that development which does have an impact. The policy in no way implies

that permissions are bought, and the wording allows a degree of flexibility on what the reasonable contribution might be.

Response to 1st modification objections

This policy has been amended so that it no longer states that any project that requires the mitigation of adverse effects will only be approved where the developer

makes a fair and reasonable contribution in cash or kind towards other costs or requirements. However it has not been modified to allow for infrastructure

development of a national interest and it has not been amended to include reference to 'significant' adverse effects and accordingly our objections in respect to

these issues are maintained.

CNPA analysis of objections to 1st modifications

The policy does now include reference to the contribution 'normally' being required. Where there are exceptions to this rule the wording allows for this. No

modification is therefore proposed.

Objection maintained

Policy/site ref Policy 20

Objector Ref Name Sarah Jane Laing

429c SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Agent Name

Company SRPBA

Summary of objection to Deposit Local Plan

This seems to be a payment for things already covered in taxation and by local authorities. The payment of such sums should not result in a barrier to development,

particularly in areas where pressure for development is low. CNPA should also acknowledge that some developments may lead to the retention of local services

such as schools which is desirable. Clarification is needed on the items on the list, and what constitutes 'fair and reasonable'.

CNPA analysis of objection to Deposit Local Plan

The policy aims to ensure that new developments do not place undue pressure on existing and required services. It is not something which is covered under normal

taxation, and is in line with the relevant circular on the topic. The policy will also be reviewed to strike an appropriate balance between development opportunities

and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are

clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also

be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy. Mechanisms for implementation will come through subsequent protocol note.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 20
Objector Ref Name John Forbes-Leith Esq
418g Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company Dunachton Estate

Summary of objection to Deposit Local Plan

Developer contributions should not be set at a level to deter developers from investing in the Park. This must be balanced against the provision for affordable houses. It must therefore be clarified what is 'fair and reasonable' and how this policy relates to policy 24.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. In this regard policies 19 and 24 must be considered together. With specific reference to policy 19, policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. Confirm the policy as worded allows flexibility in what a reasonable contribution is, and this would take into account the form of development. However also confirm that the policy is intended to be in addition to any affordable housing contribution as it is towards services and facilities directly affected

by the
development.

Proposed 1st Modification

No modification proposed

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The contribution is related directly to the development and the impact it has on public services, facilities or infrastructure. Government guidance is quite clear on

the use of such a policy. No further modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 20
Objector Ref	Name
453g	Glenmore Properties Ltd Viewfield Farm Craigellachie Aberlour AB38 9QT

Agent Name	Steve Crawford Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB
Company	Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

The policy and the justification should both refer to Circular 12/1996 to avoid any confusion. Any themes and calculations for contributions must be based on

existing capacity and offer clarity in calculation. A baseline of information which is regularly monitored should therefore be established. The policy should also allow

for exceptional circumstances where the viability of a scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain

requirements. The wording should be amended to reflect this.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. However the policy wording endeavours not to repeat other legislation or guidance, and a reference to the relevant circular in the supporting

text is considered sufficient to ensure that it is highlighted to potential developers. In regard to themes for contribution, it is the intention of CNPA to base the

contributions on community needs surveys and this will be further explained in the supporting text. The wording of the policy allows for exceptions to the rule, and

it is not considered necessary to list these within the policy. Mechanisms for implementation will come through subsequent protocol note.

Proposed 1st Modification

Reinforce wording on circular and guidance in para 5.17.

Response to 1st modification objections

Maintain objection.

CNPA analysis of objections to 1st modifications

Reference is made in the supporting text to Circular 12/1986. Para 5.20 has also been amended to refer to how assessments will be undertaken and the role of

community needs assessments. No further amendments are proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name Gordon McLeod

420 Project and Development Officer
Northern Constabulary, Police Headquarters
Old Perth Road
Inverness, IV2 3SY

Company Northern Constabulary

Summary of objection to Deposit Local Plan

Further housing allocated in Kingussie and increased numbers of tourists in the area may lead to an increase in crime. To address the additional pressure on the

police service, police should be included within Policy 19 regarding developer contributions.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Confirm that there are guidelines on what developer contributions can pay for and police services is not included in this. Funding for such things comes from normal taxes.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The approach to housing land supply has not changed, and the funding for police work remains something addressed through council tax amongst other sources.

No further amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name Debbie Mackay

Objector Ref 419g
Name The Crown Estate

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

Developer contributions should not be set at a level to deter developers from investing in the Park. This must be balanced against the provision for affordable

houses. It must therefore be clarified what is 'fair and reasonable' and how this policy relates to policy 24.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position and policy 19 and 24 should both be considered. The wording of the policy will however be reviewed to strike an

appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires.

Further explanation will

be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues

which will be addressed through this policy will also be clarified. Confirm the policy as worded allows flexibility in what a reasonable contribution is, and this would

take into account the form of development. However also confirm that the policy is intended to be in addition to any affordable housing contribution as it is

towards services and facilities directly affected by the development. The mechanisms for the implementation of this policy will be established in a subsequent

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The contribution is related directly to the development and the impact it has on public services, facilities or infrastructure. Government guidance is quite clear on

the use of such a policy. No further modification is therefore proposed.

Objection maintained

Policy/site ref Policy 20
Objector Ref 456e
Name Reidhaven Estate
Seafield Estate Office

Agent Name Jill Paterson
Halliday Fraser Munro
8 Victoria Street

Cullen
Buckie
Banffshire

Aberdeen
AB10 1XB
Company Reidhaven Estate

Summary of objection to Deposit Local Plan

Reference should be made to circular 12/1996 to support the approach. Regarding the suggested themes in table 1, to be fair and relevant these and any planning gain calculations must be based on existing capacity and offer clarity in calculation. Baseline information should be developed and monitored in support of this policy. There should also be allowance for exceptions where the contribution is waived because it would make the development unviable.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. However the policy wording endeavours not to repeat other legislation or guidance, and a reference to the relevant circular in the supporting text is considered sufficient to ensure that it is highlighted to potential developers. In regard to themes for contribution, it is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text. The wording of the policy allows for exceptions to the rule, and it is not considered necessary to list these within the policy.

Proposed 1st Modification

Reinforce wording on circular and guidance.
Confirm role of community needs assessments.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Reference is made in the supporting text to Circular 12/1986. Para 5.20 has also been amended to refer to how assessments will be undertaken and the role of community needs assessments. No further amendments are proposed.

Objection maintained

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name Planning, Environment and Development	
469h	The Highland Council	

Company The Highland Council

Summary of objection to Deposit Local Plan

The policy should recognise the role of local councils as providers of several of the services set out in Table 1. The need for dialogue with the relevant

Service as

specific contributions are calculated and negotiated is stressed. The table should refer to affordable housing – if only to link the free-standing policy 24

(Contributions to Affordable Housing); and add under Transportation, “including any cumulative impacts on the road network”. Although an obligation on

developers, the requirement to upgrade un-adopted roads to adoptable standards in order to serve more than four houses should be added for clarity and

consistency with the Council’s adopted guidelines.

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to

unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a

consistent approach is taken. The issue of affordable housing is considered under separate policy 21, and further explanation will be added to the Introduction to

clarify the need to consider all the policies of the Plan. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such.

Some changes will be made to clarify this point and clarify the expectations of the policy.

Proposed 1st Modification

Add further information in supporting text.

Response to 1st modification objections

We welcome the modifications made by CNPA to the supporting text in response to our representation. What is now in the Plan provides a basis for working with

CNPA in developing the policy approach, including any associated guidance, given the on-going work that the Highland Council is undertaking on this matter.

On the basis of the Local Plan First Modifications the Council is content with this part of the Plan as a way of going forward and does not maintain its earlier representation.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 20	Agent Name
Objector Ref	Name Jamie Williamson	
439n	Alvie and Dalraddy Estate	
	Alvie Estate Office	

Summary of objection to Deposit Local Plan

This is effectively an additional tax on development and will add to the cost of housing in the park and act as a disincentive to development. It will result in open

market housing being even more expensive and will create a two tier provision for the rich and those who qualify for affordable homes. The policy should be removed.

Amended wording – Delete ‘it will be approved where the developer makes’ and replace with ‘consideration will be given to requiring the developer to make’.

CNPA analysis of objection to Deposit Local Plan

The policy aims to ensure that new developments do not place undue pressure on existing and required services. It is not something which is covered under normal

taxation, and is in line with the relevant circular on the topic. The policy will also be reviewed to strike an appropriate balance between development opportunities

and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are

clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also

be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this

point and clarify the expectations of the policy. Confirm that the policy is in line with national guidance and is reasonable within the planning process. The

contributions will only be towards the costs of facilities etc which are directly affected as a result of the development. The wording of the policy allows a degree of

flexibility in what that contribution might be.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

This policy should be removed from the Plan.

Allowing the Local Authority or Cairngorms National Park Authority to raise what is in effect a tax on individual developers at their discretion would be open to

abuse and would encourage corruption.

If the objective is to make "...housing more affordable..." and reduce "... the gap between housing need and supply in the Park to meet the community needs." (see

page 12 of Deposit Local Plan), using private sector development as an opportunity to raise taxes for the benefit of the National Park or Local Authority will be

counterproductive. It will add to the cost of houses in the Park and it will also be a disincentive to building more houses in the Park or undertake developments. If

the Cairngorms National Park Authority wants to encourage the building of sustainable and affordable houses, or encourage further development within the Park,

don't increase the tax on them.

Additional homes will contribute additional rates and economies of scale. If rates and taxes are designed to cover the supply of public services, the additional revenue generated by these additional homes should cover the public services provided without having to impose a one off tax on the developer.

CNPA analysis of objections to 1st modifications

The options for developer contributions are clearly established in the planning system and the inclusion of a policy to explain their use is appropriate. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 20
Objector Ref Name Muir Homes Ltd
038k

Agent Name Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhill, Fife
KY12 9NZ

Company

Response to 1st modification objections

Table 1 Developer Contribution themes - It is strange that the addition to this list related to Biodiversity is not highlighted in red within the modifications document

as it did not appear in the deposit local plan. Again, there is recurring theme that the local plan requires to accept that development will impact on biodiversity

albeit there is a clearly accepted need to minimise such impacts. What is not clear is why a development would require to contribute to the creation of other

"biodiversity" where this may already be plentiful within the Park area and beyond. Placing such requirements may affect the deliverability of beneficial development

for the community. This should be deleted from the list.

CNPA analysis of objections to 1st modifications

The table is indicative of what developer contributions may be required. The inclusion of biodiversity is not unreasonable as certain forms of development may

impact on the existing biodiversity and therefore require the developer to make a contribution in line with Policy 6. No second modifications or amendments are

therefore proposed.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name Sandra Hebenton
368a Network Rail
Buchanan House
8 Port Dundas Road
Glasgow, G4 0LQ

Company Network Rail

Summary of objection to Deposit Local Plan

Support the policy but would wish further clarity on the content of the local transport strategy.

CNPA analysis of objection to Deposit Local Plan

The comment is noted, and the text will be reviewed to clarify the position. Confirm policy will rely on best available information, and consultation on forthcoming documents will occur in the normal way.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

The modifications are generally welcomed however we note that Table 1 Developer Contribution Themes has been modified in relation to Transportation to refer to 'cumulative impacts on the road network'. We are concerned that this reference to only one aspect of the transportation system has been included without due justification elsewhere within the text. We must object unless this is deleted or replaced by a more general reference to all transport infrastructure.

CNPA analysis of objections to 1st modifications

The objection is noted, and the wording will be amended by way of a second modification to 'transport network'. The appropriate amendment will be included within the advertised second modifications.

Objection maintained

Policy/site ref Policy 20

Agent Name

Objector Ref Name D R MacKellar
430d Cairngorms Chamber of Commerce
PO Box 15
Kingussie
PH21 1WF

Company Cairngorms Chamber of Commerce

Summary of objection to Deposit Local Plan

In policy 19 the statement regarding the impact on public services should be explained, and determined with consultation involving the public agencies who deliver

such public facilities. It may be a burden to that development and such relationships between developments and contributions should be clearly

stated so that they

can be included in any programme of action. Community Plan objectives are an example where common social objectives for population change should be

addressed. Equally in the field of housing and provision of infrastructure there is opportunity for a more pro-active approach. Lack of infrastructure should not

merely be seen as a constraint. This approach would assist the business community in planning ahead with more certainty.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the

wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be

included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified.

Proposed 1st Modification

Add clarification on the engagement of service providers and the community in considering the issue of developer contributions. Also add reference to ongoing

good work on community needs assessments to ensure appropriate targeting of funds.

Response to 1st modification objections

Objection withdrawn

CNPA analysis of objections to 1st modifications

No further action.

Objection withdrawn

Policy/site ref Policy 20

Objector Ref Name Rona Main

425j Scottish Enterprise Grampian

27 Albyn Place

Aberdeen

AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro

8 Victoria Street

Aberdeen

AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

Reference should be made to circular 12/1996 in the supporting text. The developer contribution themes must be based on existing capacity and offer clarity in

calculation. Some baseline information should be established that can be regularly monitored. The policy should include an exception where the viability of a

development scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements

CNPA analysis of objection to Deposit Local Plan

The comment is noted. However the policy wording endeavours not to repeat other legislation or guidance, and a reference to the relevant circular in the supporting

text is considered sufficient to ensure that it is highlighted to potential developers. In regard to themes for contribution, it is the intention of CNPA to base the

contributions on community needs surveys and this will be further explained in the supporting text. The wording of the policy allows for exceptions to the rule, and

it is not considered necessary to list these within the policy. The mechanisms for the implementation of this policy will be established in a subsequent protocol note.

Proposed 1st Modification

Reinforce wording on circular and guidance.

Response to 1st modification objections

We welcome the guidance for developer contributions under Policy 20, however the guidance is open to interpretation and does not provide cost certainty to developers.

CNPA analysis of objections to 1st modifications

The impact of the policy will be assessed against the impact of individual developments and it would therefore not be appropriate to set out scales of contribution as

these will change on a case by case basis. The policy is intended to clarify the role of developer contributions and no further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Rothiemurchus Estate
446b Estate Office
Aviemore
Inverness-shire
PH22 IQH

Agent Name Howard Brindley Consulting
26 Holm Park
Inverness
1V2 4XT

Company Rothiemurchus Estate

Summary of objection to Deposit Local Plan

The Estate is working on the development of an indicative land use plan, and within this is demonstrating how to make a contribution to the needs for affordable

housing in the area. The proposed community design allows for high density smaller house units as part of the balanced provision. It is expected that 80% of the

houses will be between one and three bedrooms, and that a proportion of these will be for rent by social landlords or available for low cost ownership.

Policy 24 requirement for 50% affordable houses would, within the proposed An Camas Mor Indicative Land Use Plan make it more difficult to accommodate

residents from the middle income groups who make up the largest constituent of a thriving economy, which would not be compatible with the overall vision of a

balanced community. There is also a need to achieve a housing ladder to meet the needs of the whole community. The policy reduces the range of housing and therefore options and choice. It could also reverse recent progress in Aviemore which is building a more balanced and cohesive community and moving away from the previous clear division between large privately built houses and ex local authority stock.

The blanket 50% affordable housing is an additional burden on the developer and may impact on the design and environmental expectations within the Vision for An

Camas Mor and which are appropriate to a new community in the National park. The policy is therefore too prescriptive to be applied to An Camas Mor as a whole. PAN 74 gives a benchmark of 25% allowing for a higher percentage on specific sites, but only in exceptional circumstances. The decision on when such exceptional circumstances occur best left to agreements between developers, householders and the Authority. It is inappropriate as a blanket policy for a whole community. The policy should therefore be reworded to indicate the national policy benchmark for affordable housing should be applied generally to major new housing developments.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Affordable housing – the previous objection requested that the policy of 50% affordable be reworded to apply the national benchmark of 25% generally to new housing developments with the possibility of negotiating higher levels in various phases at An Camas Mor. The policy has been modified to require, where public funding is available, the overall affordable contribution of the development to be 40% with the developer making up any shortfall between the public subsidised element and this target. Where insufficient public subsidy exists the developer will be expected to provide 25% affordable units. We understand from Appendix 2 that affordable homes are to be to people on ‘modest incomes’ on the basis of being on an area housing list and subject to the current income tests and allocation rules.

To realise views expressed by the local community and detailed in the local plan the estate is proposing, over 20 years, to enable development of a balanced community at An Camas Mor. The vision includes homes and space for community facilities and employment representing a normal range of ages, household types

and average or above average incomes levels. It believes that the proportion, types and allocation of affordable housing for people in housing need on modest incomes should support that purpose. It also understands that there is a need to meet the needs of people who are on incomes that are above the level to qualify them for affordable homes but find it near impossible to buy in the existing market. It believes that solutions appropriate for a new community can be found for both sectors together.

Recently indicators are that a fundamental readjustment is taking place across the banking, house building, mortgage and house buying markets and that assumptions developed over recent years may have to be reviewed.

Against this background the Estate is still of the view that modified policy 21's requirement for affordable housing is insufficiently flexible for planning a successful new community. Consequently the Estate maintains its objection to this policy as it is currently worded.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and 25% where less than one third is available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref Policy 21

Agent Name

Objector Ref Name Simon Blackett
442d The Estate Office
4 The Keiloch
Braemar
A835 51W

Company Invercauld Estate

Summary of objection to Deposit Local Plan

The 50% requirement seems very high and inflexible particularly where no public funding exists. .

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the

approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

OK I agree to withdraw any objections

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 21	Agent Name
Objector Ref	Name	
037j	DW and IM Duncan Pineacre West Terrace Kingussie PH21 1HA	Company

Summary of objection to Deposit Local Plan

The % of affordable housing should be 80% to meet the local demand.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third is available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Dominic Fairlie
452e Scotia Homes Ltd
23 Bridge Street
Ellon
AB41 9AA

Agent Name

Company Scotia Homes Ltd

Summary of objection to Deposit Local Plan

The wording is dangerously over prescriptive. It would be much better to rely on the results of any studies relating to the amount and type of affordable housing that may be required and in what tenure. The wording should be amended to delete the words "by as much as 5 per cent".

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Include break down of sites within appendix and in light of most up to date information.

Response to 1st modification objections

No additional comments relating to this objection in the response to modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471o The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Comments made in relation to the use of common housing registers and waiting lists:

- 1.The Highland Council operates its waiting list in accordance with the Housing (Scotland) Act 2001, as do the RSLs, and operates the a Highland-wide policy; it does not exist solely to reflect the CNP aims.
- 2.The agreed Highland Common Housing Register allocation policy awards additional points to applicants if they have a need to reside in the

community. This

reflects communities concerns to ensure that social rented housing is provided to 'local' people.

3.The waiting lists in Highland cannot be used at present to directly nominate potential house buyers. We would be very happy nonetheless to work the CNP to

look at ways to improve nomination processes for house buyers – and hope to be doing this through the above Delivery Group. A number of RSLs operate

processes to make sure that appropriate households in need of affordable housing are 'allocated' LCHO properties such as Homestake. We feel that there may be

scope for the CNP to work with them. Whilst the CNP would not be able to 'gain access' to the data on the council's waiting list or the Common Housing Register,

there could be potential for the Council/RSLs to carry out mailshots/PR on behalf of the CNP for any housing developments that would be of interest to waiting list

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Clarify text regarding common housing register to ensure it is in line with the proper operations of the register and add to appendix on housing.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Objector Ref Name David Horsfall

391b Homes for Scotland

5 New Mart Place

Edinburgh

EH14 1RW

Agent Name

Company Homes for Scotland

Summary of objection to Deposit Local Plan

Object to the requirement for affordable housing where there is public subsidy available, with an expectation that the developer provide 50% of the costs. High

affordable housing will affect land value and land acquisition will become more difficult. In line with PAN 74 the requirement should be 25% to encourage a climate of certainty.

A high requirement for affordable houses will reduce the ability of the private sector to subsidise affordable housing sites. Set at 50% there would be

less spare

funding available for common infrastructure costs and build costs. The % affordable units must be realistic and the subsidised affordable housing should be fully justified with evidence of available public sector funding.

Changes that will resolve this objection – the requirement should be set at 25% in accordance with PAN 74 with this % revised until there is an up to date and accurate housing needs assessment for the whole of the Park area.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Part 2 - Homes for Scotland object to the requirement for a 40% affordable housing contribution with any shortfall between the public subsidy element and the 40%

target made up by the developer. We object to the 40% affordable housing requirement on the basis that it will result in landowners refusing to sell their land as a

result of unreasonably low site values. PAN 74 paragraph 34 states that the percentage requirement should create a climate of certainty and suggests a benchmark figure of 25% of the total number of units.

Unreasonably high affordable housing requirements will reduce the ability of the private sector to subsidise affordable housing sites. The requirement for 40%

affordable housing is likely to result in less spare funding available for common infrastructure costs and build costs. High affordable housing requirements will also

affect land values and land acquisition will become more difficult.

The affordable housing requirement must be realistic and the subsidised affordable housing should be fully justified with evidence of available public sector funding.

The policy wording should delete reference to a 40% affordable housing requirement and replace with a 25% requirement to accord with the benchmark set out in

PAN 74 paragraph 34.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and 25% where less than one third is available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref	Policy 21	Agent Name
Objector Ref 391c	Name David Horsfall Homes for Scotland 5 New Mart Place Edinburgh EH14 1RW	Company Homes for Scotland

Summary of objection to Deposit Local Plan

Object to the requirement that where there is no subsidy the developer is required to provide 30% units as affordable. Land values in the park are currently low as a result of high development costs, particularly in relation to labour costs. A 30% requirement with no public subsidy would leave most sites with a negative site value.

Para 39 of PAN 74 indicates that alternative methods of provision should be sought in areas outwith strategic priority for development. It also states that it is not appropriate to introduce policy which requires developers to construct new houses to be handed over free to a local authority or an RSL.

PAN 74 para 10 states where development funding is not available, or will meet part of the requirement, affordable housing built without public subsidy will have a roll to play. Housing without public subsidy are appropriate where it can be clearly demonstrated that they will meet the needs of, and be affordable to, groups of householders identified through the housing needs assessment. The wording should therefore be changed to: ' where no public subsidy is available, the developer may be required to provide affordable housing without subsidy where it can be demonstrated that they will meet

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Part 3 - Homes for Scotland object the requirement for a 25% affordable housing contribution where public funding is less than a third of the total cost of the

development. Land values in the Cairngorms National Park are low as a result of high costs associated with development, in particular labour costs. A 25% affordable

housing requirement with little or no public subsidy would leave most sites with a negative site value.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the needs of, and be affordable to, groups of householders identified through an up to date housing needs assessment. ' the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and 25% where less than one third if available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref

Policy 21

Agent Name

Objector Ref

Name Dominic Fairlie

452f

Scotia Homes Ltd

23 Bridge Street

Ellon

AB41 9AA

Company Scotia Homes Ltd

Summary of objection to Deposit Local Plan

Rather than try and keep affordable housing as such 'in perpetuity' it would be better to quote a duration, e.g. 15 years to account for changes in the housing market

in the long term. This would also allow owners, e.g. housing associations to sell on dated properties and generate income to replace the stock with more

appropriate and up to date properties. With property that is sold as low cost, retaining it as such ensures that the purchaser will only be able to buy another low

cost unit, and restrict their options within the normal housing ladder.

Para 5.49 - The wording should be amended to replace "in perpetuity" with "for a period of 15 years or more"

Para 5.49 - delete last sentence in iv "if the owner wishes to sell the property, the subsidy and a proportion.....purchase the home" and replace with "the amount

if the discount be quoted in the title deeds for the property as a burden which amount will reduce annually such that it is zero after a period of 15 years from the

date if the purchase he or she will pay to the council the amount of such a figure then outstanding and the council will use the funds to help another

individual

purchase another affordable house".

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Confirm that the intention is that the house remains affordable for ever, and if there is a need to change from that view, owners could apply to have the restrictive

parts of any planning permission etc removed.

Proposed 1st Modification

No modification proposed as result of this objection.

Response to 1st modification objections

One of my original representations related to the protection of affordable housing in perpetuity, and I note that this is reinforced again in the modification to section

5.47. Whilst it may be a desire and goal, it is just not practical. Over a long period of time I do not believe that any house can remain affordable in perpetuity.

Housing Association houses and council houses are likely, over a very long period of time, to depreciate or become expensive to operate and manage and the

preference may be to sell the site and move on to another. The same is true with other affordable houses. To force perpetuity onto the provision of affordable

housing is just not terribly realistic.

CNPA analysis of objections to 1st modifications

The issue of retaining affordable housing in perpetuity is considered important by CNPA and this position has not changed. No further modifications are therefore

proposed.

Objection maintained

Policy/site ref Policy 21

Agent Name

Objector Ref Name Jamie Williamson
439s Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

Taxing the provision of single houses does not help address the problem. There should be a greater emphasis on the buildings of houses to rent.

There will be

situations where there is not sufficient local demand for affordable houses, and this is also seen as a traditional form of housing provision in the area.

If this form of housing was supported there would be less reliance on public funding. Households should not require to be registered and approved by a Local

Authority or Housing association housing list to be eligible to be a tenant of a private sector landlord. (page 48). The insistence of social rented housing being provided by Registered Social Landlords (5.49) is an unnecessary restriction further discouraging the private sector to fill the vacuum created by government in rented accommodation.

The cost of providing affordable housing is off set against the cost of open market housing, and the approach proposed in this policy will create a gap in the price range of houses between 'affordable' and 'open market'.

Insisting on houses being built to be rented in perpetuity (5.49) is another disincentive for the private sector to build to rent. If this disincentive is compounded by insisting on a "below market" rent in perpetuity, it is unlikely that the private sector will provide the "affordable" accommodation. The impact of the current taxation system is a further disincentive.

The % proposed in the Plan being so different to neighbouring local authorities will result in developers going outwith the park to develop, and much needed houses will not be built.

The policy must carefully consider the true economics of housing development, particularly in the rented sector. A change in the definition of an 'affordable' house

should be made to one subject to a section 75 agreement over a period of between 20 and 50 years that restricts occupancy to rented accommodation for residents, dependents of residents, households with full time employment in the area or households investing in the economy of the area.

As an alternative to a section 75 Agreement the Park Authority should consider a loan to the developer secured on the property being developed. The loan would

have to be repaid with interest plus a penalty if the property is taken off rent and/or sold on the open market within say 20 years. We are concerned that if the

property is tied into renting in perpetuity (5.49) it will lower the value of the investment when sold or transferred. To make the investment worthwhile either the initial grant aid or the rent charged will have to be higher.

Where houses are built for sale to residents of households that will be economically active within the area, houses can be made more affordable by a shared equity scheme whereby the household is able to buy out the developer over a period of time.

Amended wording –

In wording throughout delete 'will' and replace with 'may'

In 2nd sentence add 'tied or rented accommodation' after 'include', and before 'social rented'

In para 2 delete 'available' and replace with 'used'

In para 2 delete 'expected to be' and replace with 'assessed to local demand for subsidised accommodation'

In para 2 delete '50% with any shortfall between the public subsidised element and 50% target made by the developer'

In para 3 delete ' all of the affordable housing on a site to a target of 30%' and replace with 'a proportion of the accommodation as rented accommodation. This proportion to be assessed according to estimated local demand.'
In para 4 delete final sentence.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the 3Dragons study.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Developments of three or more dwellings (will) may be required to incorporate a proportion of the total number of units as affordable housing. Where public funding is (available) accepted by the developer to help fund affordable housing, the overall affordable contribution of the development may be required up to 40% , (with any shortfallby the developer.)

Where less than one third of the total cost of the development is available through public funding, the developer (will) may be required to provide (all of the affordable housing on a site to a target of 25%.) up to 25% of the houses as affordable on a site.

Proposals for one and two open market dwellings (will) may also be required to make a contribution towards affordable housing. This (will) could be a cash payment towards the meeting of housing need in the local area.
Proposals for off site contribution Of the community.

This policy is too prescriptive and inflexible. It could end up as a disincentive to build more houses in some areas of the National Park. It will be perceived as a local

tax on house building in the National Park. If the effect of this Local Authority intervention is to curtail further house building the net effect may be no more

affordable homes being built while at the same time curtailing further economic development.

Those willing to carry out economic development should not be used by the government or National Park Authority as a "cash cow" to be milked. Traditionally

rural enterprises built homes to house their staff and/or dependents. They should not then be asked to help fund the responsibilities of government in addition to

contributing to the economic development of the area and providing homes for residents who would otherwise have to be housed by the Local Authority or left homeless.

Contributions to affordable homes should only be considered where the developer is building houses for sale.

There will be situations where additional affordable housing is not required in the local area.

There is concern over what is regarded as "affordable homes". We have tried to improve existing homes to rent under the Rural Empty Properties

Grant scheme

but have had to turn down the grant offered as what was offered would have resulted in the Estate running at a net deficit. We have enquired about the Rural

Homes for Rent Pilot Scheme but found the conditions so onerous as to risk making the proposed investment a net liability to our organisation. If we then build to

rent without grant aid with a rent set to cover the reasonable management, maintenance and borrowing costs will this then be regarded as "affordable"? If not and

we have to pay developer's contributions and/or a further contribution to the National Park's affordable housing scheme, it will make the rents for houses we build

for local residents even less affordable. If these proposed additional Local Authority developers' taxes are applied to our proposals to meet our local housing

requirements, the disincentive may be sufficient to persuade us not to build any more houses. There is a danger that these proposed disincentives to building homes

for rent will reduce the number of privately rented homes in the area and be counter productive to increasing the accessibility of rented and owned housing to meet

the needs of the community.

If some of the houses developed are priced artificially low in order to meet the criteria of affordable housing, the increased cost of development as a result of this tax

will be added to those that don't meet the "affordable" criteria. This will result in new houses being even more expensive with the exception of those that meet the

"affordable" criteria. Residents that don't qualify for "affordable housing" will end up being unable to find homes within the Park. If this tax is added to homes built

to rent, rented accommodation will become even more expensive for those that don't qualify for "affordable" rented homes. Two tiers of accommodation will

develop accommodation that is unaffordable to all but a very small proportion of the resident population and "affordable" accommodation at the bottom end of the

scale restricted to only those that meet the government's criteria for "affordable" housing. There is some evidence that this is already happening.

This attempt at social engineering will distort the market and not achieve the stated objectives.

CNPA analysis of objections to 1st modifications

The wording of the policy is intended to give clarity to developers of the expectations regarding affordable housing. The proposed wording of the representation

would undermine this clarity and no modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Glenmore Properties Ltd
453j Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

The policy is unworkable, onerous and will discourage development in the Park. Communities Scotland will not be able to fund such development, RSLs will not be

able to build this many affordable houses and developers will not accept such onerous requirements. The plan's own figures do not back up this requirement (Para

5.31 states a housing 'need' of 132 units per annum yet this is not taken into account in table 3. Had it been the housing requirement would have been significantly

higher.) There is no evidence to suggest the Park should not adhere to the national policy guidance of 25%. Perhaps allocating land for affordable and key worker

housing should be considered to meet any shortfall.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

We believe that this policy is unworkable and onerous. It will discourage development in the Park. Communities Scotland will not be able to fund such development,

RSLs will not be able to build this many affordable houses and developers will not accept such onerous requirements. Although the threshold has been increased to

three units, and the percentage contributions decreased, the policy requirements remain too onerous and impractical.

Allocating land specifically for affordable and key worker housing should be considered a viable alternative to meet any shortfall.

The justification for the policy at 5.50 states that 'The contribution (from one and two open market dwellings) would be waived where the developer can

demonstrate that the occupant of the house would qualify to access a form of affordable housing within the Park by reason of their housing need or income.' This

creates difficulties in terms of a planning application (particularly outline applications) where the developer might sell the site or property on to a marketing agent,

and the end occupant is unknown. The occupant may well qualify for affordable housing, but this is unknown at the planning application stage. The requirement for

one or two open market dwellings to contribute should therefore be removed.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding

streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third is available. Support for developments which are completely affordable will also be included. A supplementary note will be prepared

to explain exactly the figures involved in making contributions towards affordable housing. Where the development is for affordable housing, such as the example

referred to, no further contribution would be required.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Mr Michael Bruce
403i Glen Tanar Estate

Agent Name John Wright
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA
Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

PAN 74 provides a benchmark of 25% affordable houses, with higher % requested exceptionally on particular sites and circumstances where alternative methods of

provision are taken forward, eg. Development of local authority land. The policy as written does not justify the variation from PAN 74.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Object to the final para of Policy 21. This para is broadly supported, however should be amended to provide for instances where existing provision of affordable

housing by the applicant addresses the requirement generated by the development.

CNPA analysis of objections to 1st modifications

The policy applies to all affordable houses as defined in the appendix, and if this is the case, the policy would therefore be complied with. No further modification is

therefore proposed.

Objection maintained

Policy/site ref	Policy 21	Agent Name
Objector Ref	Name Dominic Fairlie	
452d	Scotia Homes Ltd	
	23 Bridge Street	
	Ellon	
	AB41 9AA	Company Scotia Homes Ltd

Summary of objection to Deposit Local Plan

The proportions for provision of affordable houses on development sites at 50% and 30% is too high. Too high a requirement may well detract from the development as a whole, and the policy should be amended to reflect national guidance at 25%. We have no experience at all of affordable levels of up to 50% and have doubts that it will have the desired effect.

The policy wording should therefore be amended to:

Policy 24 para 1 line 4 – delete “will” and insert “may”

Policy 24 para 2 lines 4 & 5 – delete “50%” and insert “30%”

Policy 24 para 3 line 3 – delete “30%” and insert “25%”

Adjust other words to suit (clauses 5.53 and 5.54 in particular)

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Thank you for your letter dated 22 May 2008 outlining your comments relating to my representations. I agree that you have addressed many of the points I raised.

However, I feel that the policies relating to affordable housing may still lead to problems.

The requirement for up to 40% to be provided (albeit with a potential public subsidy) may be just too much in some cases (economically and socially) and may well

result in conflict between other objectives in the plan. The plan appears to be asking that developers fund (without subsidy) 25% affordable housing, and even this, is

likely to be extremely costly, and more than we have had to provide to date. In addition I note that there is a further policy (Policy 19) relating to the requirement

to achieve an extra 15% reduction in carbon emissions beyond 2007 building standards. It will be extremely difficult to achieve all of this as well as meet other design requirements in the plan as each of them will cost considerable amounts of money. There needs to be an amount of flexibility in the wording to allow for circumstances where the commercial case just does not add up.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and 25% where less than one third is available. Support for developments which are completely affordable will also be included. The approach to carbon emissions is also in line with government guidance on the topic.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
4711 The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Welcome reference to community needs surveys, but suggest a broader community needs assessment may be more appropriate.

CNPA analysis of objection to Deposit Local Plan

CNPA is considering different approaches and methods of assessing community need not just in housing but also for other services. This work will continue and feed into the local plan process.

Proposed 1st Modification

5.49 include reference to community needs assessments

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471i The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Concern that the policy will result in a lower proportion of social / affordable rented housing being built in than was expected in the Highland Housing Strategy.

Reference should be made to the Badenoch and Strathspey affordable housing shortfall figures from 2003 which identified a need for an additional 65 social rented houses per year, not lowcost homeownership.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Include the site breakdown and provision on a site by site basis and move to appendix.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471j The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seeks clarification of para 5.53 and relation to their wording of policy 24. Question why social rented housing is not included? Stresses that in small

communities,

the contribution of very small amounts of social rented housing can make a great difference to meeting that community's housing need.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Include the site breakdown and provision on a site by site basis and move to appendix.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Objector Ref Name David Horsfall

391d Homes for Scotland
5 New Mart Place
Edinburgh
EH14 1RW

Agent Name

Company Homes for Scotland

Summary of objection to Deposit Local Plan

Object to para 5.52 which details the break down of affordable houses required on any given site. Para 11 of PAN 74, identified the 5 categories of affordable

housing and in para 12 leaves it to the local housing strategy to provide evidence of the balance between the different categories. The split proposed would not be

justified until a robust housing needs analysis is undertaken jointly and simultaneously with the four local authorities. The findings should be incorporated within a

local housing strategy and this will set out any shortfall in provision for particular types of household.

The para should therefore be replaced with a section giving examples of affordable housing that may be considered acceptable under para 11 of PAN 74. It should

state that a housing needs assessment must be undertaken jointly and simultaneously with the four local authorities. In the mean time the affordable housing tenure

on each site should be established through discussions between the local authority and the developer having consideration to available funding and constraints in

each instance.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the

approach.

Proposed 1st Modification

Include break down of sites within appendix and in light of most up to date information.

Response to 1st modification objections

See previous objection.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third is available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name John Anderson

463r Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. Suggest using 4 or more units as starting point for this policy, and not 2 or more. Questions what the required

level of contribution will be for single open market houses.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Amend to relate to 3 or more dwellings, with 1 and 2 houses making a contribution.

Response to 1st modification objections

5.50 ' The policy also requires a financial contribution from one and two open market dwellings towards the provision of affordable housing.... The contribution will

be based on a percentage of the differential between the benchmark cost of a home developed with public subsidy and the price of an equivalent unit on the open

market. The contribution could be waived where the developer can demonstrate that the occupant of the house would qualify to access a form of affordable housing

within the Park by reason of their housing need or income.'

Either a percentage of the differential needs to be specified, or a specific sum say £250-500 put in place. Neither should significantly raise the cost of a house, as to

do so will greatly reduce the potential for small scale builders to operate within the Park area.

The likes of Alvie estate should not be put off providing affordable housing for retiring workers or indeed others by having to make even relatively minor

contributions of this nature. While recognising that this issue is probably outwith the Park's immediately ability to control, it should be lobbying hard to enable

estates to be eligible for grant assistance for which they remain freehold (the latter reducing the cash flow associated with such new development), while still being

able to determine who occupies a supported property. There is also a wider taxation issue on the death of the proprietor, which further discourages this sort of

development.

CNPA analysis of objections to 1st modifications

A supplementary note will be prepared to explain exactly the figures involved in making contributions towards affordable housing. Where the development is for

affordable housing, such as the example referred to, no further contribution would be required. No further modification is therefore proposed.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name William Stuart Paterson
409b 3 Lynstock Park
Nethy Bridge
PH25 3EL

Agent Name

Company

Summary of objection to Deposit Local Plan

Windfall sites should be more clearly defined to ensure it is not used to get out of providing affordable housing. Also 'affordable' should be more clearly defined.

CNPA analysis of objection to Deposit Local Plan

The term 'windfall' is a commonly used planning term, and is not intended to be misleading or confusing. The terms windfall and affordable will be further defined in

supporting text to clarify the position and ensure the expectations of the policy are clear to developers. Also confirm how the allocations would work in

conjunction with highland councils housing dept.

Proposed 1st Modification

Add windfall to glossary. Add forms of affordable provision to housing appendix.

Response to 1st modification objections

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of objections to 1st modifications

Windfall sites have been included in the glossary. By their very nature they cannot be identified on any proposals map. No further modification is therefore

Objection maintained

Policy/site ref Policy 21

Objector Ref Name Rona Main

425o Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

The policy is unworkable and may discourage development. It would place onerous obligations on the funding of developments. The supporting figures do not back

up the requirement in this Policy. Page 42 states a housing need of 132 units per annum yet this does not appear to be taken into account in table 3. Had it been

the housing requirement would have been significantly higher. It is also noteworthy that housing need assessment is a contentious issue and there should be a

justification why the CNPA would not adhere to national benchmark of 25%.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

We welcome the modifications to Affordable Housing under Policy 21 however we believe the need for mixed tenure and key worker housing should be

strengthened in the document, particularly due to the high dependency on Tourism Industry for affordable housing. There appears to be no mention of Seasonal

Housing for the Tourism sector. This is a concept we would strongly support and would be happy to work with the CNP to discuss this type of worker accommodation further, with the prospect of including this concept within the Local Plan.

CNPA analysis of objections to 1st modifications

Policy 21 relates to the provision of affordable housing for all sectors of the population rather than particular sectors employed in particular jobs. It is hoped that

this policy will secure high quality accommodation for all those in need and no further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name William Stuart Paterson
409c 3 Lynstock Park
Nethy Bridge
PH25 3EL

Agent Name

Company

Summary of objection to Deposit Local Plan

The CNPA should hold a database of those wishing to purchase a house in the area, to include need, size and nature of residency.

CNPA analysis of objection to Deposit Local Plan

The CNPA will continue to work with its partners and housing providers to ensure the most accurate and up to date information is available on housing need in

support of the delivery of the affordable housing policies in the local plan. Confirm we work closely with the 4 LAs regarding need but do not have the capacity to

hold a database for all housing demand in the Park, including the private sector, holiday and tourist markets etc. However we will continue to work closely with

local communities to ensure that the local need is identified.

Proposed 1st Modification

No modification required as result of this objection.

Response to 1st modification objections

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of objections to 1st modifications

The issue of a housing database remains something which CNPA work with the housing authorities on to ensure the most accurate and up to date information. No

further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name Alison Hogg

Agent Name

473r

Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Although the theory behind the policy is supported, in practice, each site will have to be negotiated on its own merits. The wording of the policy should reflect

better the roles played by local authorities, Communities Scotland, and Housing Associations. The wording should also accurately the position regarding resale of

affordable houses in the future. Vendors should not be placed at a disadvantage to those sellers who have open market homes. In practice, the % selected in the

policy are not workable - what's 30% of 2?

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Confirm that where the site is not big enough for on site provision, this can be commuted (para 5.50)

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. Theses comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Objector Ref Name Mairi Maciver

025p Communities Scotland
Urquhart House
Beechwood Park
Inverness, IV2 3BW

Agent Name

Company Communities Scotland

Summary of objection to Deposit Local Plan

Welcome monitoring mechanisms as stated.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications required.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref	Policy 21	Agent Name
Objector Ref	Name	
011c	Colonel F.M.K. Tuck Allargue Corgarff, Strathdon Aberdeenshire AB36 8YP	Company

Summary of objection to Deposit Local Plan

There should be provision within the provision of affordable housing, for landowners to provide small and very small scale developments for local need. The

wording of the policy and supporting text is very complicated and full of jargon. Some definitions may be needed within the Glossary.

Para 5.50 - why use school catchment areas as these go outwith the Park Boundary.

Para 5.57 - clarify how local authority lists are used. We should restrict applicants to those on local lists.

Para 5.59 - the wording is unclear. It seems an unfair burden to put on developers of single houses in light of the costs they will bear in building the house. Any

'planning gain' needs to be fair, perhaps linked to selling the property on.

There seems to be no allowance for contributions made as a result of tourist accommodation provision. Section 75 agreements could be used for this.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Further clarification is also needed to ensure housing delivered meets the needs of local people.

Proposed 1st Modification

Revise policy 24 to create new policy 21. Clarify position regarding % requirements. Move the detail of definitions to an appendix for clarification.

Response to 1st modification objections

I refer to your letter obj 011 of 22 May on Modifications to Deposit Local Plan.

First may I say how very pleased and honoured I am to receive a personal and comprehensive reply to my comment on the plan. I can not

remember ever having

had one before, and it is gratifying to feel that one is being listened to !

Second I confirm that I am in agreement with the modifications suggested and do not wish to object further. On the whole I consider that you have dealt with my

comments and that the amended plan is satisfactory.

Having said that , may I make one or two further comments ? !

a. On p 42 Table 14 it is strange that Aberdeenshire would not have at least a target figure for Donside as well as Ballater and Braemar.

b. Although much improved I still find Policy 23 and 24 overly and unnecessarily restrictive. I can see places in Corgarff (which badly needs regeneration) where

two or three new build houses could be built without in any way conflicting with the other aims of the Park. So to restrict to one new house where there are three

would prevent this. Similarly I can envisage other worthy candidates for a new house under Policy 24 eg a retired gamekeeper on my estate when his tied dwelling is

required, or for a family member with dependent needs to live on the estate. A wording could be inserted in the new subpara b " or similar worthy persons ".

c. Some of my problems have been resolved in Policies 25 - 29. It would be helpful to refer to these at the end of new para 5.70

d. Finally you have not taken on board my comment on other unsightly communication developments besides Telecoms in Policy 31. There are some awful

electrical, road, and water constructions including the 32000 volt power lines alongside the Lecht road which have not been used for 7 years.

I hope the Board will approve the Plan on 30 May and I wish you well with it.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name John Forbes-Leith Esq
4181 Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is overly onerous and will prove counter productive to the provision of affordable housing across the Park. The requirement for a contribution towards

affordable housing is contrary to PAN 74 which seeks to achieve provision on sites of 20 or more units.

The 30-50% requirement is also contrary to PAN 74 which sets a benchmark of 25% affordable housing on appropriate sites. A higher percent may be appropriate

in exceptional circumstances such as where local authorities are releasing land for development. No such exceptional circumstances have been

identified in this

situation. The additional costs incurred as a result of the % requirement will deter developers and prove counter-productive. It may also result in increased costs being added to open market houses exacerbating the current situation.

Neighbouring local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park. The balance of

provision of different types of affordable housing should be based on the local housing strategy providing evidence of need.

The plan should be amended as:

- The number of units should reflect national advice and be set at 20 units.
- The % of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also

require that a housing needs assessment must be undertaken jointly between the four local authorities.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the

3Dragons study. The % requirements have been amended accordingly. Confirm the rest of the para referred to allows for smaller sites to have a different threshold in rural areas.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

The Policy has improved marginally but is still onerous. The original objection is sustained and a new objection to the First Modifications is set out below. My client

objected to Policy 24 Contributions to Affordable Housing in the Finalised Plan. This policy has now changed to Policy 21 whose key elements are;

1.The thresholds which trigger the need for on-site provision of affordable housing has been changed to 3 units or more and the percentage requirements have been

altered to 40% where public subsidy is provided and 25% where less than one third of public subsidy is provided.

2.One or two open market dwellings will still trigger an affordable housing contribution and paragraph 5.50 sets out the broad terms of a formula to be used to work

out the level of such contributions.

3.The policy now allows for of-site provision to be considered where community needs assessments of similar indicate that this is a better way of meeting housing need.

4.The supporting text in paragraph 5.43 states that a recent study "Planning for Affordable Housing in the Cairngorms National Park" identified a need for 121

affordable dwellings per annum. Policy 21 is designed to support this provision.

5. The policy goes on in paragraph 5.44 to state that the CNPA will work with housing providers to see as high a proportion of affordable as possible between 40% and 100%.

6. Paragraph 5.47 seeks to "retain the units in perpetuity".

My client is supportive of the provision of affordable housing in the Park and sees it as a vital part of sustaining the local community and economy. However the policy as it stands is unlikely to create the step-change in affordable housing provision which is desirable. My client therefore objects to the following aspects of this proposal;

The threshold of 25% is very challenging in these marginal market areas and 40% is unrealistic. Together with the requirement for every house unit to provide an affordable housing contribution, will jeopardise the economics of many schemes, especially given current market conditions, to the point where schemes will not be able to go ahead and neither market nor affordable housing will be achieved. The "Planning for Affordable Housing in the Cairngorms National Park" Study of March 2008 indeed states in the Executive Summary page v, Paragraph 5 that while a policy of seeking 25% affordable housing quota would appear the most realistic if delivered without housing grant although grant would need to be available if market circumstances change. But at 40% and 50%, grant would "appear to be needed for most circumstances and financial viability must be questionable".

Pan 74: Affordable Housing recommends that on site provision should be sought for developments of 20 units or more with some discretion for these to be lower in rural areas, however setting the threshold at three units with every unit having to make contributions will threaten the viability of many developments.

The basis on which the Park Authority is going ahead with this policy is therefore highly questionable when the recent study casts doubt over the viability of such schemes.

The desire to "retain the units as affordable in perpetuity" while laudable, does not allow scope for the use of innovative additions to the affordable housing market of the Rural Homes for Rent scheme which retains the new properties on a rented basis for a minimum of 30 years. This scheme has the potential to contribute significantly to increasing the stock of rural affordable homes and should be treated as a mainstream way in which to achieve affordable housing in rural areas.

Proposed amendment -

The percentages of affordable housing should be reduced to no more than the Government benchmark of 25% across the board with scope for alterations should

economic conditions worsen and further jeopardise the delivery of housing.

The house limit which triggers on-site contribution should be increased to something much closer to the PAN 74 recommended threshold of 20 units or more.

The requirement for every house unit to contribute to an affordable housing pot should be removed.

The requirement to retain the units as affordable in perpetuity should be adjusted to allow for innovative schemes such as Rural Homes for Rent or equivalent schemes.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The retention of affordable provision in perpetuity aims to ensure that the current situation once resolved

does not come about again, and the provision does meet the needs of future home buyers. The policy is therefore to be modified to seek between 25-40% where

public funding is available, and 25% where less than one third if available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref	Policy 21	Agent Name
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Objector Ref	Name	Mrs Audrey MacKenzie
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416k		Aviemore and vicinity Community Council Tamsduchus 10 Dalfaber Road Aviemore, PH22 1PU
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Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

The proposal will result in a lot of affordable houses. This may result in a disincentive to build houses leading to increased open market costs. In terms of who is

eligible for an affordable house, what is considered to be 'local'. It should relate to settlement area. The approach will be open to abuse as it is full of loopholes.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the

3Dragons study. The approach is supported by background information in the housing appendix. Confirm that school catchment is a normal way of identifying

areas as it is definable by the LAs, unlike a settlement which may be more open to debate. Also it is a way of allowing funding to be combined to provide houses

from a wider area, so providing it more quickly.

Confirm that supplementary guidance on the implementation of the policy once agreed will be needed to ensure that there are no loopholes, only a flexible policy

which will be used to meet local needs and aspirations.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Objector Ref Name Frank Bardgett

092b Boat of Garten Community Council

Tigh an Iasgair

Boat of Garten

PH24 3BY

Agent Name

Company Boat of Garten Community Council

Summary of objection to Deposit Local Plan

To ensure that appropriate developer contributions are made which reflect the community needs, para 5.55 should be amended to read "If a community needs

survey (prepared within the previous three years) or other information on local housing need collated by the Cairngorms National Park Authority or by the Local

Authority or relevant Community Council (also within the previous three years) shows a strong need for a community to have either additional affordable housing or

very different composition of tenures, the planning authority will seek additional contributions from developments. The planning authority may also take into

account submissions received once the plans are publicly available".

CNPA analysis of objection to Deposit Local Plan

The intention of policy delivery is to match developer contributions against community need, assess through community assessments. With specific regard to

housing, the policies will also be assessed against the most up to date housing need information and work will continue with the housing developers,

both private and public sector, and the local authorities to secure a consistent method of collecting this information across the Park.

Proposed 1st Modification

Refer to the use of community needs assessments in the revised housing appendix.

Response to 1st modification objections

The objection to former Policy 24, Affordable Housing, on procedures for pre-application discussions, was withdrawn. The revised text now allowed for wider, more transparent discussions.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471q The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seek the removal of the last 2 sentences in para 5.60, as specific mechanisms mentioned may not be relevant in the future.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. In the review of the approach to affordable housing the mechanisms for delivery will be reviewed and the wording amended accordingly.

Proposed 1st Modification

5.51 Delete sentences in line with comment.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Would welcome further discussion on the guidelines for such waivers. Also seek clarification that any contributions made would be able to the relevant local authority.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Confirm the need for a cnpa/la protocol.

Proposed 1st Modification

5.50 clarify position regarding single houses and policing waivers.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 21
Objector Ref	Name Reidhaven Estate
456g	Seafield Estate Office
	Cullen
	Buckie
	Banffshire

Agent Name	Jill Paterson
	Halliday Fraser Munro
	8 Victoria Street
	Aberdeen
	AB10 1XB
Company	Reidhaven Estate

Summary of objection to Deposit Local Plan

The requirements of the policy are onerous and unworkable, and will impact on the viability of schemes discouraging new development and reducing the overall number of houses provided. The RSIs may find it difficult to manage small numbers of units in various locations and may not be able to build the numbers required.

Is the communities Scotland funding available to support this level of development.

The % is contrary to PAN 74 and no justification is given for this. Page 42 states a housing need of 132 units per annum yet this is not taken into account in table 3.

Had it been the housing requirement would have been significantly higher. The requirement for single open market houses to make a contribution

towards affordable housing is also considered to be unduly onerous and will likely discourage development. It should include an exception for where there is no household in need in the immediate area. Para 5.59 refers to 'equivalent unit' however this is not defined in the plan and this is needed to give appropriate level of clarity.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Clarify how the policy will apply to small sites and single houses in supporting text para 5.49 and 5.50.

Response to 1st modification objections

Objection maintained. We note that the requirement for affordable housing contributions has been reduced in this revised policy. We do however still consider

this revised policy to be unworkable and onerous, impacting on the viability of schemes.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third if available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name David Horsfall

391a Homes for Scotland

5 New Mart Place

Edinburgh

EH14 1RW

Agent Name

Company Homes for Scotland

Summary of objection to Deposit Local Plan

Object to requirements regarding affordable house. Pan 74 makes a requirement for affordable houses for developments of 20 units or more. By setting the

threshold for schemes of two units or more this will threaten the viability of many developments. The threshold should therefore be set at 20 units. There may however be provision within this policy for the threshold of 10 units in identified rural areas. In these instances this requirement must be justified by an up to date housing needs assessment and account must be taken of financial obligations relating to the development.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Confirm that PAN74 allows for different thresholds in rural areas. Include clarification in 5.50 that this could be in the form of a commuted sum or off site provision in the case of small sites.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Part 1 - Homes for Scotland object to the requirement for affordable housing units on housing development of three or more units. PAN 74: Affordable Housing

states that a Local Authority should seek to achieve on site provision for developments of 20 units or more. This may be lower in rural areas where the general scale of development is smaller. Setting the threshold at three units will threaten the viability of many developments.

The threshold for Affordable Housing contributions should be set at 20 units. There may however be provision within the policy to allow for some thresholds of 10

units in identified rural areas. These thresholds must be justified by an up to date Housing Needs Assessment and account must be taken of financial obligations relating to these developments.

CNPA analysis of objections to 1st modifications

The unit size of 20 referred to is suggested for urban areas, and this is not considered appropriate within the National Park. A lower threshold for on site provision

is suggested in PAN 74 and the figure of 3 is considered appropriate as in any development this would secure one house on each site. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name Dr A M Jones

400g(f) Badenoch and Strathspey Conservation Group
Fiodhag

Agent Name

Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Policy 24 – Lack of clarity on how much housing developers will actually be required to provide. A minimum 5 should be stated which is not negotiable.

Para 5.48 – there is no detail on the quality of the data used and the data is not summarised in the Plan. This information should be open for public inspection in full

and in summary. Throughout there is a lack of clarity in the use of terminology.

Para 5.50 – how will the money from single house builder contributions be used for.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Confirm that the housing needs surveys identify who is 'in need' and CNPA continue to work closely with the 4LAs housing departments to monitor need. Also

confirm that contributions will be made to the 4 LAs and a protocol will be established to ensure appropriate spending of the funds generated.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Refer directly to the 3Dragons report in the supporting text and also other data on housing need (include in appendix).

Response to 1st modification objections

5.43 Object. The reference to ensuring increased rate of housing supply for those in the Park is misleading due to affordable housing allocation rules.

5.47 - Support the retention of affordable units in perpetuity. Support control through removal of permitted development rights.

CNPA analysis of objections to 1st modifications

The issue of local waiting lists is key to the success of the housing policies in the local plan and CNPA continue to work with the local housing authorities to try and

influence this. Local people or people with a local connection can however get additional points on waiting lists and we aim to build on this. The issue raised

regarding para 5.2 is not accepted as all developments will take place with the 4 aims of the National Park and the reasons for its original designation in mind.

Regarding land allocations, the CNPA conducted a study to assess the need for housing within the Park and has allocated land accordingly. However it is not

considered to have allocated excessive amounts of land which are more than the established need would suggest. The allocations do therefore comply with the requirements of SPP17.

Regarding para 5.23 the paragraph is intended to highlight the reasons for the growth in demand for affordable housing, as throughout the consultation for the local

plan, this was seen as a key issue and important to help retain local people within their communities. The development proposed will be carried out in accordance

with the 4 aims of the Park and it is considered an important part of the local plan by the CNPA Board. No modifications are therefore proposed in light of this

objection.

The position regarding land allocation as set out in tables 2-4 has not changed. The background information has been made available, and this remains the basis for

the approach. The paragraphs 5.22-5.40 aim to explain what is a complex issue and important part of the local plan and is intended to clarify the CNPA board

thinking behind the approach taken. This thinking has not changed, and therefore no modifications are proposed to this section.

A definition of 'housing market area' will be added to the glossary.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name The Clouds Partnership
398d Kinakyle
Aviemore

Agent Name John Wirght
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA

Company

Summary of objection to Deposit Local Plan

Object to policy 24 and the requirement to provide all of the affordable housing on a site with target of 30% PAN 74 indicates a benchmark of a maximum of 25%.

Any higher rate should be exceptional only, and examples of such circumstances are given. The policy does not include any justification for the variation to the benchmark.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the

3Dragons study. The % requirements have been amended accordingly. Confirm the rest of the para referred to allows for smaller sites to have a different threshold in rural areas.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Reponse received which does not include this policy as maintained objection. Assume objection resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate
422r Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

The target set is ambitious and go well beyond the PAN 74 benchmark. There seems to be a lack of necessary justification (e.g. local needs assessment) to support

these figures. Also the contribution made by the 2 percentage targets to the overall supply of affordable housing land is not clear. Clearer reference to what the

need is (par 5.48) and the level of affordable housing likely to be delivered by operation of this policy is required. The targets set may frustrate the housing market

and reduce the likelihood of achieving any affordable housing contribution in the park area which would be counter-productive acting as a deterrent to development in the area.

In using experience from elsewhere, the Executive wonders if the quotas of 30% and 50% are achievable or whether this will make it unattractive for developers to

build within the Park area and drive developers and residents to other areas. The word carried out by Heriot Watt and the Three Dragons suggests a level of 25%

to be most realistic.

Within the provision more recognition should be given to the scope of unsubsidised market housing (entry level housing) to meet certain types of housing need.

PAN74 allows for such developments to be considered as 'affordable housing'.

The tenure breakdown in para 5.52 seems prescriptive and does not seem to make any allowance for unsubsidised market housing as a form of affordable housing

provision.

How will the waiting lists be used to identify potential occupants and not duplicate the work of RSLs and LAs? .

There is no acknowledge the economic benefits to be gained by attracting economically active residents into the Park area who might have no existing connections.

Providing affordable housing options for such people could be an important contribution to the future sustainability of the area.

Para 5.51 should also support developments which promote the concept of mixed communities.

Para 5.56 should be clarified to explain the status of Section 75 agreements in relation to land ownership and potential occupiers.

Para 5.59 should be clarified to explain how the Park Authority would implement and police waiving developer contributions in the circumstances described.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the

approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

5.43 expand to include findings of 3dragons report of identified need of 121 affordable houses per annum.

Include break down of sites within appendix and in light of most up to date information.

5.47 include additional info for clarity.

5.48 - expand to clarify the criteria to be used, the implementation of the policy, use of local waiting list etc.

5.50 expand to explain how the waiving of the contribution will be policed and monitored.

Response to 1st modification objections

We would suggest that the opening paragraph of Policy 21 is prefaced with "Where there is evidence of housing need..." and that the policy should include a

definition of "where public funding is available". While it is assumed that this is where more than a third of the development costs are provided by public subsidy,

this would benefit from clarification.

In relation to new policy areas, proposals to achieve a house size mix that reflects housing need and ensures that an appropriate mix of properties is provided by the

private sector are supported. With the latter objective in mind, the Park Authority may wish to consider how the mix can be maintained in the private sector (we

note that this is addressed in the affordable rented sector). The evidence base for the percentage figure for 2- and 3-bedroom houses (para. 5.58) should also be

clearly set out.

CNPA analysis of objections to 1st modifications

The suggested wording would cause a fundamental change to the policy which is intended to secure affordable housing or a contribution towards it in all cases. A

definition of 'public subsidy' will be included in the glossary. The appropriate reference will also be added to para 5.58.

Objection maintained

Policy/site ref Policy 21

Agent Name

Objector Ref Name Mairi Maciver

025d Communities Scotland

Urquhart House

Beechwood Park

Inverness, IV2 3BW

Company Communities Scotland

Summary of objection to Deposit Local Plan

Other supportive of the idea behind policy 24, there is concern that this discourage private developers building in the Park, driving development pressure to the

surrounding areas. In the detail, there needs to be additional information on how Sec 75 agreements would be used and monitored. With the use of waiting lists, the

wording should be amended in 5.57 sentence 2 to "The Park Authority will continue to work with the relevant organisations operating within the Park to develop

their allocations' policies to ensure they are as responsive to the needs of individuals and communities in the Park as possible." Allocations' policies should also be

consistent with homelessness duties of local authorities and registered social landlords. Additional clarity is also needed on how the allocation or residents will work

in terms of a housing ownership market in terms of selection, regulation, and local connection. Also additional clarity is needed on who will be responsible for the

allocations criteria and who will maintain the waiting lists. There may be a need for some agreement through planning condition regarding developers entering into

a nominations agreement - more clarity on this is needed.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

5.47 include additional info for clarity.

5.48 - amend in line with wording. Also expand to clarify the criteria to be used, the implementation of the policy, use of local waiting list etc.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the

consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref Policy 21

Objector Ref Name Hamish Jack

440 Rhuarden
Seafield Avenue
Grantown on Spey
PH26 3FJ

Agent Name

Company

Summary of objection to Deposit Local Plan

Additional land offered for affordable housing development on land south of Nethybridge. The concept of a new settlement is given to explain the

underlying design
concept to the site.

CNPA analysis of objection to Deposit Local Plan

The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested.

Proposed 1st Modification

no modifications proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The CNPA position regarding affordable housing has not changed, and opportunities remain in place for affordable housing outside settlement boundaries. No

further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name Jenny Smith
417e Dellachupe
Corgarff
Strathdon
AB36 8YP

Agent Name

Company

Summary of objection to Deposit Local Plan

The cost of providing affordable houses is passed on to the cost of open market housing making the overall cost of housing worse. There should be no allocation

make for second homes.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the

3Dragons study. The % requirements have been amended accordingly. The issue of 2nd homes cannot be controlled as they are open market homes sold to the

highest bidder. Confirm the reference to 2nd homes in the tables is to account for an area of the market which we cannot control and must therefore be built in to

allow for appropriate levels of land to be allocated.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

I am in agreement to the modifications made to the Deposit Local Plan:

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name The Proprietors of Mar Centre
394j

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company The Proprietors of Mar Centre

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

We note that the requirement for affordable housing contributions has been reduced in this revised policy. How this will work in reality is debatable, especially given the current economic climate and we therefore object to this policy until further clarification is presented at the seminar on 27 August, which HFM will be attending.

Changes Required to Resolve the Objection

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third is available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref Policy 21
Objector Ref Name James and Evelyn Sunley
056o 12 Lochnagar Way

Agent Name

Ballater
AB35 5PB

Company

Summary of objection to Deposit Local Plan

The housing allocation policy must ensure that housing is for local people and essential workers and not for people from national waiting lists.

CNPA analysis of objection to Deposit Local Plan

The role of waiting lists is important in identifying those in need. As CNPA is not the housing authority we must work with the local authorities on the use of waiting

lists, and there are clear legal guidelines on this. CNPA will therefore continue to work closely with the LAs to try and secure the most appropriate end for local people in greatest need.

Proposed 1st Modification

No modifications proposed.

Response to 1st modification objections

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of objections to 1st modifications

The CNPA continue to work with the local housing authorities to influence allocations policies. This is work done in tandem with the local plan. No further

amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 21

Objector Ref Name Donside Community Council
073a c/o Mrs M Henderson
3 Kingsford Road
Alford

Agent Name

Company Donside Community Council

Summary of objection to Deposit Local Plan

Further clarity is required on what is meant by the various technical terms used within the Affordable Housing policies. A more flexible set of rules may be worth

considering to promote valuable development taking place.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report. The

details of forms of delivery will be included in the housing appendix.

Response to 1st modification objections

Objection withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref **Policy 21**

Objector Ref **Name** R B Tozer

098d 7 Barclay Road
 Aviemore
 PH22 1UH

Agent Name

Company

Response to 1st modification objections

Policy 21 Contributions to Affordable Housing: Policies for sustainable development should ensure that there is sufficient housing for the workforce. It is unfortunate

therefore that the targets for affordable housing in the Deposit Local Plan have been reduced. These should not only be reinstated by increased from 40% to 60%

and from 25% to 40%. When there is a serious shortage of affordable housing there can be no justification for criteria that allow the construction of a majority of

larger houses, especially when a significant number of these larger houses are likely to become second or holiday homes.

CNPA analysis of objections to 1st modifications

The targets for affordable housing have been modified to reflect ongoing work to assess the impact of affordable housing on residual land values, and the likelihood of

providing open market housing. The statistical basis behind this policy is important to ensure it is realistic and achievable, and without any additional data to back

up a subsequent change, the CNPA position remains. No modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref **Policy 21**

Objector Ref **Name** Housing and Property Services

471h The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Questions does this include self build?

CNPA analysis of objection to Deposit Local Plan

The policy as currently written would refer to all housing regardless of the means of funding for construction. Confirm this would apply to all houses including self build.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 21
Objector Ref	Name Davall Developments Ltd
461c	Myrtlefield House
	Grampian Road
	Aviemore

Agent Name Gary Johnston Building Consultants Ltd
Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Davall Developments Ltd

Summary of objection to Deposit Local Plan

Object to 50% affordable housing requirement on sites for 2 or more houses. This will not be viable with lack of cross-subsidies from the profits of private development, and with infrastructure and planning gain costs being so high.

Accept that in special circumstances the requirement can be varied in line with SPP3 and PAN 74 but still believe this should not be a blanket requirement across

the whole national park area. The 50% policy will deter developers from building houses, suppress land values and discourage land owners from making land

available for development, hence leading to an even more acute shortage of all tenures of housing, and not just to meet affordable needs. This would disadvantage

the national park area compared to the A96 corridor, which there requirement is 25%.

Seek a reduction in the proportion of affordable housing to 25-30% in line with the quotas set out in the deposit plan where subsidy is not guaranteed. In the larger

settlements, the threshold should remain at 10 or more dwellings. On smaller settlements, the threshold should be 4 or more dwellings.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Objection – Policy 21 Contributions to Affordable Housing with specific reference to Kingussie.

Grounds – object to the requirement for 25% (without subsidy) and 40% (with subsidy) contributions from affordable housing to developments of 3 or more houses.

We accept that in special circumstances the requirement can be varied in line with SPP3 and PAN74. the latter clearly sets the benchmark figure at 25% of the

total number of units in any housing development proposal. The reason given for this is ‘to create a climate of certainty and confidence in the requirement for

affordable housing’. Para 35 makes it clear that a local planning authority may seek a higher percentage on a specific site, ‘but this will only be appropriate in

exceptional circumstances for example linked to a substantial release of Greenfield land or on a site owned by the local authority or other public agency which is

being released for development.’

There would be extreme difficulty in implementing a policy requiring a minimum 25% affordable housing without subsidy particularly in the volume housing market.

In the past the 25% level itself was achievable – often with some difficulty – in a buoyant housing market. This accounted for inflationary rises in the costs of building

as well as any necessary cross-subsidy required to install major site infrastructure which is front loaded. In such circumstances the provision of the minimum 25%

affordable housing would not have been viable without public subsidy.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and 25% where less than one third if available. Support for developments which are completely affordable will also be included.

Objection maintained

Policy/site ref	Policy 21	Agent Name
Objector Ref	Name Jenny Smith	
417c	Dellachupe	
	Corgarff	
	Strathdon	
	AB36 8YP	Company

Summary of objection to Deposit Local Plan

The provision of affordable housing through a community land trust for local people, should be considered and policies written to allow for such development.

CNPA analysis of objection to Deposit Local Plan

The National Park Authority is receptive to any form of affordable housing provision provided it is truly affordable. The policy has been worded to allow for options not previously tried, and the suggestion will be considered in the delivery of this policy. Confirm the use of community trusts would comply with this policy as long as the housing provided fell within the categories highlighted, and the housing policy officer continues to work to develop all types of interesting and innovative projects to ensure provision on the ground.

Proposed 1st Modification

No modifications required as a result of this objection.

Response to 1st modification objections

I am in agreement to the modifications made to the Deposit Local Plan:

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471m The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seeks a broader explanation of when s75 agreements will be required.

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Proposed 1st Modification

5.47 expand to clarify the use of Sec 75.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471n The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Suggest that the following wording is used "The National Park Authority will work with housing providers to ensure the allocations policies operating in the park are responsive" rather "seek to influence".

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the

approach.

Proposed 1st Modification

Revise approach to waiting lists in appendix on housing. .

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471k The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seek the addition of social rented (Eg via transfer to an RSL) to affordable rented as the policy distinguishes between them in the earlier definition. Seek clarification as to what the implications are in the last sentence.

CNPA analysis of objection to Deposit Local Plan

The comment is noted, and the reference to social rented will be added to the revised. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken drawn up in consultation with the key partners.

Proposed 1st Modification

Move revised definition to appendix.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471f The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Recommend referring to Communities Scotland grants simply as public subsidy.

Seeks clarification of second para - does this mean that if public subsidy is very limited (e.g. to 1-2 houses in a 30 house development) then the developer may be

required to contribute more than if no subsidy available at all?

Seeks inclusion of a timescale in which public subsidy should be made available.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Throughout change reference from Communities Scotland to new title if known, or 'public subsidy'

Confirm that wording of policy will be amended to clarify when the 40% would apply and where there is a mix of public/private funding what proportion would be

required to allow the 25% provision.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name The Crown Estate
419f

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy is overly onerous and will prove counter productive to the provision of affordable housing across the Park. The requirement for a contribution towards

affordable housing is contrary to PAN 74 which seeks to achieve provision on sites of 20 or more units.

The 30-50% requirement is also contrary to PAN 74 which sets a benchmark of 25% affordable housing on appropriate sites. A higher percent may be appropriate in exceptional circumstances such as where local authorities are releasing land for development. No such exceptional circumstances have been identified in this situation. The additional costs incurred as a result of the % requirement will deter developers and prove counter-productive. It may also result in increased costs being added to open market houses exacerbating the current situation.

Neighbouring local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park. The balance of provision of different types of affordable housing should be based on the local housing strategy providing evidence of need.

The plan should be amended as:

- The number of units should reflect national advice and be set at 20 units.
- The % of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also require that a housing needs assessment must be undertaken jointly between the four local authorities.

CNPA analysis of objection to Deposit Local Plan

The need for affordable homes remains a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the work of the 3Dragons study. The % requirements have been amended accordingly.

Proposed 1st Modification

Amend % requirements to 25 and 40% in line with study.

Response to 1st modification objections

The Policy has improved marginally but is still onerous. The original objection is sustained and a new objection to the First Modifications is set out below. My client objected to Policy 24 Contributions to Affordable Housing in the Finalised Plan. This policy has now changed to Policy 21 whose key elements are;

1. The thresholds which trigger the need for on-site provision of affordable housing has been changed to 3 units or more and the percentage requirements have been altered to 40% where public subsidy is provided and 25% where less than one third of public subsidy is provided.
2. One or two open market dwellings will still trigger an affordable housing contribution and paragraph 5.50 sets out the broad terms of a formula to be used to work out the level of such contributions.
3. The policy now allows for of-site provision to be considered where community needs assessments of similar indicate that this is a better way of meeting housing need.
4. The supporting text in paragraph 5.43 states that a recent study "Planning for Affordable Housing in the Cairngorms National Park" identified a need for 121 affordable dwellings per annum. Policy 21 is designed to support this provision.

5. The policy goes on in paragraph 5.44 to state that the CNPA will work with housing providers to see as high a proportion of affordable as possible between 40% and 100%.
6. Paragraph 5.47 seeks to "retain the units in perpetuity".

My client is supportive of the provision of affordable housing in the Park and sees it as a vital part of sustaining the local community and economy. However the policy as it stands is unlikely to create the step-change in affordable housing provision which is desirable. My client therefore objects to the following aspects of this proposal;

The threshold of 25% is very challenging in these marginal market areas and 40% is unrealistic. Together with the requirement for every house unit to provide an affordable housing contribution, will jeopardise the economics of many schemes, especially given current market conditions, to the point where schemes will not be able to go ahead and neither market nor affordable housing will be achieved. The "Planning for Affordable Housing in the Cairngorms National Park" Study of March 2008 indeed states in the Executive Summary page v, Paragraph 5 that while a policy of seeking 25% affordable housing quota would appear the most realistic if delivered without housing grant although grant would need to be available if market circumstances change. But at 40% and 50%, grant would "appear to be needed for most circumstances and financial viability must be questionable

Pan 74: Affordable Housing recommends that on site provision should be sought for developments of 20 units or more with some discretion for these to be lower in rural areas, however setting the threshold at three units with every unit having to make contributions will threaten the viability of many developments.

The basis on which the Park Authority is going ahead with this policy is therefore highly questionable when the recent study casts doubt over the viability of such schemes.

The desire to "retain the units as affordable in perpetuity" while laudable, does not allow scope for the use of innovative additions to the affordable housing market of the Rural Homes for Rent scheme which retains the new properties on a rented basis for a minimum of 30 years. This scheme has the potential to contribute significantly to increasing the stock of rural affordable homes and should be treated as a mainstream way in which to achieve affordable housing in rural areas.

Proposed amendment -

The percentages of affordable housing should be reduced to no more than the Government benchmark of 25% across the board with scope for alterations should economic conditions worsen and further jeopardise the delivery of housing.

The house limit which triggers on-site contribution should be increased to something much closer to the PAN 74 recommended threshold of 20 units or more.

The requirement for every house unit to contribute to an affordable housing pot should be removed.

The requirement to retain the units as affordable in perpetuity should be adjusted to allow for innovative schemes such as Rural Homes for Rent or equivalent schemes.

CNPA analysis of objections to 1st modifications

The intent of the policy to secure affordable units in a way which creates a level playing field for all developers, and reflect the various funding streams which may be

available. The CNPA are also promoting the use of a residual land value toolkit to ensure that the most accurate economic situation can be reflected in the

implementation of this policy. The benchmark set by the Scottish Government does not refer to land values or availability of subsidy. It is therefore considered that

the policy has endeavoured to reflect the market situation. The policy is therefore to be modified to seek between 25-40% where public funding is available, and

25% where less than one third is available. Support for developments which are completely affordable will also be included. The retention of affordable provision in

perpetuity aims to ensure that the current situation once resolved does not come about again, and the provision does meet the needs of future home buyers.

Objection maintained

Policy/site ref	Policy 21	Agent Name
Objector Ref	Name	Hank Dittmar
476d	The Prince's Foundation	
	19-22 Charlotte Road	
	London	
	EC2A 3SG	

Company The Prince's Foundation

Summary of objection to Deposit Local Plan

The Prince's Foundation appreciates the urgent need to address the shortage of affordable housing within the Park for the sake of both communities and businesses.

The range of tenure options proposed will help bridge the divide between social rented and open market housing. However, in setting the percentage of affordable

housing required, the policy needs to ensure that the viability of private development is not compromised, constraining the supply of housing as a result. Our

experience elsewhere suggests that the % figures used may be too high. Also, given the primacy of the first aim of the Park- to conserve and enhance the natural and

cultural heritage of the area- allowance should be made to ensure that an adequate proportion of a development budget is apportioned to the physical qualities of

the built environment, using appropriate and sustainable materials.

We suggest that affordable housing be mixed, side-by-side with open market housing across the Park so that there is no visual distinction between different tenures.

Also social housing should not be clustered in groups of more than about 5 units to avoid the creation of social divides. This mixed-tenure approach has been

shown to maintain the underlying value of affordable properties at a similar level to private equivalents and, anecdotally, to require less maintenance and

management because of higher satisfaction levels amongst tenants and more cohesive communities.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach. Clarify

that affordable units will be distributed across sites in line with the most appropriate design options and a prescriptive approach will not be taken.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

Thank you for your letter of 18th September. We do not wish to maintain our specific objections.

Whilst the Prince's Foundation's earlier comments and recommendations still stand and although not all of these appear to have been fully reflected in the revised

deposit Local Plan, our specific objections, to mono-functional, land-use zoning have been mitigated by inclusion of the following important qualification under

Settlement Proposals (P61):

"Within these proposal types, 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 development proposals".

As a matter of emphasis, we would suggest that in principle, mixed use is always the most appropriate way to take forward development, unless evidence suggests

otherwise. This is not, however sufficient cause to maintain our objections. Mixed uses places help generate vibrant public realm and reduce dependency on car

use.

The Prince's Foundation would still very much welcome the opportunity to contribute to the Park's Sustainable Design Guide, possibly providing suitable case

studies or from our experience of 'pattern books'.

Overall the revised Deposit Plan reads as a carefully balanced document and we look forward to working with the National Park Authority and other stakeholders

towards the achievement of its vision

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21
Objector Ref Name Housing and Property Services
471g The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Additional information is needed on the definition of affordability. This should also relate to income and local market conditions. Within the information on who provides such housing the local authorities should be included, and in iii) CS need to be satisfied with the condition of the property, tenancy management & allocations in addition to the rent levels. In iv) price should be agreed by planning authority, Communities Scotland and housing authority, and in line with the Housing Strategy. It should be sold to buyers nominated by local authority or bodies appointed to represent them. The last sentence should be made more flexible, such as "public subsidy will be re-cycled to enable the supply of affordable housing". In v) need to clarify how the house will remain affordable in perpetuity, and more information on marketing. In vi) there needs to be clearer definition on how it will contribute to the policy and strategic housing needs. Last sentence - To ensure that this form of housing contributes to the policy we would recommend that 'affordable' should be added to "offer a sustainable housing solution".

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Include definition in appendix on housing.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Agent Name

Objector Ref 468a
Name Gordon Pyper
Development Plan Manager
Angus Council, County Buildings
Market Street
Forfar, Angus

Company Angus Council

Summary of objection to Deposit Local Plan

The approach taken is generally compatible with the existing Angus Local Plan approach. However the policy for affordable houses is more demanding, but the wording is unclear if it applies to all development or just development in settlements, and if it applies to conversions. It might be helpful to have a more detailed

Affordable Housing protocol that can be used by the constituent planning authorities and developers.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

I refer to your letter and enclosures of 13 June 2008 with regard to the above. Reference is also made to your e-mail of 29 July 2008 and my follow up telephone discussion in connection with this matter.

The period for representations on the proposed modifications coincided with my Council's summer recess and consequently I have not been able to report the proposed modifications to Committee.

While Angus Council had made comment on aspects of the Finalised Local Plan stage (Report 751/07 refers) the Council made no formal objection to the Plan.

I note that there has been considerable amendment to the text and policies of the Finalised Local Plan.

In my report of 2007, I made mention of the linkage between Policy 24 'Contributions to Affordable Housing' (now modified and renumbered Policy 21) and Policy

27 'Conversions of Existing Traditional and Vernacular Buildings' (now modified and renumbered Policy 29). The modified policies and text still does not make it

clear whether affordable housing contribution is being sought from conversion projects. This needs to be clarified beyond any doubt.

In relation to Policy 26 'Housing Development Outside Settlements' (now modified and renumbered Policy 24), I note that this has been modified to include

opportunity for retiring farmers etc (subject to meeting the terms of the policy) and brownfield sites. Such a move is in line with our own Local Plan Review policy.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Agent Name

Objector Ref Name Sarah Jane Laing

429e

SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Company SRPBA

Summary of objection to Deposit Local Plan

As worded the policy may result in making housing less affordable with developers adding to the price of open market properties to enable them to provide

affordable housing. This approach may stifle development and have a negative effect on the future prosperity of the Park. If the approach to be taken is to remain at

50% in comparison to neighbouring areas with a requirement for 25%, developers may opt to develop outwith the Park , going against the aims of the Park and

resulting in no affordable houses being provided.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in

supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide

social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 21

Agent Name

Objector Ref Name Mrs Fiona Powell

089

1 Meadow Gardens
Hopeman
Elgin
IV30 5PN

Company

Summary of objection to Deposit Local Plan

The policy will place too high a financial burden on the developer; force the developer to pass costs on to the purchaser increasing the cost of housing and stifle the construction industry in the Park leading to potential job losses.

The proposal for individuals to contribute to affordable housing puts an additional financial burden on people who are often self building as they cannot afford any other form of housing. This model should not be used across the park just because it is used in Aberdeenshire. Some additional information on what the contribution might be would be helpful. It would be helpful to include a table indicating examples based on the differentials between the benchmark cost of a Communities Scotland home and the price of an equivalent unit on the open market. Also a definition of what a Sec 75 agreement is would be useful. Linking houses to businesses can have a serious impact on the value of the property and present difficulties for raising mortgages, loans, etc.

Proposed changes are therefore remove or reduce the requirements on developers to contribute to affordable housing; remove the requirement for the single development builder to make a financial contribution towards affordable housing; and remove the suggestion of using Section 57 agreements to link single house developments to rural businesses.

CNPA analysis of objection to Deposit Local Plan

The findings of the work undertaken by the 3Dragons will influence the affordable housing policy and ensure appropriate statistical support for the approach.

Confirm that the contribution would be agreed in protocol with the LAs and board. Seek further detail from Aberdeenshire on the actual figures. Also confirm legal agreements currently exists, and are the only constructive method of ensuring the house remains with the business and is not built and just sold on.

Proposed 1st Modification

Reduce the requirements to 25% in line with national guidance and 40% in exceptional circumstances and in line with the findings of the 3Dragons report.

5.50 clarity that the contribution can be waived if the applicant agrees to make the unit affordable in the event of future sales ie enter a sec 75 agreement that would pass on the benefit to others.

Response to 1st modification objections

My apologies for not having responded to you earlier. Thank you for allowing me this opportunity.

I do still have difficulty with the proposal to require builders of "one and two open market dwellings" to make a cash payment towards the meeting of housing need. I

take the term "open market dwelling" to include private houses built as a main or single places of residence. Please correct me if I am wrong. If my interpretation is

correct, I fear that to ask individuals to have to make a cash payment at a time when all their financial resources are likely to be directed into building their own

home is likely to place those individuals under financial strain and could even render their own builds unaffordable.

Furthermore, the document fails to explain how such "cash payments" would be calculated or to give any sort of indication what size of financial contribution is likely

to be required of the individual.

CNPA analysis of objections to 1st modifications

A supplementary note will be prepared to explain exactly the figures involved in making contributions towards affordable housing. Where the development is for

affordable housing, such as the example referred to, no further contribution would be required. No further modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 22	Agent Name
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Objector Ref	Name Dominic Fairlie	
452g	Scotia Homes Ltd	
	23 Bridge Street	
	Ellon	
	AB41 9AA	

Company Scotia Homes Ltd

Summary of objection to Deposit Local Plan

The wording is too prescriptive and does not allow for changes in the housing market during the life of the plan. The wording should therefore be amended to

"based on a benchmark of 75 per cent two and three bed units".

Para 5.45 on line 6 after the words "...open market housing. The" add "current requirements indicate a need for 75 per cent two and three bed units but the"

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

No additional comments relating to this objection in the response to modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name Anne MacNamara, Planning Directorate
422q Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Agent Name

Company Scottish Government

Summary of objection to Deposit Local Plan

The background behind this policy should be clearly stated so that the policy can be defended.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

No additional comments included.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name Mrs Audrey MacKenzie
416j Aviemore and vicinity Community Council
Tamsduchus
10 Dalfaber Road
Aviemore,PH22 1PU

Agent Name

Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

How is the balance of sizes justified.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22

Objector Ref Name The Crown Estate
419k

Agent Name Debbie Mackay

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy is too restrictive and does not seek to plan for the future. The balance suggested is likely to deter developers who will be responding to current market

trends into the life of the Plan, and combined with the requirement for contributions and affordable housing requirements will be counter to the objective to

providing affordable houses in the Park. The balance suggested also does not encourage whole life properties and the policy should be encouraging families into the area to support local services. The policy should therefore be removed.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection Sustained. While the reference to house sizes has been removed in the policy, it remains in the text relating to Policy 22 "Housing Development within

settlement boundaries". Objection to First Modifications. A further objection to the modifications is set out below.

My client objected to Policy 23 in the Finalised Draft Plan which set out a "Sustainable Balance of House Sizes" on the grounds that the policy was unduly

prescriptive, did not allow for future needs, and did not allow for a response to market conditions. This policy has disappeared in the Modified Draft but has

reappeared in the text accompanying Policy 22 "Housing Development within Settlement Boundaries."

Paragraph 5.57 states that

The household projections for the Park show that the increase in numbers of households and two person "all adult" households made up of older and also young

new households. Many recent developments have focussed on the market's ability to develop higher value homes that are larger and more costly than the homes

required to meet this need"

Paragraph 5.58 states;

Proposals should take into account local community needs survey, local housing needs studies, local waiting lists or any other information on local housing need

collated by the CNPA or local authority within the past three years. Where no such information exists a benchmark of 75% two and three bed units will be used as

a guide.

Paragraph 5.59 goes on to state that;

This policy approach endeavours to secure a supply of smaller units while still retaining the financial viability of developments. The principle of achieving a

sustainable balance of house sizes will apply to both affordable and open market housing."

This approach is fundamentally flawed in that it does not take into account the demands and aspirations of such households or their future growth.

For example,

frequently two person households want to live in a house with more than two bedrooms. They may have aspirations for a family, or wish to work from home. It is

inappropriate for a Local Plan to seek to influence house sizes to this degree. This is best left to the market to decide.

It is to a degree understandable that, when assessing the appropriate provision of affordable housing, the house size is decided upon by assessing various sources of

information on housing need. However, even in the case of affordable housing, households may have aspirations, and eventually needs, beyond the minimum

provision to fit their existing circumstances and there should be scope to provide for household aspirations, whether for family growth, working from home, or even

for providing bed and breakfast accommodation as a supplement to family income especially in low income households.

It is appreciated that frequently with affordable housing, the grant structures do not allow for aspirations for growth of households and merely provide for current

need. But it is also understood that some Housing Associations and rural bodies are looking at new approaches to housing provision in rural areas which build in the

scope to extend or expand the dwelling as needs arise without having to move house. Examples include using appropriate attic trusses so that new rooms can over

time be created in roof voids, or having a plot size and house design sufficient to allow extensions to affordable homes. There is a need to look at grant regimes

which can assist in providing affordable homes in rural areas which allow people to work from home or run appropriate types of business from home. It is recognised that the creation of such regimes are beyond the scope of the Local Plan. However the Plan should create a planning environment which is flexible

enough to allow for such developments given the five year plan period. The text in the paragraphs listed above while well intentioned are unnecessarily interventionist and miss the opportunity to produce innovative and truly rural based housing policies which cater for the housing and economic development of rural areas while also being more sustainable. Providing people with the scope to work from home will reduce their need to travel dramatically thereby reducing their carbon footprint. Homes with the flexibility to grow as their occupants' requirements change will also create a more efficient housing stock

Allocations and funding on need not on aspiration in relation

Proposed amendment - Paragraph 5.57 to 5.59 could be removed altogether or could be altered to say;
"In developing housing proposals within settlements it will be expected that a range of house sizes is provided to reflect the needs and aspirations of the communities

of the Park." And the remaining paragraphs 5.57 to 5.59 could be removed

CNPA analysis of objections to 1st modifications

The paragraphs are intended to ensure that the housing built within the National Park addresses the needs of people in terms of size and reflect the established need.

The paragraph encourages the use of the most up to date information but suggests a guide of 75% 2 and 3 bedrooms where no information is available as this supports the work undertaken to establish need. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22

Objector Ref

Name

Alison Hogg

473

Aberdeenshire Council, Planning and Development

Woodhill House

Westburn Road

Aberdeen, AB16 5GB

Agent Name

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Support for Policy 23

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name John Forbes-Leith Esq
418k Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is too restrictive and does not seek to plan for the future. The balance suggested is likely to deter developers who will be responding to current market

trends into the life of the Plan, and combined with the requirement for contributions and affordable housing requirements will be counter to the objective to

providing affordable houses in the Park. The balance suggested also does not encourage whole life properties and the policy should be encouraging families into the area to support local services. The policy should therefore be removed.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection Sustained. While the reference to house sizes has been removed in the policy, it remains in the text relating to Policy 22 "Housing Development within

settlement boundaries". Objection to First Modifications. A further objection to the modifications is set out below.

My client objected to Policy 23 in the Finalised Draft Plan which set out a "Sustainable Balance of House Sizes" on the grounds that the policy was unduly

prescriptive, did not allow for future needs, and did not allow for a response to market conditions. This policy has disappeared in the Modified Draft but has

reappeared in the text accompanying Policy 22 "Housing Development within Settlement Boundaries.

Paragraph 5.57 states that

The household projections for the Park show that the increase in numbers of households and two person "all adult" households made up of older and also young

new households. Many recent developments have focussed on the market's ability to develop higher value homes that are larger and more costly

than the homes
required to meet this need”

Paragraph 5.58 states;

Proposals should take into account local community needs survey, local housing needs studies, local waiting lists or any other information on local housing need collated by the CNPA or local authority within the past three years. Where no such information exists a benchmark of 75% two and three bed units will be used as a guide.”

Paragraph 5.59 goes on to state that;

“This policy approach endeavours to secure a supply of smaller units while still retaining the financial viability of developments. The principle of achieving a sustainable balance of house sizes will apply to both affordable and open market housing.”

This approach is fundamentally flawed in that it does not take into account the demands and aspirations of such households or their future growth. For example, frequently two person households want to live in a house with more than two bedrooms. They may have aspirations for a family, or wish to work from home. It is inappropriate for a Local Plan to seek to influence house sizes to this degree. This is best left to the market to decide.

It is to a degree understandable that, when assessing the appropriate provision of affordable housing, the house size is decided upon by assessing various sources of information on housing need. However, even in the case of affordable housing, households may have aspirations, and eventually needs, beyond the minimum provision to fit their existing circumstances and there should be scope to provide for household aspirations, whether for family growth, working from home, or even for providing bed and breakfast accommodation as a supplement to family income especially in low income households. It is appreciated that frequently with affordable housing, the grant structures do not allow for aspirations for growth of households and merely provide for current need. But it is also understood that some Housing Associations and rural bodies are looking at new approaches to housing provision in rural areas which build in the scope to extend or expand the dwelling as needs arise without having to move house. Examples include using appropriate attic trusses so that new rooms can over time be created in roof voids, or having a plot size and house design sufficient to allow extensions to affordable homes. There is a need to look at grant regimes which can assist in providing affordable homes in rural areas which allow people to work from home or run appropriate types of business from home. It is recognised that the creation of such regimes are beyond the scope of the Local Plan. However the Plan should create a planning environment which is flexible enough to allow for such developments given the five year plan period. The text in the paragraphs listed above while well intentioned are unnecessarily

interventionist and miss the opportunity to produce innovative and truly rural based housing policies which cater for the housing and economic development of rural areas while also being more sustainable. Providing people with the scope to work from home will reduce their need to travel dramatically thereby reducing their

carbon footprint. Homes with the flexibility to grow as their occupants' requirements change will also create a more efficient housing stock.

Allocations and funding on need not on aspiration in relation

Proposed amendment - Paragraph 5.57 to 5.59 could be removed altogether or could be altered to say

In developing housing proposals within settlements it will be expected that a range of house sizes is provided to reflect the needs and aspirations of the communities of the Park." And the remaining paragraphs 5.57 to 5.59 could be removed.

CNPA analysis of objections to 1st modifications

. The paragraphs are intended to ensure that the housing built within the National Park addresses the needs of people in terms of size and reflect the established need.

The paragraph encourages the use of the most up to date information but suggests a guide of 75% 2 and 3 bedrooms where no information is available as this

supports the work undertaken to establish need. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22

Objector Ref Name D R MacKellar

430k Cairngorms Chamber of Commerce

PO Box 15

Kingussie

PH21 1WF

Agent Name

Company Cairngorms Chamber of Commerce

Summary of objection to Deposit Local Plan

Policy 23 advises that "proposals for development of four or more units will be required to demonstrate a balance of 75% two and three bed units".

Where is the

; evidence to support this when compared to evidence provided on population growth projections? The policy will cause the disintegration of the housing ladder,

where very large houses will have to be provided to subsidise the smaller units, and cause a lack of middle market provision. Small local Developers and builders need

policies to encourage development not burden and this approach will stifle local sustainable construction/building economy.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection withdrawn

CNPA analysis of objections to 1st modifications

No further action.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name James and Evelyn Sunley
056n 12 Lochnagar Way
Ballater
AB35 5PB

Agent Name

Company

Summary of objection to Deposit Local Plan

The % of affordable houses proposed would have an adverse impact on the open market and is a form of social engineering. Within an amendment to this policy,

developers will go elsewhere. The house sizes also needs to be carefully considered to reflect the local population with areas with an aging population needing more

single storey developments with small gardens. Again there should be a recognition of the need for high end developments for private investment.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

The need for affordable homes does however remain a key aim of the local and national park plans and is retained in a revised form in policy 21, supported by the

work of the 3Dragons study.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

In Policy 21 change % requirements to 25 (in line with national guidance) and 40 (in line with 3Dragons report) for exceptional sites.

Response to 1st modification objections

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of objections to 1st modifications

The housing allocations reflect the work undertaken to establish local need, and the phasing is intended to ensure that new development does not adversely impact

on existing communities and allow new residents to become part of the community. The approach to house sizes has been altered but the response does not

comment on this change. No further amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 22

Agent Name

Objector Ref Name Jamie Williamson
439r Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

This policy will act as a further disincentive to development and investment. The size of units built should be dictated by the market and should reflect local demand

at the time of building. The approach does not allow for activities such as using some bedroom space to provide tourist accommodation, building for life, or

accommodating large or extended families.

Amended wording - ' Proposals for housing development built with public subsidy may be required to demonstrate a balance of unit sizes based on assessed local

demand for affordable houses.'

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

A meeting of land based businesses together with their staff and tenants in the Kincraig area during a previous Local Plan consultation concluded that the

overwhelming majority of those living and working in the countryside wish to continue living in the countryside. They do not wish to be housed in urban areas even

when they retire.

Housing development should not be confined to within settlement boundaries; housing should be allowed in the countryside, particularly when associated with land

based businesses.

Many rural villages remain rural in character; where possible the rural character of these communities should be retained. This may preclude some infill development

and housing estates.

CNPA analysis of objections to 1st modifications

Opportunities for new housing development are not confined to urban areas. Policy 23 has been added to create additional opportunities and it is not therefore

proposed to add any further amendment or modification.

Objection maintained

Policy/site ref Policy 22
Objector Ref Name Rothiemurchus Estate
446a Estate Office
Aviemore
Inverness-shire
PH22 IQH

Agent Name Howard Brindley Consulting
26 Holm Park
Inverness
1V2 4XT

Company Rothiemurchus Estate

Summary of objection to Deposit Local Plan

Support the allocation, and confirm the Estate is working on an indicative land use plan. The indicative balance of units and capacity for housing in table 2 and policy

23 is close to that being proposed in the land use plan for the settlement, but a degree of flexibility should be included to allow for the development phases of the new settlement.

Amended wording – The policy should be reworded to indicate that the 75% benchmark will be applied flexibly to individual phases of an overall housing

development proposal as they come forward for planning permission.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Balance of house sizes – the previous objection requested a more flexible approach to house sizes in the phases of a new development than was contained in policy

23 which required 75% of new housing units to have 2-3 bedrooms. The policy has been removed by the modifications and a more general comment is included in

a new general requirement to relate to community needs assessments. Consequently the Estate's objection is withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name Reidhaven Estate
456f Seafield Estate Office

Agent Name Jill Paterson
Halliday Fraser Munro
8 Victoria Street

Cullen
Buckie
Banffshire

Aberdeen
AB10 1XB
Company Reidhaven Estate

Summary of objection to Deposit Local Plan

The policy is too restrictive and will result in an artificial inflation of the central part of the market (4+bedrooms) If there is a need for such a level of 2-3 bed

affordable homes the RSLs will provide them based on their waiting lists. The policy will also work against the development of small and flatted developments which

provide important accommodation for old and young people. The policy should therefore be removed or substantially amended.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy has been deleted and a guidance paragraph added to policy 22 which gives a benchmark guide but not policy. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22

Agent Name

Objector Ref Name Sarah Jane Laing

429d SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Company SRPBA

Summary of objection to Deposit Local Plan

The policy is too prescriptive and inflexible and if it to remain should be supported by empirical research.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 22
Objector Ref	Name Glenmore Properties Ltd
453i	Viewfield Farm
	Craigellachie
	Aberlour
	AB38 9QT

Agent Name	Steve Crawford
	Halliday Fraser Munro
	8 Victoria Street
	Aberdeen
	AB10 1XB
Company	Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

The % requirement is too prescriptive and will artificially inflate the cost of the central part of the market which provides houses with 4 or more bedrooms. If the need for such houses is there the RSLs will provide them against their waiting lists. The policy also works against smaller scale and flatted accommodation, providing housing for 2 key housing sectors, the young, and the old. The wording should therefore be removed or substantially altered.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

No further issues raised.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name DW and IM Duncan
037i Pineacre
West Terrace
Kingussie
PH21 1HA

Agent Name

Company

Summary of objection to Deposit Local Plan

The wording does not support low cost rented housing, there should be a recognition that developers profits will be less than for those to be made from higher value properties.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Policy 23 has been removed and the reference to balanced house sizes included into the supporting text of new policy 21. The wording of the policy and the supporting text has been redrafted for clarity. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22
Objector Ref Name Rona Main
425n Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

Table 2 appears to be based on a very low growth scenario and does not seem to take into account the economic factors that would help the National Park achieve

its aims and vision. Nor does it take into account the 132 units of affordable housing expected every year.

Table 3 allocates too much development in the west of the Park. This strategy does not support equitable economic development across the Park, and could be

viewed as restricting economic growth in Aberdeenshire.

In regard to the balance of house sizes, the policy does not reflect the modern needs for housing across the whole Park. The balance proposed may artificially inflate that central part of the market. The policy should instead support market demand and reflect the type of housing that is required on the waiting lists of RSL's. The policy also works against flatted or smaller scale accommodation, 2 of the key housing sectors are the young and the retired. There may also be scope to develop seasonal worker accommodation which would fall outwith this policy.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The CNPA position regarding population growth and the need for land allocations for housing has not changed. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22

Objector Ref Name John Anderson

463q Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. Proportions set out are potentially unnecessarily restrictive, and the proportion should be decided on merit (demonstrated demand).

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

No objection raised in response to modifications. Assume therefore objection resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 22
Objector Ref Name The Proprietors of Mar Centre
 394k

Agent Name Steve Crawford
 Halliday Fraser Munro
 8 Victoria Street
 Aberdeen
 AB10 1XB
Company The Proprietors of Mar Centre

Response to 1st modification objections

Policy 22 should be less restrictive. Settlement boundaries should be considered flexible in order to meet demand as and when it arises. New potential development

sites in Braemar will be identified later in this report.

Changes Required to Resolve the Objection

Make settlement boundaries flexible or/and increase Braemar's settlement boundary to accommodate further development.

CNPA analysis of objections to 1st modifications

The policy is intended to give clarity to opportunities for development within settlements, and outside those settlements the other policies of the plan may apply.

The use of a flexible approach to boundaries would not give adequate clarity. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 22
Objector Ref Name Reidhaven Estate
 456a Seafield Estate Office
 Cullen
 Buckie
 Banffshire

Agent Name Jill Paterson
 Halliday Fraser Munro
 8 Victoria Street
 Aberdeen
 AB10 1XB
Company Reidhaven Estate

Summary of objection to Deposit Local Plan

There is inadequate positive guidance on infill sites and other developments within settlements. An additional policy is needed for such forms of development.

CNPA analysis of objection to Deposit Local Plan

The comment is noted and modifications will be included to clarify the position and provide an appropriate level of detail on this issue.

Proposed 1st Modification

Add policy 22 regarding housing development within settlements.

Response to 1st modification objections

Our initial representation referred to the lack of positive policy guidance on infill sites and development within settlements. We support the inclusion of this policy

22 on this issue and consider that it addresses our concerns.

CNPA analysis of objections to 1st modifications

The objection has been resolved. No further action required.

Objection withdrawn

Policy/site ref Policy 22

Agent Name

Objector Ref Name Susan Davies

465r Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

Suggest adding an equivalent policy to Policy 26 for development proposals within settlement boundaries. Amongst other things, this could specifically protect

natural heritage and open space within settlements. Alternatively, it might be possible to protect these interests by adding a phrase to Policy 18 to make it clear that

the 'natural and cultural environment of the Park' includes that present within settlements.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position. The control of development which affects natural heritage would therefore be considered under other policies in the Plan.

Proposed 1st Modification

Add policy 22 regarding housing development within settlements.

Response to 1st modification objections

We welcome this additional policy, and suggest the second sentence of part b) should start: "The proposal should be compatible with existing and adjacent land

uses, reinforce and enhance". This is to allow for any important small scale natural and cultural heritage features that may occur within boundaries settlement

boundaries.

Para 5.55 Following on from the above, the penultimate sentence of this new paragraph would benefit from ending "... or features of natural and cultural heritage importance within the settlement boundary".

CNPA analysis of objections to 1st modifications

the proposed changes will add further to the clarity of the policy and will therefore be added as a second modification to the plan.

Objection maintained

Policy/site ref	Policy 22	Agent Name
Objector Ref 011b	Name Colonel F.M.K. Tuck Allargue Corgarff, Strathdon Aberdeenshire AB36 8YP	Company

Summary of objection to Deposit Local Plan

Clarify the wording in Policy 23 regarding the amount of 2 and 3 bedroom houses, and houses with 3 or more bedrooms.

CNPA analysis of objection to Deposit Local Plan

The need for a variety of house sizes was established in a paper supporting the local plan produced on behalf of CNPA and available on line for information.

However the view has been taken to hold this aspiration as something to be negotiated on a site by site basis to reflect local need.

Proposed 1st Modification

Move to supporting text of policy 21, para 5.45.

Response to 1st modification objections

I refer to your letter obj 011 of 22 May on Modifications to Deposit Local Plan.

First may I say how very pleased and honoured I am to receive a personal and comprehensive reply to my comment on the plan. I can not remember ever having

had one before, and it is gratifying to feel that one is being listened to !

Second I confirm that I am in agreement with the modifications suggested and do not wish to object further. On the whole I consider that you have dealt with my comments and that the amended plan is satisfactory.

Having said that , may I make one or two further comments ? !

- a. On p 42 Table 14 it is strange that Aberdeenshire would not have at least a target figure for Donside as well as Ballater and Braemar.
- b. Although much improved I still find Policy 23 and 24 overly and unnecessarily restrictive. I can see places in Corgarff (which badly needs

regeneration) where

two or three new build houses could be built without in any way conflicting with the other aims of the Park. So to restrict to one new house where there are three

would prevent this. Similarly I can envisage other worthy candidates for a new house under Policy 24 eg a retired gamekeeper on my estate when his tied dwelling is

required, or for a family member with dependent needs to live on the estate. A wording could be inserted in the new subpara b " or similar worthy persons ".

c. Some of my problems have been resolved in Policies 25 - 29. It would be helpful to refer to these at the end of new para 5.70

d. Finally you have not taken on board my comment on other unsightly communication developments besides Telecoms in Policy 31. There are some awful

electrical, road, and water constructions including the 32000 volt power lines alongside the Lecht road which have not been used for 7 years.

I hope the Board will approve the Plan on 30 May and I wish you well with it.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 22	Agent Name
Objector Ref	Name James Hall	
371c	Craigdhu	
	Braeside Place	
	Newtonmore	
	PH20 1DW	Company

Response to 1st modification objections

The Implementation and Monitoring associated with Policy 22 "Housing Development within Settlement Boundaries" should include a reference to community

benefit, e.g. recreational or playing field space, through the use of planning gain expected with larger scale developments. I recognise that this is covered by Policy

20 "Developer Contributions" but there is no link between "Development which gives rise to a need to increase or improve public services" (Policy 20) and Policy

22.

CNPA analysis of objections to 1st modifications

The issue of developer contributions is implemented through policy 20. The intention is that the policies are read together and do not repeat each other. No

modification is therefore proposed in light of this representation.

Objection maintained

Policy/site ref Policy 22
Objector Ref Name Muir Homes Ltd
038m

Agent Name Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhill, Fife
KY12 9NZ

Company

Response to 1st modification objections

This policy states that: "Settlement boundaries have been identified which indicate the extent to which these settlements should expand during the Local Plan period

and new housing development should be contained within these boundaries. Housing proposals within these settlement boundaries will be considered favourably

where the development:

a) occurs within an allocated site identified within the proposals maps; or

b) comprises infilling, conversion, small scale development, the use of derelict or underused land or the redevelopment of land. The proposal should reinforce and

enhance the character of the settlement and not detract from the landscape setting of that settlement, and can accommodate within the development site appropriate amenity."

This appears to give support to specific allocations within the local plan. However, there remains a need to refer back to the other policies outlined, including

Policies 1, 4, 6 and 7, wherein the requirements of individual allocations may not be fully compatible and therefore as the local plan is set up failure to comply with

all policies provides failure to comply with Policy 1 and the implication here is that the development would be contrary to the plan. There is a reasonable

assumption that the allocation of a site for development in the first instance is related to it satisfying, to an appropriate extent, the development requirements within

an area, including the delivery of beneficial development and the protection of the environment (albeit both will be determined by the actual nature of the

development delivered on the ground). Greater clarity/support needs to be clearly outlined related to allocated sites.

Paragraph 5.58 in effect requires 75% of houses to comprise 2 or 3 bedrooms. This is a very blunt tool as the overall size of property and therefore the related

affordability is not necessarily governed by the number of rooms used as bedrooms. Such a restriction may also unnecessarily interfere with the ability of developers

to address reasonable market needs within an area. Such a requirement should be removed from the local plan.

CNPA analysis of objections to 1st modifications

This additional policy allows for development within identified settlements. The representation is accurate in that it highlights the need for all developments, whether on allocated sites or not, to adhere to the policies of the plan. The policies are clearly set out and their requirements are grouped by topic in line with the Park Plan for additional clarity to developers. It is therefore considered that the approach taken is indeed clear and no second modifications or amendments are therefore proposed.

Para 5.58 - the paragraph reflects previous objections to Deposit Local Plan policy 23. The revision instead of establishing a policy, encourages developers to take into account all available information in terms of house size requirements when drawing up proposals. It reflects work undertaken on behalf of CNPA to assess housing demand within the Park. The reference to 75% is clearly labelled as a guide and the figure a benchmark. This is not therefore considered a 'blunt tool' and no second modifications or amendments are therefore proposed.

Objection maintained

Policy/site ref	Policy 22	Agent Name
Objector Ref	Name Dr A M Jones	
400k	Badenoch and Strathspey Conservation Group	
	Fiodhag	
	Nethybridge	
	PH25 3DJ	Company

Response to 1st modification objections

5.52 Object if 'their' in final sentence 'their growth is key...' is referring to communities; do not object if 'their' is referring to services.

5.53 Object. It is misleading to simplistically suggest that creating large scale, quality residential environments supports sustainable and thriving communities. Such developments have a multitude of impacts, including negative ones that are both significant and irreversible. The growth proposed is not sustainable and does not best use existing resources and is only geared towards meeting local demand in a limited way. In addition, due to the CNPA's scant knowledge about the sites proposed for large scale housing, there are many respects in which the CNPA cannot judge whether best use of resources is being made.

Policy 22 - Object to word 'should' where first used in first paragraph ('settlements should expand...'). Recommend change to e.g. 'may'. Object. For clarity recommend starting a new sentence with 'New housing development ..' and deleting the word 'and'.

5.54 We support strategic settlements accommodating the majority of housing. We consider that growth does not necessarily support sustainable and vibrant communities.

5.60 Object Insert 'sales, and take up of rented property' after housing completions in first sentence.

Object to 'to ensure adequate effective land supply at all times' in final sentence. The CNPA has to set limits to growth. The present mDLP promotes a level of

growth that is unsustainable. We are concerned that this could mean extending the settlement boundaries (e.g. in the next local plan). It should be clarified in the

present mDLP what the CNPA's thinking on this is (see comment under Policy 22).

CNPA analysis of objections to 1st modifications

For clarification 'their' in para 5.52 refers to the services found within communities.

The approach proposed is felt to support communities through providing opportunities for growth and economic prosperity, and create environments which people

will like to live in. New development within settlements is considered the most sustainable method of provision and allows access to the greatest variety of facilities.

Regarding monitoring, we do not have access to dates when properties are sold, but do have information on completions through the building standards services of

the Local Authorities. We therefore maintain the use of records we have best access to.

The point made regarding the word 'should' in the policy is noted and a change to 'may' will be included as a further modification.

Objection maintained

Policy/site ref Policy 22

Objector Ref Name Reidhaven Estate
456t Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Name Jill Paterson

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Reidhaven Estate

Response to 1st modification objections

Our initial representation referred to the lack of a positive policy guidance on infill sites and development within settlements. We support the inclusion of this policy

22 on this issue and consider that it addresses our concerns.

CNPA analysis of objections to 1st modifications

Objection covered under 456a. No further action required.

Objection withdrawn

Policy/site ref Policy 22, 23, 24
Objector Ref Name Colonel F.M.K. Tuck
011d Allargue
Corgarff, Strathdon
Aberdeenshire
AB36 8YP

Agent Name

Company

Summary of objection to Deposit Local Plan

How do you define 'a small settlement of 15 dwellings'?(Policy 25) If the settlement eg. Strathdon, does not fall within this definition under Policy 26 the only housing

that would be permitted would be affordable housing for workers. There used to be a rule allowing 10% increase in housing where there was a group of 5 or more.

This should be restored. Certainly any development which included a business facility should be permitted.

CNPA analysis of objection to Deposit Local Plan

Revise the approach taken to development opportunities outside settlements. Consider options for small settlements and small groups of houses. Ensure approach

taken is in line with the requirements of SPP1. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Include revised policy 23 regarding housing in rural buiding groups

Include revised policy 22 regarding housing in settlements, and identify rural settlements within the proposals maps.

Response to 1st modification objections

I refer to your letter obj 011 of 22 May on Modifications to Deposit Local Plan.

First may I say how very pleased and honoured I am to receive a personal and comprehensive reply to my comment on the plan. I can not remember ever having

had one before, and it is gratifying to feel that one is being listened to !

Second I confirm that I am in agreement with the modifications suggested and do not wish to object further. On the whole I consider that you have dealt with my

comments and that the amended plan is satisfactory.

Having said that , may I make one or two further comments ? !

a. On p 42 Table 14 it is strange that Aberdeenshire would not have at least a target figure for Donside as well as Ballater and Braemar.

b. Although much improved I still find Policy 23 and 24 overly and unnecessarily restrictive. I can see places in Corgarff (which badly needs regeneration) where

two or three new build houses could be built without in any way conflicting with the other aims of the Park. So to restrict to one new house where there are three

would prevent this. Similarly I can envisage other worthy candidates for a new house under Policy 24 eg a retired gamekeeper on my estate when his tied dwelling is

required, or for a family member with dependent needs to live on the estate. A wording could be inserted in the new subpara b " or similar worthy persons ".

c. Some of my problems have been resolved in Policies 25 - 29. It would be helpful to refer to these at the end of new para 5.70

d. Finally you have not taken on board my comment on other unsightly communication developments besides Telecoms in Policy 31. There are some awful

electrical, road, and water constructions including the 32000 volt power lines alongside the Lecht road which have not been used for 7 years.

I hope the Board will approve the Plan on 30 May and I wish you well with it.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23
Objector Ref Name John Forbes-Leith Esq
418s Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company Dunachton Estate

Summary of objection to Deposit Local Plan

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of

additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23
Objector Ref Name John Forbes-Leith Esq
418m Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for

Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

The policy is welcomed and it is considered that it is an appropriate response to the requirements of SPP15 Rural Development and SPP3 Planning for Housing both

current and emerging.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23

Objector Ref Name John Anderson

463s Kincaig and Vicinity Community Council

Goldenacre, Dunachton Road

Kincaig, Kingussie

PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. Suggest the plan should distinguish between 'affordable housing' and 'open market housing', and make planning

conditions easier for the former than the latter so that there is a presumption that first priority will be given to affordable housing for local people.

Suggest any

reference to housing should be prefixed with either 'affordable' (and preferably 'affordable to rent') or 'open market' as appropriate. Arbitrary

bottom limit of '15 or

more dwellings' is too restrictive and unnecessary.

CNPA analysis of objection to Deposit Local Plan

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable

houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account

national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being

taken to justify the level of affordable housing required.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

While written in black and white, there is a tendency for planners to argue against them. There is also doubt as to what number of houses is deemed to be a rural

group.

CNPA analysis of objections to 1st modifications

The policy clarifies that the group should include 3 or more dwellings. The comments on implementation are noted. No modifications are considered necessary.

Objection maintained

Policy/site ref Policy 23

Objector Ref Name Mr Michael Bruce
403j Glen Tanar Estate

Agent Name John Wright

Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA

Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

Glen Tanar should be designated as a small rural settlement in line with the definition of such a group of dwellings in a cohesive group.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA. However confirm that Glen Tanar does not demonstrate the characteristics of a rural settlement, but new development would still be

considered under policy 23 and 24.

Proposed 1st Modification

Add additional policy 23 regarding building groups of 3 or more houses and identify additional rural settlements in proposals map.

Response to 1st modification objections

No further action required.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 23	Agent Name
Objector Ref	Name	
417b	Jenny Smith Dellachupe Corgarff Strathdon AB36 8YP	Company

Summary of objection to Deposit Local Plan

There should be greater flexibility on what development is permitted outwith settlements to meet local need.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

I am in agreement to the modifications made to the Deposit Local Plan:

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23
Objector Ref Name Glenmore Properties Ltd
453k Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

The wording should be altered to allow for such levels of developments in smaller settlements than 15 dwellings, particularly where there are existing employment and industrial uses e.g. distillery villages. This would support rural settlements and their services and the economic development opportunities in these areas. Good design and criteria for location are required to enable this type of approach to work. The policy should also allow development on the outskirts of such settlements.

CNPA analysis of objection to Deposit Local Plan

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

This policy is welcomed as an improvement on the previous Policy 25. Further information is however required to clarify what actually constitutes an 'existing rural building group.' Is it, for example, a dispersed group of houses in an area related by the wider topography, or a tightly knit row or group of houses with contiguous boundaries?
The reference to ribbon development in paragraph 5.63, however, is not relevant to the type of development being proposed. Development along transport routes is both a traditional form of development in the Park and suits sustainability criteria in being close to public transport routes. The objection to ribbon development is a historical one suited to suburban areas rather than small groups of rural houses.

CNPA analysis of objections to 1st modifications

A note will be produced by CNPA to explain what constitutes a group and work on this is ongoing. The reference to ribbon development is in line with government

advice regarding development in the countryside and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 23

Objector Ref Name Jamie Williamson
439t Alvie and Dalraddy Estate
Alvie Estate Office
Kincaig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

Wording is too prescriptive and the figure '15' is not justified. The policy does not support rural communities that would benefit from more residents. Amended wording – Delete 'where there is a cohesive group of 15 or more dwellings'

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23.

Response to 1st modification objections

This policy is too prescriptive and will be inappropriate in many situations. It should be replaced with a presumption in favour of houses in the countryside

particularly where they are associated with the land holding or a land based business. Land based businesses change along with their housing requirements. The

National Park Authority should not place unreasonable restrictions on businesses seeking to evolve, adapt or change.

There are many isolated communities within the Park that would benefit from more residents. Retiring staff in rural communities may wish to remain within the

community requiring additional housing for replacement staff.

Buildings should be in keeping with their surroundings.

Houses in the countryside are more likely to be able to install or connect into local private water supplies and sewerage systems. This reduces the demand on

Scottish Water who are already struggling to provide adequate water and sewer facilities and will be better for the environment as sewer outfalls and soakaways will

be dissipated and pipe distances and the need for pumping stations reduced.

CNPA analysis of objections to 1st modifications

The policy is intended to create some opportunity for housing outside settlements and aims to give clarity as to where such development might be considered

appropriate. A policy to build within the countryside without any parameters would not give any clarity and it not therefore suggested as a modification.

Objection maintained

Policy/site ref Policy 23
Objector Ref Name The Crown Estate
419s

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be

acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at

present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to

meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict

affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community

in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be

restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small

number of

additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for

Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23

Objector Ref	Name
425p	Rona Main Scottish Enterprise Grampian 27 Albyn Place Aberdeen AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

Support this policy.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

Confirm an additional policy 22 to include rural settlements in light of representations made.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The original support for this policy is welcomed. No further modifications are therefore proposed.

Objection maintained**Policy/site ref Policy 23**

Objector Ref Name Dr A M Jones

400g(g) Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Agent Name

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

The tone of wording implies bypassing of the planning process. Also the justification does not support the Park Plans objectives as listed.

Para 5.60 – Homestake should not be mentioned specifically as it is already up and running long before the adoption of the Plan .

Para 5.62 – Statements throughout the plan contradict this para. The text should comply with this throughout the plan.

CNPA analysis of objection to Deposit Local Plan

The comment regarding the tone of the wording is noted and the wording will be reviewed to ensure the correct level of guidance and clarity is included. The

further comments regarding the implementation of housing policies is also noted. Further amendments are needed to provide clarity in wording and ensure the

policies do deliver their original intentions. Confirm that 'will' does not imply permission as schemes must comply with all relevant policies in the plan.

Proposed 1st Modification

The proposals maps will identify rural settlements and the policy will then apply to those settlements. Add an additional policy 22 to include rural settlements and

identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

No additional representation included regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23
Objector Ref Name Little Tolly Properties Ltd
039 c/o Gordon Gauld architectural services

Agent Name Gordon Gauld architectural services
Bankhead Croft Cottage
Midmar
Inverurie
AB51 7QD
Company

Summary of objection to Deposit Local Plan

The size of the group should be reduced to reflect the traditional size of settlements in Aberdeenshire. (to 5-8). A suggested site at Waterside for affordable housing should be considered.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the number of dwellings to 3 in policy 23.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Policy 23 has been amended to address development opportunities within groups of three. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 23
Objector Ref Name Gordon Pyper
468b Development Plan Manager
Angus Council, County Buildings
Market Street
Forfar, Angus

Agent Name

Company Angus Council

Summary of objection to Deposit Local Plan

The definition used of groups of 15 would mean there are no such settlements within the Angus Glens. The plan does however remove the previous

development
boundary for Clova.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. No modification proposed as a result of this representation.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the figure here to 3 in policy 23.

Response to 1st modification objections

I refer to your letter and enclosures of 13 June 2008 with regard to the above. Reference is also made to your e-mail of 29 July 2008 and my follow up telephone discussion in connection with this matter.

The period for representations on the proposed modifications coincided with my Council's summer recess and consequently I have not been able to report the

proposed modifications to Committee.

While Angus Council had made comment on aspects of the Finalised Local Plan stage (Report 751/07 refers) the Council made no formal objection to the Plan.

I note that there has been considerable amendment to the text and policies of the Finalised Local Plan.

In my report of 2007, I made mention of the linkage between Policy 24 'Contributions to Affordable Housing' (now modified and renumbered Policy 21) and Policy

27 'Conversions of Existing Traditional and Vernacular Buildings' (now modified and renumbered Policy 29). The modified polices and text still does not make it

clear whether affordable housing contribution is being sought from conversion projects. This needs to be clarified beyond any doubt.

In relation to Policy 26 'Housing Development Outside Settlements' (now modified and renumbered Policy 24), I note that this has been modified to include

opportunity for retiring farmers etc (subject to meeting the terms of the policy) and brownfield sites. Such a move is in line with our own Local Plan Review policy.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 23	Agent Name
Objector Ref	Name	
037k	DW and IM Duncan Pineacre West Terrace Kingussie	

Summary of objection to Deposit Local Plan

New development in rural settlements should only be permitted where it enhances the character of that settlement.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy regarding housing in settlements has been completely redrafted and allows for limited growth where there are existing building groups. No further modifications are therefore proposed.

Objection maintained

Policy/site ref **Policy 23**

Objector Ref **Name** Sarah Jane Laing
429f SRPBA
Stuart House
Eskmills
Musselburgh, EH21 7PB

Agent Name

Company SRPBA

Summary of objection to Deposit Local Plan

The policy is too prescriptive and should demonstrate the reasoning behind the figures used. The policy will not support the growth of small communities and does not acknowledge the desire of local people who retire and wish to remain in the area but wish to down size for example.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in

supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide

social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23

Objector Ref Name Alison Hogg

473s Aberdeenshire Council, Planning and Development

Woodhill House

Westburn Road

Aberdeen, AB16 5GB

Agent Name

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Welcome Policy 25. Not clear if this means affordable housing. Also suggest mentioning links to public transport network, or accessibility by foot or bicycle.

Questions why if CNPA define cohesive groups as being 15 or more houses, why does the plan not identify them specifically to help save arguments over the status of settlements.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position. The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line

with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations

would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered

as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps.

Any change to

the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23

Objector Ref Name The Proprietors of Mar Centre
3941

Agent Name Steve Crawford

Halliday Fraser Munro

8 Victoria Street

Aberdeen

AB10 1XB

Company The Proprietors of Mar Centre

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

This policy is generally supported. The reference to ribbon development in paragraph 5.63, however, is not relevant to the type of development being proposed.

Development along transport routes is both a traditional form of development in the Park and suits sustainability criteria in being close to public transport routes.

The objection to ribbon development is a historical one suited

to suburban areas rather than small groups of rural houses. The policy also needs to identify what constitutes Rural Building Groups and we would suggest that

more dispersed patterns of development (Dispersed Rural Settlements) in rural areas should be considered within this category.

Changes Required to Resolve the Objection

Remove reference to ribbon development and define Rural Building Groups, including Dispersed Rural Settlements.

CNPA analysis of objections to 1st modifications

The reference to ribbon development is in line with government advice regarding development in the countryside and no modification is therefore proposed.

Objection maintained

Policy/site ref **Policy 23**
Objector Ref **Name** Lorna Fraser
352 20 Braid Hills Approach
 Edinburgh
 EH10 6 IY

Agent Name Stewart G Fulton
2 Upper Derraid
Grantown-on-Spey
PH26 3PT

Company

Summary of objection to Deposit Local Plan

The policies in the Plan are unclear and do not provide sufficient guidance to prospective applicants on whether or not their proposals would be supported under the terms of the Plan.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use.

Proposed 1st Modification

Include additional detail on sites and settlements for clarity.

Response to 1st modification objections

This is just to thank you for meeting me at Blairgorm and Old Spey Bridge yesterday, to look at the sites on which the folk I represent have an interest. It was most kind of you, and I very much appreciate you taking the time and trouble to discuss the prevailing issues on site with me.

Having thought over the various angles, and having paid careful attention to what you said, I think the safest route forward for the time being is to sustain by objections, until a clearer interpretation of what constitutes an 'existing rural building group which comprises three or more occupied buildings' is available.

Hopefully that issue will be raised with, and addressed by the National Park Authority during the oncoming consultation period and its aftermath, and if you thought

it would be useful for me to write specifically on that point during the consultation, I would be happy to do so.

CNPA analysis of objections to 1st modifications

The site in question would fall under policy 23. It is the intention of the CNPA to produce notes to further explain what constitutes a group and work on this is ongoing. No further modifications are therefore proposed for the local plan policy.

Objection maintained

Policy/site ref Policy 23

Agent Name

Objector Ref

Name

Susan Davies

465p

Scottish Natural Heritage

Great Glen House

Leachkin Road

Inverness

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

Note this policy replaces settlement maps for many of the smaller settlements. Recommend adding a statement that proposals for new housing development should

not detract from the settlement's landscape setting.

Recommend reinstating settlement maps for the smaller communities within the NSAs, eg Coylumbridge and Inverey, due to the greater landscape sensitivities in

these locations.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Add to policy 23 regarding groups 'and does not detract from the settlements landscape setting' to the policy.

Response to 1st modification objections

We note that this policy has been significantly altered from the previous Policy 25 to reduce the definition of small settlements from at least 15 houses to at least 3

houses, and to add an upper

ceiling of 33% for growth of such settlements during the plan period. We also note, and welcome, the addition of the four "rural settlements" - Bellabeg, Dinnet, Insh

and Inverdrue - to the list of settlements with boundaries shown in the Plan. Given that this policy now allows for other smaller settlements without defined boundaries to grow by up to 33% in size in the plan period, determined only on the individual merits of cases, we recommend adding boundaries for the following settlements:

- Coylumbridge (within NSA) (in CNP Housing Landscape Capacity Study)
- Inverey (within NSA) (also has a Conservation Area which otherwise is not mapped anywhere in the Local Plan)
- Laggan/Gergask (in CNP Housing Landscape Capacity Study) and possibly:
- Skye of Curr (in present Badenoch & Strathspey Local Plan)
- Easter Balmoral (within NSA).

CNPA analysis of objections to 1st modifications

The assessment of growth in small rural groups will be assessed by all relevant policies of the plan and the addition of the settlements listed is not therefore considered necessary. No modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 23	Agent Name
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Objector Ref	Name Frank Bardgett	
092a	Boat of Garten Community Council	
	Tigh an Iasgair	
	Boat of Garten	
	PH24 3BY	

Company	Boat of Garten Community Council
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Summary of objection to Deposit Local Plan

Additional clarity is required to explain the different housing options proposed by policy 25 and 26 in regard to the scale appropriate to the setting. Specific

mention should be included of the settlements to which policy 25 refers. Additional information should also be given on how the policies link together, for example

the impact on the landscape. Paragraph 5.62 should therefore read 'They include settlements such as Dinnet, Laggan Bridge, Gergask, Drumuillie and Street of

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

The objection relating to small rural settlements (former policy 25) and housing proposals outside settlements (former policy 26) had been resolved, as the policies

had been very considerably rewritten.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 23
Objector Ref Name The Crown Estate
419m

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at

present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to

meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict

affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community

in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be

restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy has been totally redrafted. No additional comment has been included on the changes. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 23

Objector Ref Name George Alder
392a Laggan Community Association
Community Office
Laggan, Newtonmore
PH20 1AH

Agent Name

Company Laggan Community Association

Summary of objection to Deposit Local Plan

Clarify what is meant by a 'small rural settlement' in terms of what impact this will have on development opportunities.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Objection maintained

Policy/site ref	Policy 23
Objector Ref	Name Rosslyn Oakes and Garry Fowler
353	27 Cairngorm Avenue
	Grantown-on-Spey
	Morayshire
	PH26 3EY

Agent Name	Stewart G Fulton
	2 Upper Derraid
	Grantown-on-Spey
	PH26 3PT

Company

Summary of objection to Deposit Local Plan

The policies in the Plan are unclear and do not provide sufficient guidance to prospective applicants on whether or not their proposals would be supported under the terms of the Plan.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use.

Proposed 1st Modification

Include additional detail on sites and settlements for clarity.

Response to 1st modification objections

This is just to thank you for meeting me at Blairgorm and Old Spey Bridge yesterday, to look at the sites in which the folk I represent have an interest. It was most kind of you, and I very much appreciate you taking the time and trouble to discuss the prevailing issues on site with me.

Having thought over the various angles, and having paid careful attention to what you said, I think the safest route forward for the time being is to

sustain by

objections, until a clearer interpretation of what constitutes an 'existing rural building group which comprises three or more occupied buildings' is available.

Hopefully that issue will be raised with, and addressed by the National Park Authority during the oncoming consultation period and its aftermath, and if you thought

it would be useful for me to write specifically on that point during the consultation, I would be happy to do so.

CNPA analysis of objections to 1st modifications

The site in question would fall under policy 23. It is the intention of the CNPA to produce notes to further explain what constitutes a group and work on this is

ongoing. No further modifications are therefore proposed for the local plan policy.

Objection maintained

Policy/site ref Policy 23

Objector Ref Name Reidhaven Estate
456v Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Name Jill Paterson

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Reidhaven Estate

Response to 1st modification objections

Our initial representation to Policy 26 Housing Proposals Outside Settlements referred to the lack of policy guidance for dispersed Rural Settlements. We welcome

the inclusion of Policy 23 in addressing some of these concerns as it would help to sustain rural communities. We do however have some concern about the

reference in paragraph 5.63 to ribbon development. Development along transport routes is a traditional form of development in many rural communities and can be

more sustainable taking advantage of proximity to public transport routes.

Amendment - reference to ribbon development should be deleted.

CNPA analysis of objections to 1st modifications

The reference to ribbon development is in line with government advice regarding development in the countryside and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 23,24

Objector Ref Name Anne MacNamara, Planning Directorate
422t Scottish Government

Agent Name

Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

The approach may be confusing for those wishing to build a new house outwith a settlement. The small rural settlements should be defined on the proposals maps.

This would clarify if policy 25 or 26 was applicable. The scale of development allowed in rural settlements is also unclear.

CNPA analysis of objection to Deposit Local Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed

rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail

provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through

modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may

also impact on the SEA.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting'

Response to 1st modification objections

No additional comments included.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name The Crown Estate

419n

Agent Name Debbie Mackay

Smiths Gore

12 Bernard Street

Edinburgh

EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy is too prescriptive and does not embrace SPP15 and SPP3 regarding rural development opportunities. The policy does not allow for enabling housing

(para 16 SPP15) and restricts provision to retiring farmers or crofters. This does not provide for other forms of retiring rural employees.

The plan should therefore be amended to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises. Criteria e) should include an element for retiring rural employees.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.
in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.
In b) refer to other rural workers.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 24	Agent Name
Objector Ref	Name	
100	Graham MacPherson 18 Birch Grove Boat of Garten PH24 3BA	

Company

Summary of objection to Deposit Local Plan

The housing proposals favour large sites which are taken up by large scale builders. This does not allow local builders to develop any small schemes. The plan should be changed to place greater focus on small sites to meet local need

CNPA analysis of objection to Deposit Local Plan

The policies as drafted do provide for small scale development on sites which are not specifically allocated within the Plan. The wording of policies for new development outwith allocated sites will be revisited to clarify the range of opportunities available and provide the appropriate level of guidance is available for developers. Also in text for larger sites make reference to securing opportunities for small scale builders.

Proposed 1st Modification

Modify policies 22, 23 and 24 to increase options for small scale builders. Also include in text to large sites importance of development briefs in securing opportunities for joint working arrangements between large and small scale builders.

Objection maintained

Policy/site ref Policy 24
Objector Ref Name Mr Michael Bruce
403k Glen Tanar Estate

Agent Name John Wright
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA
Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

Support the policy regarding housing outside settlements.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modificataions required.

Response to 1st modification objections

No further action required.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24
Objector Ref Name Sarah Jane Laing
429g SRPBA
Stuart House
Eskmills
Musselburgh, EH21 7PB

Agent Name

Company SRPBA

Summary of objection to Deposit Local Plan

The policy is too prescriptive and in c) and e) need additional clarification. The policy must not restrict land owners from improving or replacing dwellings to the detriment of local rural communities.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Further work is also needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. Confirm the policy would not apply to improvements to dwellings, and replacing houses would be considered under policy 25.

Proposed 1st Modification

Add para to explain alternative options in a).

Add additional para c) taking on need to include brownfield land or reuse of redundant sites.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Mrs Audrey MacKenzie
4161 Aviemore and vicinity Community Council
Tamsduchus
10 Dalfaber Road
Aviemore,PH22 1PU

Agent Name

Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

The settlement boundaries are incorrect. There needs to be greater clarity of development opportunities outwith settlement boundaries. It may result in abuse of the policy.

CNPA analysis of objection to Deposit Local Plan

The policy as written permits housing in the countryside only for those who fall into categories a-e. It does not in any way promote an approach which would allow

anyone to build anywhere as suggested in the comment. The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. Confirm that outside a settlement permission would only be granted if the applicant fell into the criteria a-e or if the site was a brown field site. Outwith these criteria the only housing permissible will be affordable and the affordable nature of that will be tied into the planning permission. Any proposal would also have to comply with the other policies in the Plan.

Proposed 1st Modification

Check settlement boundaries to include the appropriate areas.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 24	Agent Name
Objector Ref	Name Gordon Pyper	
468c	Development Plan Manager	
	Angus Council, County Buildings	
	Market Street	
	Forfar, Angus	Company Angus Council

Summary of objection to Deposit Local Plan

The approach proposed is completely different to that used in Angus, as there seems to be a presumption against open market housing in the countryside. However due to the small number of applications received in the Angus Glens, this is unlikely to have an adverse impact on development aspirations in the area.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. No modifications proposed as a result of this representation.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.
in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

In b) refer to other rural workers.

Response to 1st modification objections

I refer to your letter and enclosures of 13 June 2008 with regard to the above. Reference is also made to your e-mail of 29 July 2008 and my follow up telephone discussion in connection with this matter.

The period for representations on the proposed modifications coincided with my Council's summer recess and consequently I have not been able to report the proposed modifications to Committee.

While Angus Council had made comment on aspects of the Finalised Local Plan stage (Report 751/07 refers) the Council made no formal objection to the Plan.

I note that there has been considerable amendment to the text and policies of the Finalised Local Plan.

In my report of 2007, I made mention of the linkage between Policy 24 'Contributions to Affordable Housing' (now modified and renumbered Policy 21) and Policy

27 'Conversions of Existing Traditional and Vernacular Buildings' (now modified and renumbered Policy 29). The modified polices and text still does not make it

clear whether affordable housing contribution is being sought from conversion projects. This needs to be clarified beyond any doubt.

In relation to Policy 26 'Housing Development Outside Settlements' (now modified and renumbered Policy 24), I note that this has been modified to include

opportunity for retiring farmers etc (subject to meeting the terms of the policy) and brownfield sites. Such a move is in line with our own Local Plan Review policy.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Anne MacNamara, Planning Directorate

422u Scottish Government

Victoria Quay

Edinburgh

EH6 6QQ

Agent Name

Company Scottish Government

Summary of objection to Deposit Local Plan

What constitutes "demonstrable local need"?

The layout of the bullet points should be clarified to avoid confusion. The relationship between the various bullet points in regard to affordable housing is also confusing.

In regard to retiring farmers and crofters, how equitable is this approach excluding anyone not a farmer or crofter. There is also a need for guidance as to the scale

of development allowed by this policy other than where it is connected to a cohesive group of five or more houses.

In explaining how the waiting lists will be used, how are 'key workers' to be defined as this has the potential to discriminate against many categories of people with

genuine housing needs.

How does the whole housing section relate to the Local Housing Strategies and development policies of the constituent local authorities. This could have a direct

bearing on the effectiveness of Park policies.

The open market Homestake pilot is unlikely to be running by September 2007 and will not apply to all areas of the Park and this should be clarified in para 5.60.

CNPA analysis of objection to Deposit Local Plan

The comments regarding the clarity of this policy are noted, and modifications will endeavour to resolve this. Further work is needed to clarify how policies will be

implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series

of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. The reference to Local Housing

Strategies and development policies of the constituent local authorities is also noted, and the text will be amended accordingly. The reference to Homestake will also

be reviewed to ensure clarity across the Park area.

Proposed 1st Modification

para 5.68 clarify justification on local need

in b) include other rural businesses persons.

Response to 1st modification objections

No additional comments included.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref **Policy 24**
Objector Ref **Name** Housing and Property Services
471r The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Questions does the definition of affordable match the definition under policy 24? If so thought should be given in particular to how it will apply in relation to discounted serviced plots and LCHO funded by developers etc.

CNPA analysis of objection to Deposit Local Plan

Throughout the plan further cross referencing will be made to ensure that policies are consistent within themselves and when compared to others. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use.

Additional information will also be included to consider the situation raised in the representation. The definition would be the same throughout. The various types of provision would have to comply with all other policies in the plan.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Agent Name

Objector Ref Name John Anderson
463t Kincaig and Vicinity Community Council
Goldenacre,Dunachton Road
Kincaig, Kingussie
PH21 1QE

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. Suggest extending para (e) to include retiring farm, forest and other rural employees. Suggest the final para of the

policy is too restrictive, and proposals should be assessed on merit. State that any significant development must provide amenity / play areas.

Repeat concerns

made about Policy 25, in suggesting that the plan should distinguish between 'affordable housing' and 'open market housing', and make planning conditions easier for

the former than the latter so that there is a presumption that first priority will be given to affordable housing for local people. Suggest any reference to housing

should be prefixed with either 'affordable' (and preferably 'affordable to rent') or 'open market' as appropriate. If this was to be accepted, then there would be a

case for restricting Policy 26 to read "Proposals got development for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements and/or they meet demonstrable local need in the rural location". Questions why 2 different phrases are used: '...will be considered favourably...' and '... will be permitted...'. If the terms have different meaning this should be set out in the glossary.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Confirm that the issue of growth is intended to protect the character of the current settlement pattern and would last for the life of the plan only. Confirm the preference for affordable housing and that there is a clear distinction in the way affordable and open market houses are treated. The issue of play space etc would be considered under policy 20.

Proposed 1st Modification

In b) add other rural workers

Response to 1st modification objections

Affordable housing will often be necessary outwith settlements because many people on low wages cannot afford to travel - In many cases without the benefit of public transport option - and should therefore be able to build (or have built for them) a home near to where they work.

CNPA analysis of objections to 1st modifications

Affordable homes are considered appropriate under the 1st part of the paragraph. No modification is therefore considered necessary.

Objection maintained

Policy/site ref Policy 24

Agent Name

Objector Ref Name Alison Hogg

473t
Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Policy 26 welcomed, but would seek the addition of the following - "the site is accessible to local services by public transport, foot or bicycle". Question how CNPA will ensure houses remain affordable. Suggest the policy should refer to the mechanisms that would be used to ensure this. Also suggest the policy should refer to other relevant policies, such as design and siting criteria. Concern over use of wording "within or connected to" , and the lack of definition of a cohesive group. If there is no definition, could lead to

arguments about
whether or not something is connected.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Confirm all policies should be read together, therefore access would be considered under policy 30. Confirm affordable houses would be retained as such through policy 21.

Proposed 1st Modification

Revise groups policy to groups of 3.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 24	Agent Name
Objector Ref	Name Nick Thompson	
350	Insh House	
	Kincraig	
	By Kingussie	
	PH21 1NU	Company

Summary of objection to Deposit Local Plan

The policy should be expanded to include other situations to promote diversity in rural living within the Park. This should include provision for local retiring people and housing associated to tourist and conservation activities which form a greater part of the activity in the area than farming.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.

in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

In b) refer to other rural workers.

Response to 1st modification objections

Thank you for sending us a copy of the modifications re: the policies dealing with Housing Developments outside settlements (Policy 24) and housing development in

rural building groups (Policy 23). We are very pleased that the CNPA have considered our comments carefully and adjusted policy accordingly and on the whole

we are in agreement with the modifications. We would however like to see clarification in the wording as follows:

Policy 24 (b) we feel is slightly ambiguous. Does the statement 'for at least the previous ten years' apply to a person/persons retiring from a rural business as well as

farmers and crofters? If so we don't believe the current wording is entirely clear and could lead to ambiguity. If not will any limitation be intended?

Policy 23 'proposals for new housing development as a part of existing rural building groups' is rather odd wording? Would not 'as part of an existing rural building

group' be more grammatically correct.

We will not wish to continue our objection but hope attention will be paid to the above comments.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Susan Davies

465q Scottish Natural Heritage

Great Glen House

Leachkin Road

Inverness

Agent Name

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

Seek tightening of wording of Policy 26 as follows:

-Second paragraph change to 'Proposals..... will only be permitted...';

-At the end of criteria (a) and (b) insert 'and';

-At the end of the last paragraph add 'Where relevant the above criteria will be secured through conditions or agreements'.

Recommend adding a sentence to para 5.66 equivalent to that used in 5.63, stating that unless the developer has demonstrated compliance with Policy 26, the

proposal will not be determined using this policy.

CNPA analysis of objection to Deposit Local Plan

The comments are noted and the wording will be reviewed to ensure clarity and easy understanding. In regard to the use of the policy, the intention

throughout the

plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Proposed 1st Modification

Include the necessary punctuation to clarify.

In b) add 'Where relevant the above criteria will be secured through conditions or agreements'

Response to 1st modification objections

We note the addition of Part c to this policy, and recommend a definition of 'brownfield sites' is added to the glossary and to para 5.70. We also recommend that

parts b) and c) of this policy

are altered to reflect para 5.67 by including a criterion along the lines of "and there are no suitable alternative sites within settlements".

CNPA analysis of objections to 1st modifications

The definition of brownfield will be added to the glossary. The addition to b) is considered to be unnecessary as this is clarified in the supporting text.

No further

modification is therefore proposed.

Objection maintained

Policy/site ref Policy 24

Objector Ref Name Glenmore Properties Ltd
453l Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

To allow for proactive supply of such developments appropriate sites could be marked on the proposals maps. The wording of the policy is however too restrictive

for smaller settlements. Settlements with a group of 5 or more houses should not be restricted to affordable housing. They should also be able to accommodate

mainstream housing. Limited new housing in dispersed rural settlements where the local services are supported by houses and farms over a wider area than a tightly

defined settlement should also be permissible, in line with SPP3.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their

own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is

provided to developers in line with SPP1. Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.
Reduce the figure here to 3 in policy 23. Add to policy regarding groups 'and does not detract from the landscape setting' in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites.

Response to 1st modification objections

We support this policy where it allows development of affordable housing outside of settlements. To be more pro-active the CNPA could designate such sites on settlement maps.

The policy, however, is too restrictive for smaller settlements where Policy 25 of the Deposit Local Plan is not altered as per the above comments. Smaller settlements

with 5 or more houses set in a cohesive form should not simply be restricted to affordable housing. They should also be able to accommodate mainstream housing.

In terms of part (b) where the dwelling is for a retiring farmer or crofter, it is stated that 'where relevant such proposals will be secured through planning condition

or legal agreement. This is unnecessary, as the occupancy of the house will already be restricted through the justification used to secure planning permission.

Part (c) allows for residential development on brownfield land. It refers to a single 'dwelling'. It is however likely that most brownfield sites will be relatively large and

capable of accommodating more than one dwelling. The policy should be amended to reflect this, making sustainable use of brownfield land in line with SPP 3 and SPP 15.

The National Park is also home to many Dispersed Rural Settlements where the local services are supported by houses and farms over a wider area than a tightly

defined settlement. Limited new housing in these areas, in line with the requirements of SPP3, could help support the local economy and community.

The Plan should

incorporate some allowance and mechanism for such development.

Para 5.67 of the background and justification of this policy refers to a 'sequential approach' in examining alternative options. This is not relevant to parts (a) and (b)

of the policy, as they relate to site specific housing requirements for rural businesses or housing for retiring farmers / crofters, which would be sited

close to the
business or farm respectively. This part of the policy should be removed.

CNPA analysis of objections to 1st modifications

Groups of 5 or more houses where an additional dwelling is sought would be considered under policy 23.
The use of planning conditions or legal agreements can be used by the planning authority when appropriate and the wording was intended to clarify that this may be
an option.

In c) the word 'dwelling' will be amended in second modifications to 'development'.

Para 5.67 applies to all developments considered under this policy. The policy is also considered to allow for limited development in the countryside to support rural businesses through a). No further modification is therefore proposed.

Objection maintained

Policy/site ref Policy 24

Agent Name

Objector Ref Name Donside Community Council
073c c/o Mrs M Henderson
3 Kingsford Road
Alford

Company Donside Community Council

Summary of objection to Deposit Local Plan

Additional housing in the countryside should be facilitated whether or not it is linked to business development, where no environmental reason exists to prevent development.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.
in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

Response to 1st modification objections

Objection withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Agent Name

Objector Ref Name Dr A M Jones

400g(h) Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Throughout the Policy is too open ended, open to interpretation and permissive and the wording implies bypass of the planning process. Wording should be

amended to "There is a presumption that proposals for new affordable housing outside settlements would only be considered where there are no suitable sites within settlements and/or they meet a demonstrable local need in the rural location".

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Confirm that 'favourably' and 'will be permitted' do not mean that compliance with one policy implies permission, but all policies must be complied with. These phrases relate only to the compliance with this policy. Confirm that there is a requirement in SPP3 and SPP15 to provide options for housing both within settlements and in the countryside. The occupancy conditions are restricted by use of planning condition.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

c) Needs to be qualified, given that it is established that brownfield sites can have high biodiversity value (often particularly for invertebrates).

Examples in the NP

include quarries/gravel pits and old railway lines. Suggest insert e.g. 'where recent survey has demonstrated that there is no special biodiversity interest'.

Also brownfield sites can have special heritage value and this should be recognised in the Policy.

Alterations will need to be fully reflected in 5.70.

CNPA analysis of objections to 1st modifications

The policies of the plan are intended to be read together and where development affects biodiversity policy 6 would also apply. No modification is

therefore
proposed.

Objection maintained

Policy/site ref Policy 24
Objector Ref Name John Forbes-Leith Esq
418n Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is too prescriptive and does not embrace SPP15 and SPP3 regarding rural development opportunities. The policy does not allow for enabling housing (para 16 SPP15) and restricts provision to retiring farmers or crofters. This does not provide for other forms of retiring rural employees.

The plan should therefore be amended to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises. Criteria e) should include an element for retiring rural employees.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.
in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24
Objector Ref Name Rona Main
425q Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

It would be helpful if the designation of sites outside settlements could be shown on the proposals maps.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy is intended to provide a certain level of development opportunity outside settlements on an ad hoc basis and therefore sites would be considered on their merits rather than through an allocations approach. This flexible approach has not changed and no modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 24
Objector Ref Name Fiona Toovey
369 Rhindhu
Braes of Glenlivet
Ballindalloch
AB37 9JT

Agent Name

Company

Summary of objection to Deposit Local Plan

The policy should be amended to add greater flexibility for retiring farmers particularly in terms of the size of property allowed.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of

clarity is provided to developers in line with SPP1. confirm there is no size stipulation in the wording of the policy. The provision of holiday accommodation would be judged under policy 33 as it would not be for the provision of permanent housing. Again there is no stipulation on size. Also confirm that house building is not what we would consider to be farm diversification.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Colin Lawson (Builders) Ltd
341 Achnagonalin Industrial Estate
Grantown on Spey
Morayshire
PH26 3TA

Agent Name

Company Colin Lawson (Builders) Ltd

Summary of objection to Deposit Local Plan

The policies within the plan do not support sustainable communities or local economic growth as there is over concentration on large housing sites for development by large scale builders. There should be a better balance of sites allocated with potential for development by small scale local builders who provide important employment for local people and build houses for local people.

CNPA analysis of objection to Deposit Local Plan

The policies as drafted do provide for small scale development on sites which are not specifically allocated within the Plan. The wording of policies for new development outwith allocated sites will be revisited to clarify the range of opportunities available and provide the appropriate level of guidance is available for developers. The Plan cannot however retain certain sites to be developed by particular developers, and local developers must be reassured that there are appropriate opportunities to meet their aspirations for the life time of the Plan.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.

in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

In b) refer to other rural workers.

Response to 1st modification objections

We unite representing three of the larger local building firms operating from Grantown on Spey. As a group we support directly and indirectly over 100 local

tradesmen and apprentices. Recent large housing, planning applications and current housing development are being monopolised by large construction firms, this

trend coupled with the National Parks policies on housing in the countryside is representing a serious threat to our separate firms sustainability's.

The current draft local plan further erodes our potential landbank eg the residential areas identified in the 1997 local plan in Nethy Bridge at former nursery Dell

Road (8 houses) and Duack Bridge (6 houses) are no longer zoned for residential development (see attached pages). Small sites such as these have historically

provided a solid backbone on which to run our businesses. We unite to ask on the feasibility of reinstating areas such as these for residential development and

suggest a meeting to discuss this issue further.

CNPA analysis of objections to 1st modifications

The sites referred to were not included in the deposit plan, and no objection was raised to their removal at that point. The objection therefore raises a new issue

which is not appropriate at this time. It is therefore not proposed to add any second modification or amendment to these allocations.

Objection maintained

Policy/site ref Policy 24
Objector Ref Name The Proprietors of Mar Centre
394m

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company The Proprietors of Mar Centre

Response to 1st modification objections

The policy is too restrictive and is at odds with new Policy 23. That policy allows for cohesive groups within the rural areas to expand outwith existing boundaries

(and we support that policy) whereas Policy 24 restricts housing developments to locations within an arbitrary boundary line over the 5-year plan period. It should

be possible to consider small-scale mainstream housing

as a standalone or mixed-tenure development at the edge of any settlement. We have already suggested that a flexible settlement boundary should be considered for

Braemar but this could be applied across the board with conditions required to be met before such sites are released e.g. high demand, lack of effective housing

supply plus other environmental and design quality requirements.

In terms of part (b) where the dwelling is for a retiring farmer or crofter, it is stated that 'where relevant such proposals will be secured through planning condition

or legal agreement. This is unnecessary, as the occupancy of the house will already be restricted through the justification used to secure planning permission.

Part (c) allows for residential development on brownfield land. It refers to a single 'dwelling'. It is however likely that most brownfield sites will be relatively large and

capable of accommodating more than one dwelling. The policy should be amended to reflect this, making sustainable use of brownfield land in line with SPP 3 and

SPP 15.

The National Park is also home to many Dispersed Rural Settlements where houses and farms support the local services over a wider area than a tightly defined

settlement. Limited new housing in these areas, in line with the requirements of SPP3, could help support the local economy and community. The Plan should

incorporate some allowance and mechanism for such development.

We also consider that paragraph 5.67 is not required for parts b) or c) of this policy. Why should a retiring farmer/crofter/rural business owner move away from his

home for the past 10 years?

Changes Required to Resolve the Objection

Remove reference to planning conditions/legal agreements, allow for more than one house on brownfield land and confirm that paragraph 5.67 is only relevant to part a) of the policy.

CNPA analysis of objections to 1st modifications

The policy does not apply to sites within a boundary line, but is intended to sites outside settlements and groups. The issue of a flexible approach to boundaries for

settlements remains as previously. The view is taken that SPP allows for the use of occupancy conditions where the dwelling is tied to the use, and the policy allows

for this. The SPP also ensures that within the National Park the aims of the Park must be upheld and it is considered that the policy as worded will do this. It is not

therefore proposed to amend the policy to include the modification sought.

The comments regarding c) are noted. c) will be amended to read 'development' rather than dwelling and included as a second modification to the plan. Para 5.67

however aims to ensure that the most appropriate and sustainable site is chosen and a sequential approach to this is not considered onerous.

In regard to brownfield land, the advice given in PAN 73 gives a definition which USUALLY will apply. The wording of para 5.70 adds clarity to how this will be used

in the National Park and does not include the ambiguity of the term USUALLY. It is not therefore proposed to change this or add any further modification in light of

the response. Modifications will therefore only be made in regard to c).

Objection maintained

Policy/site ref Policy 24

Objector Ref Name Mairi Maciver

025r
Communities Scotland
Urquhart House
Beechwood Park
Inverness, IV2 3BW

Agent Name

Company Communities Scotland

Summary of objection to Deposit Local Plan

What would happen if the original "rural business" no longer functions?

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. Confirm that if there was a restrictive planning condition the property would have to be sold with the business or the owner would have to apply to have the condition removed and provide sufficient justification for this action.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Reidhaven Estate

456u
Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Name Jill Paterson

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Reidhaven Estate

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

We welcome the amendment of this policy to include reference to other rural business and for brownfield sites. Some brownfield sites can however be large enough

to accommodate more than one dwelling. The policy should therefore be altered to make reference to dwellings.

In relation to paragraph 5.68 this information needs to be readily available and up to date in order that this requirement can be easily assessed.

Paragraph 5.67 refers to the requirement for types of sequential test for site selection. This is unduly onerous. We do not consider this to be a requirement

where sufficient justification of need is provided. The likelihood is that retiring persons will be looking to be located close to their previous accommodation.

Amendment - paragraph 5.67 should be deleted. Part c of the policy should be altered to read dwellings.

CNPA analysis of objections to 1st modifications

re 5.68 the CNPA will continue to work closely with the housing authorities to ensure the most up to date information is available.

Re 5.67 the approach to site selection is not considered onerous and is intended to ensure the most appropriate site is selected.

c) will be amended to read 'development'

Objection maintained

Policy/site ref Policy 24

Objector Ref Name Amanda Howard
414c Development Services
The Moray Council
High Street
Elgin, IV30 1BX

Agent Name

Company The Moray Council

Summary of objection to Deposit Local Plan

The policy heading should refer to affordable housing. It is unclear within the policy how it relates to policy 24. This needs to be clarified and there should be detail

provided on the visual impact of development, rather than just eligibility criteria

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position. In this instance there would therefore be a presumption that the proposal would not only have to consider the limitations of

the policy but also policy 21, 18 and 19 as well as all the other policies in the plan.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

MAINTAIN OBJECTION to Policy 24 (formerly Policy 26)

- 'Affordable': We are satisfied that the new headings help to clarify that the policy has two separate sets of qualifying criteria and no longer wish to maintain this element of the objection.
- 'Visual Impact': We also acknowledge that the insertion of text on page 5, as to 'How to Use the Plan' addresses our broad concern about the lack of cross-referencing between policies. However, this approach has not been consistently applied. For example, Policy 23 refers to landscape impact as a criterion within a housing policy and so, in the case of Policy 24, we feel that some reference should also be made to other relevant criteria in the assessment process, such as those for visual impact.

CNPA analysis of objections to 1st modifications

The intention remains to produce protocol notes to clarify for internal use, how the policies are to be implemented. A review of the use of terms will be undertaken and a consistent approach taken. A reference to landscape impact will therefore be included in policy 24.

Objection maintained

Policy/site ref	Policy 24	Agent Name
Objector Ref	Name	
417a	Jenny Smith Dellachupe Corgarff Strathdon AB36 8YP	
		Company

Summary of objection to Deposit Local Plan

The policy is too rigid for dispersed communities and does not encourage development in support of sustainable communities.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.
in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

Response to 1st modification objections

I am in agreement to the modifications made to the Deposit Local Plan:

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Mairi Maciver

025q
Communities Scotland
Urquhart House
Beechwood Park
Inverness, IV2 3BW

Agent Name

Company Communities Scotland

Summary of objection to Deposit Local Plan

What is meant by an "occupation appropriate to the rural location"?

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Proposed 1st Modification

Include para to clarify such rural occupations.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref Policy 24

Objector Ref Name Jamie Williamson

439u
Alvie and Dalraddy Estate
Alvie Estate Office
Kincaig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

The policy is too prescriptive and restrictive. New housing to meet demand needs to go somewhere and housing in the countryside may fit better with the local

economy and cultural heritage than with expanding existing settlements. The policy should allow for wider eventualities than those included, for example retiring

country folk, changing family circumstances, etc. The policy should be suitably flexible to cater for change in people's aspirations and circumstances.

Amended wording –

In para 1 delete 'there are no suitable sites within settlements and/or'

In a) delete 'a worker in an occupation appropriate to the rural location' and replace with 'an economically active resident',

In b) replace 'worker' with 'person' and 'essential' with 'desirable'

In b) add 'or' at the end of the section

In d) delete 'immediate'

In e) delete 'farmer or crofter, or land managed by them for at least the previous ten years' and replace with 'worker'.

In e) delete 'the new main operator of the farm or croft business' and replace with 'their replacement'.

Replace final section with 'New housing must be in keeping with its location and not compromise the cultural heritage of the area'.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their

own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to

ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.

in policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

Response to 1st modification objections

(Affordable Housing outside settlements)

Developments for new (affordable) housing outside settlements will be considered favourably where (there are no suitable sites within settlements and/or) they meet a

demonstrable local need in the rural location.

Other housing outside settlements

(a) Developments for other ... brownfield land.)

This policy is too prescriptive and restrictive. It will unreasonably restrict houses in rural areas thereby putting pressure on land based businesses and increasing the

price of existing houses in the countryside to a point where they will become unaffordable to local residents and businesses.

The paragraphs following the first paragraph should be deleted.

If the Park Authority wants more housing within the Park they will need to go somewhere. There will be many circumstances where the local economy and our

cultural heritage would be better preserved by building more houses in the countryside than expanding or infilling existing settlements.

There will be situations where a rural land holding would benefit economically and socially by diversifying into another economic activity. The person requiring the

new house may be self employed or the owner or tenant of the land holding. What is important is that the house is required for a resident with some

tie to the

landholding and does not become a second home or used by a household commuting outside the Park with no other investment, economic or family ties within the Park.

Many workers in tied houses or owner occupied dwellings have lived most of their lives in the countryside; they have no desire to move into an urban environment

on their retirement. It is not just farmers and crofters who retire from occupations where they live and work in the countryside.

As people marry, divorce, have children, children grow up and spouses leave or die, houses that were at one time appropriate to the household may no longer meet

their requirements. Any policy must be sufficiently flexible to cater for changing family circumstances. Some houses deemed adequate 20 or more years ago may now

be considered below standard and it may be deemed more cost effective to replace rather than improve the property. This policy must not restrict landholders from

improving or replacing their dwellings. They should not be taxed for the privilege of improving living standards or the standard of houses in the community.

The Local Plan should not be so prescriptive that it precludes additional housing that is required to sustain the local community or land holding. The policy as

proposed is so prescriptive that it could threaten the survival and sustainability of some rural communities.

CNPA analysis of objections to 1st modifications

The 1st part of the policy aims to encourage affordable housing in the countryside. The proposed change would not achieve this. The removal of brownfield sites

would also remove some opportunity for development. There is not therefore any proposal to modify the policy further.

Objection maintained

Policy/site ref	Policy 24	Agent Name
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Objector Ref	Name Ian Francis	
424n	RSPB Scotland	
	East Regional Office	
	10 Albyn Terrace	
	Aberdeen, AB10 1YP	

Company RSPB Scotland

Summary of objection to Deposit Local Plan

An additional clause should be added: f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6.

The policy should also build in a requirement for surveys for bird species nesting in the buildings, and appropriate design measures to allow these species to

continue using the building after conversion.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position. There is not therefore a need to state that developments must comply with particular policies. Confirm that the policies will

all work together to ensure appropriate development and cross referencing is therefore not required. Reference to particular species will be included where

appropriate in the sustainable design guide and other guidance on the consideration of biodiversity in the development process.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further comments added.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 24

Agent Name

Objector Ref Name George Alder

392b Laggan Community Association
Community Office
Laggan, Newtonmore
PH20 1AH

Company Laggan Community Association

Summary of objection to Deposit Local Plan

The use of rural settlements does not promote the traditional building character of the area which is dispersed. The policy should be revised to reflect and

accommodate this type of development.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their

own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is

provided to developers in line with SPP1. Confirm that such development would be considered under policy 23 - housing in small settlements as well as policy 24

housing in the countryside.

Proposed 1st Modification

No modification proposed.

Objection maintained

Policy/site ref **Policy 24**
Objector Ref **Name** Reidhaven Estate
456h Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Name Jill Paterson
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Reidhaven Estate

Summary of objection to Deposit Local Plan

The wording is too restrictive. The policy does not support the traditional dispersed rural settlements found across the Park, and limited new housing in such areas in line with SPP3 could help support local economy and community. The policy should be reworded to include some allowance for limited new housing associated with dispersed groups of housing.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise policy 23 regarding housing in small settlements. In policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites.

Response to 1st modification objections

Objection maintained. We welcome the amendment to this policy to include reference to other rural business and for brownfield sites. Some brownfield sites can however be large enough to accommodate more than one dwelling. The policy should therefore be altered to make reference to dwellings. In relation to para 5.68 this information needs to be readily available and up to date in order that this requirement can be easily assessed. Para 5.67 refers to the requirement for type of sequential test for site selection. This is unduly onerous. We do not consider this to be a requirement where sufficient justification of need is provided. The likelihood is that retiring persons will be looking to locate close to their previous accommodation. Changes - para 5.67 should be deleted. Part c) of the policy should be altered to read dwellings.

CNPA analysis of objections to 1st modifications

The comments are noted. c) will be amended to read 'development' rather than dwelling and included as a second modification to the plan. Para 5.67 however aims to ensure that the most appropriate and sustainable site is chosen and a sequential approach to this is not considered onerous. No modification to this is proposed.

Objection maintained

Policy/site ref Policy 24
Objector Ref Name Frogmore Estates Scotland Ltd
026d

Agent Name Philip Clarke
Barton Willmore
12 Alva Street
Edinburgh
EH2 4QG

Company Frogmore Estates Scotland Ltd

Summary of objection to Deposit Local Plan

Object to the overly restrictive wording used in identifying where new housing development will be permitted outwith existing settlements. These instances are either where the proposal is for affordable housing which cannot be accommodated within a settlement, or where the housing can be justified by the operational needs of a rural business. The use of occupancy conditions through Sec 75 agreement is suggested in the supporting para 5.67. Whilst it may be appropriate to link some new housing to business use in this way, the wording precluded any other form of housing provision. The approach, in line with SPP15 should be more flexible to allow development where it would not impact on any of the special qualities of the Park. The underlying attitude towards housing in the countryside is much changed from the Consultative Plan (para 3.106) and the absence of this adjusts the spirit of the provisions of the Plan and reduces its compliance to SPP15.

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Proposed 1st Modification

Revise para in b) regarding retiring persons, and add c) brownfield development.

Response to 1st modification objections

Maintain objection. SPP15 increased the scope and justification for small scale rural housing development, including replacement housing and holiday homes, with its statement (para 18 page 6) that 'the overall message is that there is considerable scope for allowing more housing development of this nature.'

SPP15 confirms (para 22, page 7) that occupancy conditions tying dwelling units to agriculture and forestry use will no longer be relevant to the new housing groups to which it refers. However, it acknowledges that planning authorities may wish to continue to implement them where a new dwelling is obviously tied to the agricultural or forestry use of the land in question.

SPP15 further states (para 23) that 'Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steadying conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so. They should adopt a supportive approach and ensure that new development fits in the landscape. There is an unmet demand for plots on which unique, individually designed houses can be built in rural locations. Consideration should be given by planning authorities to formulating supportive policies in their local plans where such developments may be justifiable for economic reasons. The availability of new, originally designed housing and plots should help to encourage entrepreneurs and investors to live in rural Scotland and to start new businesses. In addition, local contractors, using local materials, should often be able to benefit.'

The Cairngorms National Park Deposit Local Plan Housing Developments outside Settlements Policy 26 identified instances where new housing development would be permitted outwith existing settlements. These instances were either where the proposals are for affordable housing which cannot be accommodated within a settlement, or where the housing can be justified by the operational needs of a rural business. Although occupancy conditions were not specifically mentioned within Policy 26, the subtext which followed (para 5.67) suggested that housing which would not constitute affordable housing may be required to be subject to a Section 75 agreement to ensure that it remains linked to the rural business and its workers.

Barton Willmore objected to the wording of the subtext of policy 26 on the grounds that it was unduly restrictive and against the principles set out in SPP15 regarding occupancy conditions.

Barton Willmore also objected to the removal of the text from the Consultative Draft Local Plan which allowed greater scope for rural housing, when associated with groups or clusters of existing dwellings (para 3.102) and also stated (para 3.106) 'in many areas of the Park there are derelict properties and ruinous houses which

CNPA analysis of objections to 1st modifications

The view is taken that SPP allows for the use of occupancy conditions where the dwelling is tied to the use, and the policy allows for this. The SPP also ensures that within the National Park the aims of the Park must be upheld and it is considered that the policy as worded will do this. It is not therefore proposed to amend the policy to include the modification sought.

In regard to the reintroduction of para 3.101 from the consultative plan, this issue was not raised at the deposit stage of the consultation process, however policy 29

allows for the conversion and reuse of buildings for housing and policy 23 allows for additions to existing groups. It is considered therefore that the level of

opportunity provided through these various policies is sufficient to comply with the various SPP requirements while maintaining at the forefront, the aims of the Park.

No modification is therefore proposed as a result of this point.

In regard to brownfield land, the advise given in PAN 73 gives a definition which USUALLY will apply. The wording of para 5.70 adds clarity to how this will be used

in the National Park and does not include the ambiguity of the term USUALLY. It is not therefore proposed to change this or add any further modification in light of

the response.

Objection maintained

Policy/site ref	Policy 24	Agent Name
Objector Ref	Name	
390v	Roy Turnbull Torniscar Nethy Bridge Inverness-shire PH25 3ED	
		Company

Summary of objection to Deposit Local Plan

Reword 1st para to read "outside settlements will be considered more favourably where..."

Reword 2nd para to read "Proposals for other new housing outside settlements will be more favourably considered where..."

CNPA analysis of objection to Deposit Local Plan

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their

own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is

provided to developers in line with SPP1. Confirm that proposals are judged against all policies in the plan and the proposed wording would not make sense as it

would need something to be judged 'more than' or 'less than'. The way in which the local plan is used requires a balancing of all the policies and it is not as simple

as complying with any single policy.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25
Objector Ref Name Fred Mackintosh
472h The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seek the inclusion of the current Highland Council Policy for road adoption (the 4 house rule) for all new developments.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. However the issue is one of a technical nature that can be applied to planning permissions as required, rather than creating a rule across the

Park as a whole which may not be relevant or reasonable in every case. No modification considered necessary as a result of this representation.

Confirm that roads

consultations would be carried out in the normal way in the event of any application.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25
Objector Ref Name Sarah Jane Laing
429i SRPBA
Stuart House
Eskmills
Musselburgh, EH21 7PB

Agent Name

Company SRPBA

Summary of objection to Deposit Local Plan

The policy is too difficult to implement and should be reviewed.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. The wording of the policy tries to be clear and provide appropriate guidance.

Proposed 1st Modification

No modifications proposed as a result of this objection.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in

supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide

social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25

Objector Ref Name The Crown Estate
419p

Agent Name Debbie Mackay

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy should not require the roof to be retained. It should be used instead to enable ruinous houses to contribute to the housing provision. The Policy in

Moray Council may provide a useful guide. The policy should therefore be amended to provide greater flexibility and should allow for the footprint to be used as the

guide to the appropriateness of a site.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy.

Proposed 1st Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Response to 1st modification objections

The policy is welcomed and it is considered that it is an appropriate response to the requirements of SPP15 Rural Development and SPP3 Planning and Housing both current and emerging.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25
Objector Ref Name Anne MacNamara, Planning Directorate
422v Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Agent Name

Company Scottish Government

Summary of objection to Deposit Local Plan

There is no explanation why the number of units permissible under this policy should be restricted to the original number on the site.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The view is however retained that the policy should be to replace one house with another house and not with more than the original number.

Proposed 1st Modification

no modification proposed

Response to 1st modification objections

Policy 25 - we remain of the view that the replacement of existing housing should not be restricted to no more than the existing number of units; there may be opportunities to increase the number of units without increasing the environmental impact.

CNPA analysis of objections to 1st modifications

To ensure adequate flexibility and compliance with government guidance regarding housing opportunities created through local plans the sentence regarding the retention of the number of units will be removed

Objection maintained

Policy/site ref Policy 25
Objector Ref Name Dr A Watson

Agent Name

020q

Clachnaben
Crathes, Banchory
Kincardineshire
AB31 5JE

Company

Summary of objection to Deposit Local Plan

There should be a limit on the size of any replacement house. Eg 50%

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. However issue of the appropriate scale of extensions would be considered in light of the proposed development and the impact on the building, a prescriptive % is therefore not supported.

Proposed 1st Modification

No modifications proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Policy 25 has been largely altered to give additional clarity and to alter the options regarding development opportunity for replacement houses. No further

modification proposed.

Objection maintained

Policy/site ref Policy 25

Objector Ref Name Mairi Maciver

025s
Communities Scotland
Urquhart House
Beechwood Park
Inverness, IV2 3BW

Agent Name

Company Communities Scotland

Summary of objection to Deposit Local Plan

In para 5.71, second sentence - What is meant by "recent past" here?

CNPA analysis of objection to Deposit Local Plan

The comment is noted and additional wording will be added to clarify to position.

Proposed 1st Modification

Change to past 10 years.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the

consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref	Policy 25	Agent Name
Objector Ref	Name Colonel F.M.K. Tuck	
011e	Allargue	
	Corgarff, Strathdon	
	Aberdeenshire	
	AB36 8YP	Company

Summary of objection to Deposit Local Plan

The wording of 28a should be amended to clarify actual restrictions placed on development affecting a listed building.

CNPA analysis of objection to Deposit Local Plan

The consideration of listed buildings is considered under Policy 10.

Proposed 1st Modification

No modification necessary

Response to 1st modification objections

I refer to your letter obj 011 of 22 May on Modifications to Deposit Local Plan.

First may I say how very pleased and honoured I am to receive a personal and comprehensive reply to my comment on the plan. I can not remember ever having had one before, and it is gratifying to feel that one is being listened to !

Second I confirm that I am in agreement with the modifications suggested and do not wish to object further. On the whole I consider that you have dealt with my comments and that the amended plan is satisfactory.

Having said that , may I make one or two further comments ? !

- a. On p 42 Table 14 it is strange that Aberdeenshire would not have at least a target figure for Donside as well as Ballater and Braemar.
- b. Although much improved I still find Policy 23 and 24 overly and unnecessarily restrictive. I can see places in Corgarff (which badly needs regeneration) where two or three new build houses could be built without in any way conflicting with the other aims of the Park. So to restrict to one new house where there are three would prevent this. Similarly I can envisage other worthy candidates for a new house under Policy 24 eg a retired gamekeeper on my estate when his tied dwelling is required, or for a family member with dependent needs to live on the estate. A wording could be inserted in the new subpara b " or similar worthy

persons".

c. Some of my problems have been resolved in Policies 25 - 29. It would be helpful to refer to these at the end of new para 5.70

d. Finally you have not taken on board my comment on other unsightly communication developments besides Telecoms in Policy 31. There are some awful

electrical, road, and water constructions including the 32000 volt power lines alongside the Lecht road which have not been used for 7 years.

I hope the Board will approve the Plan on 30 May and I wish you well with it.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25

Objector Ref Name Frogmore Estates Scotland Ltd
026e

Agent Name Philip Clarke

Barton Willmore
12 Alva Street
Edinburgh
EH2 4QG

Company Frogmore Estates Scotland Ltd

Summary of objection to Deposit Local Plan

The re-use of existing permanent structures which were previously dwellings offers the most sustainable means of providing housing outwith settlements, without

compromising the landscape qualities of the Park through the introduction of new structures. At present, the combined provisions of Policy 26 and 28 are not in

keeping with SPP15 and require adjustment accordingly.

The wording should be amended to remove point c), which requires that the original building must either be intact with external walls and roof or must have been

occupied over the previous five years.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy.

Proposed 1st Modification

Revise policy 23 to reduce the size of groups to 3.

In policy 24 Add para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

In b) refer to other rural workers.

Response to 1st modification objections

Maintain objection. Subject to the first modifications Policy 25 Replacement Houses (page 48) would provide scope for replacement of an existing house where it is

structurally unsound, is not listed, has been occupied in the past 10 years and, normally, where the new house would be on the same site as the existing one.

As previously discussed the re-use of existing permanent structures which were dwellings offers the most sustainable means of providing housing outwith settlements,

without compromising the landscape qualities of the Park through the introduction of new buildings in new locations.

It is submitted that the wording set out in the proposed modification to Policy 25 Replacement Houses which requires that the existing house should have been

occupied at some state in the previous ten years is unduly restrictive and would also be contrary to, and therefore stifle the aims of SPP15.

Particularly with the rise in house prices since 1997/1998 it is unlikely that many houses if any at all will have been abandoned within the past ten years. The

majority of ruinous buildings which can be seen across the National Park will have been abandoned for long periods of time and would not meet the criterion

proposed for introduction to Policy 25. However this has no bearing upon the worthiness or appropriateness of dwellings rehabilitation or replacement.

By proposing to introduce the requirement that a dwelling must have been occupied at some point over the past ten years, the Park Authority would unreasonably

restrict the effectiveness of the Policy and fail to meet the objectives of SPP15 Rural Development, which seeks to encourage such development with a view to

stimulating the rural economy.

At present the combined provisions of Policy 25 are not in keeping with SPP15 and require adjustment accordingly.

Objection is made to the proposed wording of policy 25 Replacement Houses section a) should not introduce the phrase 'and has been occupied at some stage in

the previous ten years'.

For the same reasons objection is made to para 5.73 which should be adjusted to remove the last sentence.

In accordance with our previous statement of objections in response to the Deposit Local Plan the objections and subsequent recommendations for the modifications

of policies 24 and 25 and their associated subtext would ensure that the Cairngorms National Park Local Plan is consistent with the aims and objectives of SPP15,

allowing for the creation of housing in the rural area, but by limiting this to sites of previous development, the historical landscape will be retained and the special

qualities of the Park protected.

CNPA analysis of objections to 1st modifications

The issue of occupancy in previous years was debated by the Board at the time of modifications. It is considered that the terms of a ten year occupancy may be too

rigid, and the options to amend this to a wider 25 years should be considered as a future modification.

Objection maintained

Policy/site ref Policy 25
Objector Ref Name Reidhaven Estate
456i Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Name Jill Paterson
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Reidhaven Estate

Summary of objection to Deposit Local Plan

The wording is overly restrictive, particularly in c) which precludes the redevelopment of semi-derelict sites. A characteristic of the area is dispersed housing

throughout the countryside, including many traditional properties. Where these are abandoned the roof is often the 1st element to collapse. The retention of these

derelict buildings is undesirable and their replacement should be provided for. There should be no occupancy requirement in these cases. The wording should be

amended to remove the reference to roof.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. The proposed wording will be assessed in this regard.

Proposed 1st Modification

Amend a) to be structurally unsound or incapable of rehabilitation.

Response to 1st modification objections

Objection maintained. We have some concern about the reference to occupied in the last ten years. This is difficult to determine and would preclude the

redevelopment of semi-derelict sites many of which do not contribute to the landscape setting of the Park and would benefit from redevelopment.

A more

appropriate approach would be to show physical evidence of a property. The level of evidence required could be outlined in the policy or guidance. In addition

there are likely to be some circumstances where the salvaging of materials is not possible, therefore the policy should allow for this exception.

Amend last sentence to: 'the replacement house must also reflect the siting and scale of the original and should salvage materials from the original or incorporate into

the new development, where possible'.

Remove reference to evidence to occupation at some stage in the previous ten years and reword to include reference to physical evidence of a property.

CNPA analysis of objections to 1st modifications

The issue of occupancy in previous years was debated by the Board at the time of modifications. It is considered that the terms of a ten year occupancy may be too

rigid, and the options to amend this to a wider 25 years should be considered as a future modification.

Regarding the salvaging of materials the second amendments will add 'where appropriate'.

Objection maintained

Policy/site ref Policy 25

Agent Name

Objector Ref Name Jamie Williamson
439w Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

The wording should allow new development on the site of old buildings to retain the cultural heritage of the area, particularly where the form, scale and materials are

the same as before even though the use of the building might be different.

Amended wording -

In b) delete 'structurally incapable of' and replace with 'unsuitable for';

In c) delete 'with external walls and roof' and replace 'five' with 'fifteen'

In d) delete this section

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. The proposed wording will be assessed in this regard.

Proposed 1st Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Response to 1st modification objections

The replacement of an existing house with a new house will be permitted where:

a) the existing house is demonstrated to be structurally unsound or incapable of rehabilitation, or uneconomic to maintain as a dwelling relative to a new

replacement, or considered inappropriate in its surroundings (and has been occupied at some stage in the previous ten years;) and

b) The new house is located on the site of the existing house unless an alternative adjacent site would minimise any negative environmental, social or economic

effects of development; and

c) the existing house is not a listed building.

If an adjacent site is permitted, the planning authority will normally condition the demolition of the existing house prior to occupation of the new house, unless the

redundant building is to be used as part of the redevelopment scheme, or holds significant cultural heritage merit. (The proposal should not increase the number of

dwelling on the site.) Where practical it is desirable for the (The) replacement house (must also) to reflect the siting and scale of the original (and should salvage

materials from the original to incorporate into the new development.)

If the Park Authority wants more houses they cannot afford to be too prescriptive. The overall perception is that this plan is unreasonably and

unnecessarily

restricting further houses which will increase the value of houses which in turn will persuade or force those wanting to develop new houses to pay the taxes, section

75 agreements and other contributions to fund the bureaucracy of the National Park Authority and its infrastructure. This must be to the detriment of the local

communities and businesses within the National Park.

Locating new buildings where old buildings were located previously could help retain some of the built cultural heritage of the area, particularly where the form, scale

and materials are the same as before even though the use of the building might be different.

Many existing houses in the countryside were built to minimum standards to house estate, farm or forestry staff over 50 years ago and no longer meet current needs

or aspirations. They can be expensive to maintain and heat. There could be massive savings to be made (as well as carbon reductions) by replacing such houses with

fully insulated modern houses with low energy requirements.

CNPA analysis of objections to 1st modifications

The issue of occupancy in previous years was debated by the Board at the time of modifications. It is considered that the terms of a ten year occupancy may be too

rigid, and the options to amend this to a wider 25 years should be considered as a future modification.

Objection maintained

Policy/site ref Policy 25

Objector Ref Name Frogmore Estates Scotland Ltd
026f

Agent Name Philip Clarke

Barton Willmore

12 Alva Street

Edinburgh

EH2 4QG

Company Frogmore Estates Scotland Ltd

Summary of objection to Deposit Local Plan

The 2nd and 3rd sentences of para 5.71 should be deleted and para 3.106 from the consultative draft plan should be reinstated after para 5.70.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. Confirm the policy is intended to renovate sites which have fallen into recent dereliction and not to allow new housing

on all historic house sites throughout the park which go towards creating the culturally significant landscape of this area.

Proposed 1st Modification

No modifications proposed.

Response to 1st modification objections

Maintain objection but considered in objection 026e.

CNPA analysis of objections to 1st modifications

No further action required.

Objection maintained

Policy/site ref Policy 25
Objector Ref Name John Forbes-Leith Esq
418p Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy should not require the roof to be retained. It should be used instead to enable ruinous houses to contribute to the housing provision. The Policy in

Moray Council may provide a useful guide. The policy should therefore be amended to provide greater flexibility and should allow for the footprint to be used as the guide to the appropriateness of a site.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Proposed 1st Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25
Objector Ref Name Alison Hogg

Agent Name

473v

Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Questions how close would a replacement house have to be from the existing house to be considered acceptable? Would it have to be:

- adjacent to the existing house but within the existing curtilage or
- adjacent to the existing curtilage?

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. Confirm the same site should be used unless there is a more appropriate site.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 25

Objector Ref Name John Anderson

463u Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Support Alvie estate view on these policies.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The issue will be considered under the Alvie representation. No modification considered necessary as a result of this representation.

Proposed 1st Modification

No further action required.

Response to 1st modification objections

Encouragement must be given to replacing (or updating) older property to take advantage of modern building techniques and materials which among other things, reduce energy consumption. Renovating older property while retaining its external appearance, helps to preserve the vernacular – see also policy 29.

CNPA analysis of objections to 1st modifications

The policy allows replacement where the existing house is not capable of rehabilitation. CNPA would also encourage the use of energy saving techniques in all properties, not just new developments. No modifications are proposed.

Objection maintained

Policy/site ref Policy 25

Objector Ref Name Susan Davies

465z-n Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Agent Name

Company Scottish Natural Heritage

Response to 1st modification objections

In relation to the potential to retain rather than demolish the adjacent redundant building – as well as because of significant cultural heritage merit, there may on occasions be significant natural heritage merit if bats are present. So we recommend adding, “cultural or natural”. It may be worth referring to the need for bat surveys in the new para 5.73.

CNPA analysis of objections to 1st modifications

The issue of natural heritage would be dealt with through policies 5 and 6. The suggestion is therefore considered to be repetition and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 25

Objector Ref Name Glenmore Properties Ltd

453n Viewfield Farm
Craigellachie

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen

Aberlour
AB38 9QT

AB10 1XB
Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

The policy should also allow for the replacement of a single house with one or more houses where the site would allow. The example of Moray Local Plan policy

might be used. The development of scattered housing in the countryside is typical of development in the Park's history, and the retention of a derelict building is not desirable. There should be no occupancy requirement in these cases.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. In regard to the mention of derelict properties and occupancy conditions, any proposal would be measured against the terms of this policy.

The wording will however be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Proposed 1st Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Response to 1st modification objections

We support the principles of this policy but request that it allows the replacement of a single house with more than one house where the site allows such

development. This could be on large sites where new development fits the landscape well or to replace larger than average houses.

The modified policy requires that evidence is required to demonstrate that the house has been occupied at some stage in the previous 10 years. This will prove

difficult to demonstrate on many sites – it should be sufficient that evidence of residential use of the building at some stage (such as existence of fireplaces and chimneys) is present.

The Moray Local Plan operates a 4-stage recognition policy where replacement housing is considered acceptable. This ranges from actual evidence of a previous

house i.e. evidence of all four walls although not fully intact to the house effectively still standing. We suggest that the CNPA adopt a similar policy.

The National

Park grew up over the years with housing scattered about the countryside. This is a key feature but many of these houses have been abandoned. We don't believe

that the retention of derelict dwellings is desirable feature of the Park and where the location is acceptable then replacement of such dwellings could be appropriate.

CNPA analysis of objections to 1st modifications

The issue of occupancy in previous years was debated by the Board at the time of modifications. It is considered that the terms of a ten year occupancy may be too

rigid, and the options to amend this to a wider 25 years should be considered as a future modification.

Regarding the salvaging of materials the second amendments will add 'where appropriate'.

Objection maintained

Policy/site ref **Policy 25,29** **Agent Name**
Objector Ref **Name** Kirsty Cameron, Archaeology
470f The Highland Council

Company The Highland Council

Summary of objection to Deposit Local Plan

Welcomes the fact that development proposals on abandoned house sites and ruins will be considered as new developments. Note that where extension to, conversion of, or replacement of a traditional, vernacular or historic building is proposed (including those not designated as listed buildings), seek the inclusion of need for recording buildings in advance of alteration or demolition.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. However, this would not be considered a reasonable addition to the policy, and could not therefore be enforced. No modification considered necessary as a result of this representation. Confirm this would be covered under policy 12.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref **Policy 25,29**
Objector Ref **Name** Mrs Audrey MacKenzie
416m Aviemore and vicinity Community Council
 Tamsduchus
 10 Dalfaber Road
 Aviemore,PH22 1PU

Agent Name

Company Aviemore and vicinity Community Council

Summary of objection to Deposit Local Plan

The policies are too restrictive.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance

between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. These policies are intended to allow flexibility for redundant buildings for other uses/conversions etc, and replace existing houses. and the level of control over this is considered appropriate considering the potential impacts such developments could have on the landscape.

Proposed 1st Modification

No modifications proposed.

Response to 1st modification objections

Representation to modifications does not raise this as an outstanding issue. Assume issue has been resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 26	Agent Name
Objector Ref	Name Alison Hogg	
473w	Aberdeenshire Council, Planning and Development Woodhill House Westburn Road Aberdeen, AB16 5GB	Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Does the Policy apply to former steadings that have been converted into houses.

What is a 'significant and unacceptable detrimental impact' on neighbouring properties?

What is an 'acceptable level of private garden space'? Would this include unusable space, for example a narrow strip of land at the side of a house, driveway/turning area?

Policy 29 is very unspecific. It contains no limits on extensions along mutual boundaries, no percentage of plot, no privacy distances. Questions whether this will be included in Supplementary guidance?

CNPA analysis of objection to Deposit Local Plan

The comments are noted, and the wording will be revised to clarify the types of development affected, the impact on proposals, and the way in which the policy should be implemented. To support policies such as this there is also a need for a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. Confirm the policy would apply to any house used as such regardless of its original use. The assessment of the

criteria in the policy would be at the discretion of the planning authority and some form of protocol would be needed to ensure consistency. The use of SPG to set out standards is also proposed to support the local plan policies.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 26

Objector Ref Name John Anderson
463zg Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Response to 1st modification objections

As policy 25 above.

CNPA analysis of objections to 1st modifications

The policy encourages extensions and alterations to existing houses which would allow for the rehabilitation of existing houses to more modern standards. No modification proposed.

Objection maintained

Policy/site ref Policy 26

Objector Ref Name Susan Davies
465z-o Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Agent Name

Company Scottish Natural Heritage

Response to 1st modification objections

We repeat our recommendation to refer to the possible presence of bats in terms of house extensions and alterations. The possible need for a survey (as noted later in para 5.90 in connection with another policy) would also be useful in the accompanying text, together with the fact that a bat survey itself may require a prior licence from SNH.

CNPA analysis of objections to 1st modifications

The issue of natural heritage would be dealt with through policies 5 and 6. The suggestion is therefore considered to be repetition and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref 425k
Name Rona Main
Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

Para 5.12 reduces the economic development strategy to one that maintains the current population and provides for "the employment needs and aspirations of local communities". Does this go far enough? The park needs significant investment in its tourist infrastructure and should not be promoting the status quo.

Part b) does not provide further guidance on how the need is to demonstrated, and the sequential approach creates a level of analysis that some outdoor based

tourism or recreational businesses need not be party to e.g. mountain biking centres where it is obvious that they need to be located close to the cross country trails.

Part c) does not clarify the balance between the Park's economic aims and the natural and cultural heritage aims. It should reflect the fourth aim and help support

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for

developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm that all policies

must work within aims of the park and also developments must comply with all relevant policies of the plan.

Proposed 1st Modification

Amend b) to refer to sequential test for locational guidance.

In supporting text clarify role of economic growth in achieving national park aims.

Response to 1st modification objections

We welcome the modifications under Sections 5.77 – 5.79 and Policy 27 Business Development. We are particularly enthused by the modification under Policy 27

section c) which states '....supports the....viability of ... businesses in rural locations..... or creates new small scale development which supports the local economy '.

The CNP may be aware that Scottish Enterprise believe the general poor standard of visitor accommodation and lack of choice of accommodation mix is an

impediment to the economic growth of the CNP area and Scotland's Tourism sector. We wish to promote the development of a sustainable small scale resort in the

the economy of rural communities as well as settlement-based communities. Cairngorms that meets with global standards and the expectations of the CNP visitors, which respects the natural environment and landscape. We acknowledge the

development of such a concept would require further detailed discussions with the CNP and collaborative working with you, and we welcome the modifications

under Policy 27 which would appear to support this, subject to it meeting other policies. We would support the strengthening of this policy to reflect support for

the creation of high quality/world class visitor accommodation.

CNPA analysis of objections to 1st modifications

The support for this policy is noted. The creation of the highest quality development to support the Park is established clearly in the Vision for the Park stated in

both the Park Plan and Local Plan. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name James Gibbs

421h HIE Inverness and East Highland

The Green House

Beechwood Business Park North

Agent Name

Inverness, IV2 3BL

Company HIE Inverness and East Highland

Summary of objection to Deposit Local Plan

Designated space on an appropriate scale should be identified to encourage more local working and strengthen the local economy.

CNPA analysis of objection to Deposit Local Plan

The comments are noted, and the approach taken to the allocation of land for business development in settlements will be reviewed to ensure an appropriate level of guidance is given to potential developers, and the community supported.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name The Proprietors of Mar Centre
394n

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company The Proprietors of Mar Centre

Response to 1st modification objections

Our Client generally supports this policy but suggests that the relocation of business uses should not be considered contrary to it.

Changes Required to Resolve the Objection

A further sentence should be added to the policy or implementation that indicates relocation within the Park would not be considered the loss of a business use. The

policy should also allow for the redevelopment of business land for other uses where that business is no longer viable and alternative and more marketable business

land is available that meets local demand.

CNPA analysis of objections to 1st modifications

The policy does not preclude against relocation. Where an application is for relocation this would be considered on the merits of the loss caused at the existing site

and the creation of new opportunities in the new site. No further modifications are proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name James and Evelyn Sunley
056k 12 Lochnagar Way

Agent Name

Ballater
AB35 5PB

Company

Summary of objection to Deposit Local Plan

The local plan should highlight the need for government agencies to help encourage new business in the form of rates relief and tax breaks.

CNPA analysis of objection to Deposit Local Plan

The comments are noted, and whilst interesting are not linked to land use planning and so are not appropriate for inclusion within the Local Plan. The CNPA will

however continue to work with partners to bring this issue to the attention of those involved to ensure the best approach is taken for businesses in the Park area.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.

Response to 1st modification objections

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of objections to 1st modifications

The requirements for affordable housing have been reduced. The plan also identifies land for employment, and recognises the retail centres of particular settlements,

including ballater. No further amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name The Crown Estate
419i

Agent Name Debbie Mackay

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy is too restrictive and negative. It should provide more explicit support for rural development and promote a spirit of enterprise. The statement "where

the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for

developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm farming operations

would be considered under c)

Proposed 1st Modification

Reword 1st line to be more supportive.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy has been much altered and has added opportunities for development, and is worded in a more positive way. No additional modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name Rona Main
425a(c) Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

The plan does not strike the right balance between economic development and the natural and cultural assets. There is no dedicated economic development

strategy within the Plan and any strategy 'falls out' of housing land and business land designations. There is a low allocation of housing on the eastern side of the

Park, which does not meet the aims and objectives of SE Grampian. There is a shortage of employment land allocations especially in Aberdeenshire.

With existing businesses, the plan should allow for their extension and improvements without undue policy restrictions.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand

for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability.

Proposed 1st Modification

Expand introduction to section to give greater strategic guidance to economic development.

Revise to provide more positive guidance for economic growth, and identify sites in the proposals maps.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

Additional focus has been placed on economic development and growth and land has been identified within the proposals maps for economic development. No

further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 27

Agent Name

Objector Ref Name Alison Hogg

473o Aberdeenshire Council, Planning and Development

Woodhill House

Westburn Road

Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Seek the inclusion of new business development in the policy for development outwith settlement boundaries, as we do not consider this should be restricted only to

home based working or workshops which form an integral part of an existing development.

Also suggest making reference to the sequential test approach in accordance with national policy.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH

NATURAL

HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Proposed 1st Modification

Amend policy 27 b) to refer to sequential test for locational guidance rather than particular uses.
In supporting text clarify role of economic growth in supporting National Park and its aims.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 27

Agent Name

Objector Ref Name Sarah Jane Laing

429t SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Company SRPBA

Summary of objection to Deposit Local Plan

In a) the wording will restrict or reduce the ability of farms to diversify which may have an adverse effect on the local economy.

CNPA analysis of objection to Deposit Local Plan

The comment is noted, and the position regarding farm diversification will be clarified within the text, to provide an appropriate level of clarity and guidance to

developers in line with SPP1. Confirm that farming operations would not occur within settlement boundaries and would therefore be considered under b) and c) of the policy.

Proposed 1st Modification

No modification proposed. Policy now policy 27.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in

supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide

social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 27
Objector Ref Name James Gibbs
421b HIE Inverness and East Highland
The Green House
Beechwood Business Park North
Inverness, IV2 3BL

Agent Name

Company HIE Inverness and East Highland

Summary of objection to Deposit Local Plan

There is insufficient land allocated for commercial and business use particularly when considered against the housing designations. This imbalance could be seen as encouraging residents to work outside the park adding to the volume of commuting. Opportunity exists to encourage an economy of greater diversity with higher paid jobs but this plan does not seem to support this transformation. We would therefore like to see more space set aside for business parks and light industrial use to attract a diverse range of users such as technology companies, research organisations and precision manufacturers.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.
In supporting text clarify role of economic growth in achieving national park aims.

Objection maintained

Policy/site ref Policy 27
Objector Ref Name Jane Angus
091i Ballater & Crathie Community Council
Darroch Den
Hawthorn Place, Ballater
AB35 5QH

Agent Name

Company Ballater & Crathie Community Council

Summary of objection to Deposit Local Plan

Additional thought is needed to ensure appropriate provision is made for commercial development. The local plan should highlight the need for tax incentives and rate improvements.

CNPA analysis of objection to Deposit Local Plan

The comments are noted, and whilst interesting are not linked to land use planning and so are not appropriate for inclusion within the Local Plan. The CNPA will

however continue to work with partners to bring this issue to the attention of those involved to ensure the best approach is taken for businesses in the Park area.

Confirm that we will continue to work with the Local Authorities to promote sites where appropriate.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.

Response to 1st modification objections

The Ballater and Crathie Community Council wish to continue our objections to the proposed Local Plan.

CNPA analysis of objections to 1st modifications

The requirements for affordable housing have been reduced. The plan also identifies land for employment, and recognises the retail centres of particular settlements,

including ballater. No further amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name Glenmore Properties Ltd
453h Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

Para 5.12 reduces the economic development strategy to one that maintains the current population and provides for "the employment needs and aspirations of local

communities". Is this status quo enough when the Park needs significant investment in its tourist infrastructure?

In b) the wording does not give adequate guidance on how the 'demonstrable need' is to demonstrated and the sequential approach creates an level of analysis that

some outdoor based tourism or recreational businesses need not be party to.

In c) the wording does not adequately support a balance between the Park's economic aims and the natural and cultural heritage aims. The wording should better

reflect the 4th aim and help support the economy (and associated growth) of rural communities as well as settlement-based communities, and should be amended

accordingly.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm that all policies

must work within aims of the park and also developments must comply with all relevant policies of the plan.

Proposed 1st Modification

Amend b) to refer to sequential test for locational guidance.

In supporting text clarify role of economic growth in achieving national park aims.

Response to 1st modification objections

This is the key policy for new and existing economic development. It sets down when development proposals are acceptable within settlement boundaries and

outwith the same boundaries.

In the main, the changes suggested through the proposed modifications are to be welcomed. We do have concerns regarding the final part of the policy –that

'Development proposal which would result in a loss of business use on the proposal site will be resisted.' We understand the sentiment behind this, but the wording

should be amended to include 'unless it can be demonstrated that no demand exists for the site in business use.'

CNPA analysis of objections to 1st modifications

Para 5.86 clarifies the need for applicants to demonstrate the need for the development, The final para of the policy will also be amended in line with the suggested

wording.

Objection maintained

Policy/site ref **Policy 27**
Objector Ref **Name** Mr Michael Bruce
403f Glen Tanar Estate

Agent Name John Wright
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA
Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

While supporting policies the policies regarding business and economic development, existing employment generating uses in the countryside should be identified in

the Plan so that they may be allowed to grow organically without compromising the aims of the National Park. To facilitate this Glen Tanar should be identified as a

settlement to recognise its potential for tourism and economic development and facilitate such development without conflicting with the aims of the National Park.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.

Response to 1st modification objections

From the enclosed you will see that we have maintained our objections to the following - Policy 20, now policy 27 part b. Business development outwith settlements

will naturally attract some types of user away from existing locations, especially where the use is more suited to a rural location. This will free up the vacated

premises for other more appropriately centrally located uses.

To resolve the objection - remove the reference to 'no adverse impact on neighbouring existing business parks or industrial estates.'

CNPA analysis of objections to 1st modifications

Policy 27 has been amended to provide additional opportunity for development in rural locations. It is considered to give appropriate opportunity and no further

modification is therefore proposed.

Objection maintained

Policy/site ref Policy 27

Objector Ref Name John Anderson

4630 Kinraig and Vicinity Community Council

Goldenacre, Dunachton Road

Kinraig, Kingussie

Agent Name

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. Questions whether CNPA will have the necessary skills / capacity to assess detailed business plans.

Why only

single out business development for this requirement? Also raise concerns about confidentiality issues.

Support for business development should also include reference to appropriate affordable housing requirements based on demonstrable need to house the associated

workforce within a reasonable distance.

Xxxd inset section on section 75 agreements for business disposal.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm CNPA seek advice

on interpretation of supporting information where it is outwith the skills of planning officers. Also confirm tourism accommodation is considered under policy on

tourism development.

Proposed 1st Modification

Reword policy to be more positive towards economic growth.

Response to 1st modification objections

a) in identified settlements – four of the settlements in our area: Lynchat, Dalnavert, Inveruglas and Drumguish are not mentioned but business development should

be possible in all of them in this day and age. The idea of having to travel 20 miles to a workshop area is unacceptable for those who can work from home or close

to home.

b) outwith settlements – there is not enough encouragement given to business development outwith settlements and we are disappointed with this, but also see c)

below.

c) other business opportunities – suggests that it should be allowable to develop and/or diversify business opportunities in a rural location but this has not always

happened in the past, where a potential site at Squirrels leap near Kinncraig ended up under speculative housing.

CNPA analysis of objections to 1st modifications

The policy would allow for business development in areas such as those mentioned particularly through the final section of c). The policy seeks to ensure that the

best site is secured for the business but does not seek to hamper appropriate development in rural areas. No modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 27	Agent Name	Company
Objector Ref 437n	Name Mrs Jane Angus Darroch Den Hawthorn Place Ballater AB35 5QH		

Summary of objection to Deposit Local Plan

To support businesses in rural areas, improvements should be provided to post offices and postal services.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. However this is not something that can be addressed through a local plan policy. No modification considered necessary as a result of this representation.

Proposed 1st Modification

Add economic development sites into settlements identified in the proposals section.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref	Policy 27	Agent Name	Company
Objector Ref 439o	Name Jamie Williamson Alvie and Dalraddy Estate Alvie Estate Office Kincraig, Kingussie PH21 1NE		Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

Many rural communities need to diversify their economic activities in order to survive and prosper. The Plan should be encouraging rural communities to seek out

new sources of income generation instead of discriminating against development and economic activities in the countryside.

Amended wording –

In b) change to 'Outwith settlement boundaries proposals for business and economic development will be favourably considered where the proposal is likely to

benefit the local rural economy. There should be a presumption in favour of proposals that are located adjacent to existing buildings and having no adverse impact

on existing business centres or any neighbouring land use. The potential cumulative impact of similar proposals will be taken into account.'

In c) change to 'Proposals for development which support the viability of a rural business or promote diversification within that business will be approved where the proposal has no significant adverse impact on the natural and cultural heritage of the National Park or its landscape. Proposals will be favoured where they are complementary to the current rural business activity within the site.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability.

Proposed 1st Modification

Reword policy to be more positive towards economic growth.

Response to 1st modification objections

Development proposals which support economic Development:

a) in identified settlements - (is located within existing settlement boundary and) supports the economic vitality and viability of that (centre) community. Exceptions to this should ... account.

b) outwith settlements - (is in an existing business park or industrial estate, or where it can be demonstrated that there are no more sequentially appropriate sites available.) Developments should have no adverse impact on the existing vitality or viability of the settlement, (or neighbouring existing business parks or industrial estates.)

c) other business opportunities - supports the vitality and viability of ...economy.

Development proposals ... resisted.

Many rural communities need to diversify their economic activities in order to survive and prosper. The Cairngorms National Park Authority should be encouraging rural communities to seek out new sources of income generation instead of discriminating against development and economic activities in the countryside.

CNPA analysis of objections to 1st modifications

The economic development policy has been redrafted to ensure that appropriate opportunities are created and the notion of a sequential approach to finding a site for such development is in line with government guidance. No modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 27	Agent Name
Objector Ref	Name	
3901	Roy Turnbull Torniscar Nethy Bridge Inverness-shire PH25 3ED	
		Company

Summary of objection to Deposit Local Plan

Developments should not be considered 'favourably' just because they are within the settlement boundary as there may be other factors that would make the

proposal unacceptable. Guidance should be given on what is considered appropriate without providing a hostage to fortune. Wording such as a) "... proposals for

business development will be more favourably considered where this consolidates ..." and similarly for b) should be considered.

C) should not state that where proposals meets the criteria in they "will be approved". Clarify what is considered appropriate. c) "... promote diversification within

that business will be more favourably considered where the proposal ..." [and, pedantically, "which" should be "that".]

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for

services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as

identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers,

and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to

economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm proposals must

meet all relevant policies as set out in introduction/context section. The wording does not therefore imply permission will be granted.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 27
Objector Ref Name John Forbes-Leith Esq
418i Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy is too restrictive and negative. It should provide more explicit support for rural development and promote a spirit of enterprise. The statement "where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm farming operations would be considered under c)

Proposed 1st Modification

Reword 1st line to be more supportive.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy has been much altered and has added opportunities for development, and is worded in a more positive way. No additional modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 27
Objector Ref Name Dr A M Jones
400g(b) Badenoch and Strathspey Conservation Group

Agent Name

Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Policy 20 – wording implies pre-empting the planning system. Replace with ‘may’.

Para 5.12 – wording implies there is a problem of a declining population. Such sweeping statements should be supported by proper assessment of the validity of the arguments.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. Confirm proposals must meet all relevant policies as set out in introduction/context section. The wording does not therefore imply permission will be granted. Also confirm that it is clear that without economic opportunities the aim of the national park plan to support sustainable communities will not be possible.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Object to lack of reference to impact on landscape and the special qualities of the NP (see e.g. 6.17).

CNPA analysis of objections to 1st modifications

The policies of the plan are to be read together and as such policy 7 regarding landscape would also apply to any proposal being considered under policy 27. No modification is therefore proposed.

Objection maintained

Policy/site ref	Policy 27
Objector Ref	Name Nicola Abrams
399k	SEPA
	Greyhope House
	Greyhope Road

Agent Name

Summary of objection to Deposit Local Plan

The policy does not make clear reference to waste management. The Policy would exclude waste management proposals, as waste management does not fall within

these use classes, being a "sui generis" land use. National Planning Policy (SPP10 and PAN 63 and the National Planning Framework) all refer to the fact that waste

management uses are appropriate on industrial land with SPP10 recommending a model policy (paragraph 26) promoting waste management uses on the planned

supply of employment and industrial land. The policy should be cross referenced with the waste management policy by making it explicit that waste management

uses (subject to environmental and amenity considerations) are appropriate on business land and could therefore be covered by this policy. For example " ...business

development (which includes waste management)"

CNPA analysis of objection to Deposit Local Plan

The comment is noted. This issue of waste is considered specifically in policy 32 and the intention throughout the plan is that all policies should be taken into

account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Proposed 1st Modification

Add reference to business waste into revised policy 33 waste management.

Response to 1st modification objections

SEPA maintains its objection to the wording of the policy which does not make clear reference to waste management. The policy would exclude waste management

proposals as waste management does not fall within these use classes, being a 'sui generis' land use. national Planning Policy (SPP10 and PAN63 and the National

Planning Framework) all refer to the fact that waste management uses are appropriate on industrial and with SPP10 recommending a model policy (Para 26)

promoting waste management uses on a planned supply of employment and industrial land.

Suggested modification - SEPA recommends that Policy 27 is cross referenced with the waste management policy by making it explicit that waste management uses

(subject to environmental and amenity considerations) are appropriate on business land and could therefore be covered by this policy. For example 'business

development (which includes waste management)'

CNPA analysis of objections to 1st modifications

The implementation of the plan relies on all relevant policies being read together rather than using cross referencing. This approach has not changed. No

modification is therefore proposed.

Objection maintained

Policy/site ref Policy 27, 29

Agent Name

Objector Ref Name Amanda Howard
414a Development Services
The Moray Council
High Street
Elgin, IV30 1BX

Company The Moray Council

Summary of objection to Deposit Local Plan

Some of the wording is vague and open to interpretation which may cause difficulties for Development Control officers. Examples include policy 20, 26, 29.

CNPA analysis of objection to Deposit Local Plan

Further work is needed to clarify how policies will be implemented through the development management process. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken

Proposed 1st Modification

Throughout ensure that wording is clear and useable for Development management officers as well as others.

Response to 1st modification objections

MAINTAIN OBJECTION with regard to Policy 27 (formerly Policy 20) and Policy 26 (formerly Policy 29)

- Policy 27 (formerly Policy 20): We wish to maintain our objection to this Policy as there is still no indication as to what may constitute sufficient 'demonstrable social or community need' to override the 'economic vitality and viability of the centre'.
- Policy 24 (formerly Policy 26): We acknowledge the insertion of additional supporting text for this policy and are satisfied with the changes as giving a good basis for development management decision-making regarding 'demonstrable need'.
- Policy 26 (formerly Policy 29): We wish to maintain our objection to this Policy as no further clarification has been added to the supporting text for this policy to assist with interpretation.

CNPA analysis of objections to 1st modifications

The intention remains to produce protocol notes to clarify for internal use, how the policies are to be implemented. This position has not changed. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 28

Agent Name

Objector Ref Name Alison Hogg
473n Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road

Summary of objection to Deposit Local Plan

How can new retail/commercial development demonstrate no adverse impact on existing retail enterprises within the area? How big is "the area"?

The size of the

area of influence would depend on the size/type of development and how much 'pull' it had on trade from existing businesses. However in a free market it is

probably only be town/village centres which should be protected. Other businesses would have to find ways to compete.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. Further work is also needed to clarify how policies will be implemented through the development management process

and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local

authorities and the CNPA to ensure a consistent approach is taken.

Proposed 1st Modification

Amend wording of policy to better reflect requirements for sequential approach.

Reword c) to clarify the requirements of the policy and ensure it is reasonable.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 28

Objector Ref Name Cooperative Group

370a Property Division

Agent Name Lorraine Jones

GL Hearn

241 St Vincent Street

Glasgow

G2 5QY

Company Cooperative Group

Summary of objection to Deposit Local Plan

Support the policy and the identification of town centres. The terminology between the policies and proposals maps should be the same

(village/town centres)

Further detail is also required on how this policy will support and enhance the role of such centres, and how the use of sequential tests will be used.

There should

therefore be greater links to the guidance of SPP8.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. The use of terminology within the Proposals maps will also be reviewed to ensure clarity and consistency.

Proposed 1st Modification

Change reference to 'town/village centres'.

Reword policy intro to 'presumption in favour' or similar to give positive edge.

Amend b) in line with suggested revision.

Amend c) in line with suggested revisions.

Response to 1st modification objections

The changes to the policy address the concerns raised previously to an extent. We would, however, make the following representation to the modifications to it.

The policy has had reference to 'commercial' development removed from its title, given that reference is made to general 'forms of development..', should this not be retained?

The addition of the text at the start of the policy, reference to 'support local economic vitality' should be deleted as this matter is covered within the sections,

excepting that we are suggesting that this be removed in relation to retail proposals in centres as regards section a) of the policy.

Revised section b). Should reference not also be made to out of centre sites (which are still within settlements)?

Revised section c). This refers to sites outwith settlements. Could this not be covered within section b), i.e. section b) addresses edge of centre and out of centre

sites? Alternatively could section b) cover edge of centre sites and section c) covering other sites? The way the policy as amended is worded, means the application

of the sequential approach not as clear as it could be.

Revised section c). This refers to retail uses associated with a rural business. If this is being included, in order to maintain control it is suggested that further criteria

should be added to such uses, for example, size and the requirement that any retail uses should be connected to the use of the surrounding land/buildings.

Revised section c). It appears that there are words missing from the first sentence, in terms of clarifying that this section is setting out the circumstances when out of

settlement proposals will be considered acceptable.

Revised sections b) and c). The last sentences of each are worded differently, for consistency, given that the aim of each appears to be the same, it is suggested that

it would make sense to include identical wording for each.

CNPA analysis of objections to 1st modifications

The title of the policy has been amended for clarity. The reference to economic vitality is intended to create a positive policy which encourages development. B)

does include sites within settlements which are not identified as centres on the proposal maps. This would therefore include out of centre sites. Para b) and c) do

refer to different locations and it is therefore considered appropriate to separate them in the policy. C) is not however intended to limit size of development, but

rather allow for appropriate forms of development assessed on their merits. The wording of the 1st sentence of c) will be amended to read 'outwith town/village

...where there is no town/village centre site, edge of town/village site, or other more sequentially appropriate site available; or the proposal is associated with a rural

business.' The final sentence of c) will also be amended to read as in b). These amendments will be proposed as second modifications.

Proposed 2nd modifications

Objection maintained

Policy/site ref	Policy 28	Agent Name
Objector Ref	Name Dr A Watson	
020i	Clachnaben	
	Crathes, Banchory	
	Kincardineshire	
	AB31 5JE	Company

Summary of objection to Deposit Local Plan

Design and materials can have a large impact on the landscape and should be mentioned. Grammatical correction in 5.14 use 'mix' not mixture.

CNPA analysis of objection to Deposit Local Plan

The issue of design and materials will be assessed through policies 17 and 18. In regard to the grammatical error, the amended text to support the policy has

removed the para.

Proposed 1st Modification

No modifications necessary.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The use of materials and impact on the landscape would be considered through policies 7 and 18. No further modification therefore proposed.

Objection maintained

Policy/site ref Policy 28
Objector Ref Name Roy Turnbull
390m Torniscar
Nethy Bridge
Inverness-shire
PH25 3ED

Agent Name

Company

Summary of objection to Deposit Local Plan

It is not appropriate to state that a proposal will be "favourably considered" because it meets certain criteria. Clarity is needed on what is considered appropriate.

Suggested wording for a) "... on neighbouring properties will be more favourably considered."

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording will be reviewed to ensure the intention of the policy is clear. The wording does not in any way preempt the planning process

and all developments must comply with all relevant policies as set out in the introduction, context section.

Proposed 1st Modification

No modification proposed

Response to 1st modification objections

No additional representations were made in regard to this objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 28
Objector Ref Name Cooperative Group
370b Property Division

Agent Name Lorraine Jones
GL Hearn
241 St Vincent Street
Glasgow
G2 5QY

Company Cooperative Group

Summary of objection to Deposit Local Plan

Policy should make an allowance for local small shops to be exempt from the use of the sequential text in recognition of the important role they play in supporting local communities.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance

between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. Confirm addition of sequential approach in line with planning policy guidance, and add that the referene to particular

sized units would not therefore be reasonable. If a local shop was outwith a centre, etc and was supporting a local community, this would be a justification for it not

being within a town centre, etc.

Proposed 1st Modification

Add sequential approach

Response to 1st modification objections

As per original objection, part a) of the policy should encourage retail and commercial development in the town centres, the policy as worded at present is negative

in form. We suggest that retail development be removed from the sentence which requires development to 'add to the economic and vitality..'

We maintain our objection to this - i.e. small local shops (under a specified floor level, for example 200 sqm gross floorspace) should be exempt from the sequential approach.

CNPA analysis of objections to 1st modifications

The wording is not considered negative as it states 'Development Will be favourably considered where'. In para 5.86 the reference to sequential testing states

that 'applications may' be required to carry out such testing, and this leaves the position flexible so that appropriate assessments can be undertaken where they may

have an impact, for example in a rural setting where even a small development may have an impact. No modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 28

Objector Ref Name Fred Mackintosh

472g The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Recommend detailed and thorough transport assessments be required for all proposed large scale developments.

CNPA analysis of objection to Deposit Local Plan

The requirement for such assessments will continue to be sought through the development management process in the normal way and in line with national

guidance on the topic. There is not therefore a need for a separate local plan policy on the issue. No modification is therefore proposed as a result of this

representation. Confirm this issue would be considered under policy 30 Integrated and sustainable transport network.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 28

Objector Ref Name Rona Main

4251 Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

The policy should extend the provisions normally associated for retail and leisure to other "commercial" uses. Clarification is needed on how this policy will be

applied to ensure it does not stand in the way of non-retail/leisure use out-with town centres.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved.

Proposed 1st Modification

Amend wording of policy to better reflect requirements for sequential approach. Remove reference to 'and commercial' from policy.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy relates to retail development. Other commercial development is considered in policy 27. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 28

Agent Name

Objector Ref Name Dr A M Jones

400g(c) Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Wording should be changed to 'may' rather than 'will'.

CNPA analysis of objection to Deposit Local Plan

The comment is noted. The wording will be reviewed to ensure the intention of the policy is clear. The wording does not in any way preempt the planning process

and all developments must comply with all relevant policies as set out in the introduction, context section.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No additional representation included regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 28

Agent Name

Objector Ref Name Jamie Williamson

439zf Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Company Alvie and Dalraddy Estate

Response to 1st modification objections

Development proposals ... are met:

a) Town/village centres - within identified ... settlement.

b) Other sites within settlements - (where no town/village centre is available , edge of centre locations ... identification.) Such developments should not undermine

the commercial vitality and viability of the town/village centre.

c) Sites outwith settlements - (outwith town/village centres and settlements, where there are no town/village centre sites, edge of town/village sites or other more

sequentially appropriate sites available; or are associated with a rural business). Developments should(also) demonstrate no adverse impact on the existing vitality or

viability of (centres within) the area.

This policy as stated is unreasonably prescriptive and restrictive. It will act as a disincentive to further economic development.

CNPA analysis of objections to 1st modifications

The idea of a sequential approach to site location for retail development is in line with government guidance on the topic. The proposed amendments would

undermine this approach and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 28

Objector Ref Name John Anderson
463zi Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Response to 1st modification objections

a) town/village centres – retail development in towns and villages should be encouraged in principle. There shouldn't be restrictions to conversion of property for commercial or retail development, either within or without settlements.

CNPA analysis of objections to 1st modifications

The various policies relating to conversions and retail development encourage and support appropriate development which supports local communities. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 29

Objector Ref Name Glenmore Properties Ltd
453m Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Name Steve Crawford

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Glenmore Properties Ltd

Summary of objection to Deposit Local Plan

Clarification is needed on a) 'commercial or economic future'.

CNPA analysis of objection to Deposit Local Plan

The comment is noted and additional clarification will be included within the supporting text and policy.

Proposed 1st Modification

In revised policy 29 implementation - Include para to clarify the need for a full justification on the lack of any economic future

Response to 1st modification objections

Suggest willingness to withdraw objection.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 29

Agent Name

Objector Ref

Name Susan Davies

465z-p

Scottish Natural Heritage

Great Glen House

Leachkin Road

Inverness

Company Scottish Natural Heritage

Response to 1st modification objections

Para 5.90 We welcome the reference to the possible presence of bats re conversion and reuse of existing traditional and vernacular buildings. We recommend

clarifying the issues by saying that all bats are European protected species and that a prior licence may be needed from SNH in order to carry out a survey.

CNPA analysis of objections to 1st modifications

The issue of natural heritage would be dealt with through policies 5 and 6. The suggestion is therefore considered to be repetition and no modification is therefore proposed.

Objection maintained

Policy/site ref Policy 29

Agent Name

Objector Ref

Name John Anderson

463zj

Kincraig and Vicinity Community Council

Goldenacre, Dunachton Road

Kincraig, Kingussie

PH21 1QE

Company Kincraig and Vicinity Community Council

Response to 1st modification objections

Conversion of existing buildings should be encouraged. But again this is currently being made as difficult as possible. The time to reach decisions is

also currently far

too long, being well outside the two month time scale intended for planning outcomes to be known.

CNPA analysis of objections to 1st modifications

Conversions are encouraged under policy 29 where the building is redundant and the design appropriate. The issue of timescales to determine applications is noted

but cannot be addressed through the local plan. No modifications are proposed.

Objection maintained

Policy/site ref Policy 29

Objector Ref Name The Crown Estate
419o

Agent Name Debbie Mackay

Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Summary of objection to Deposit Local Plan

The policy should reflect SPP15 regarding "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced.

Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are

compelling design or conservation reasons for doing so." The wording regarding original features could be a disincentive to providing affordable housing. The Plan

should recognise that not all properties or sites are appropriate for affordable housing.

The plan should be amended to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for

modern housing requirements, and should recognise that conversions of traditional buildings may not be suitable for affordable housing.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. Confirm the wording does not restrict new development to the original footprint. The wording is suitably flexible to

allow for the type of alteration proposed in the objection.

Proposed 1st Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref **Policy 29**
Objector Ref **Name** John Forbes-Leith Esq
418o Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

The policy should reflect SPP15 regarding "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced.

Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are

compelling design or conservation reasons for doing so." The wording regarding original features could be a disincentive to providing affordable housing. The Plan

should recognise that not all properties or sites are appropriate for affordable housing.

The plan should be amended to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for

modern housing requirements, and should recognise that conversions of traditional buildings may not be suitable for affordable housing.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. Confirm the wording does not restrict new development to the original footprint. The wording is suitably flexible to

allow for the type of alteration proposed in the objection.

Proposed 1st Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 29	Agent Name
Objector Ref	Name Alison Hogg	
473u	Aberdeenshire Council, Planning and Development Woodhill House Westburn Road Aberdeen, AB16 5GB	Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Suggest that it buildings are being totally rebuilt using original materials etc, that the footprint of such new buildings should not necessarily have to replicate that of

the building they replace but that it should be based on suitability for the new use for the building.

Question why there is not limit on the number of extensions permitted to steadings. Too many additions can affect character.

Questions how much of the original structure should exist before a conversion can be considered.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. Further work is also needed to clarify how policies will be implemented through the

development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes

for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. Confirm the policy does not intend to retain the original

footprint - the issue of scale/style etc are key to the success of the policy. There is no limitation placed on extensions as this would be considered under the

scale/style/form of the new building rather than being prescriptive. Also confirm the policy is for conversion rather than rebuild so that does imply that sufficient

structure exists to convert.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. Theses comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 29
Objector Ref Name William Stuart Paterson
409i 3 Lynstock Park
Nethy Bridge
PH25 3EL

Agent Name

Company

Summary of objection to Deposit Local Plan

There should be a residency restriction to ensure people moving to the Park are not allowed to subdivide their property or land within 5-10 years.

CNPA analysis of objection to Deposit Local Plan

The comment is noted but unfortunately is not something that could be reasonably included within Planning Policy. No modification considered necessary as a result of this representation. Confirm this form of restrictive clause on any deeds of sale would not be a reasonable addition to any planning permission.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of objections to 1st modifications

The issue of residency criteria was not supported by the CNPA Board and was not therefore included in the plan. This position has not changed and therefore no further modifications are proposed.

Objection maintained

Policy/site ref Policy 29
Objector Ref Name Jamie Williamson
439v Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

The wording should recognise that traditional buildings can be sympathetically modernised before it becomes redundant
Amended wording –

In a) replace 'and' with 'or'

In a) delete 'can be demonstrated that it'

In b) insert 'where practical' after 'the proposal'.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. Confirm the policy is intended to find a reuse for buildings which are falling into disrepair -

the proposed change of wording would allow conversion of buildings still in a state of good repair but are not used for their original use. In terms of information

supporting applications there is a need to provide such detail to allow a proper and transparent analysis of the proposal.

Proposed 1st Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Response to 1st modification objections

No reference to this policy in response to modifications. Therefore assume objection is resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 29

Objector Ref Name Sarah Jane Laing

429h SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Agent Name

Company SRPBA

Summary of objection to Deposit Local Plan

In a replace 'and' with 'or'. The policy should acknowledge the cost of retaining original features and the impact this can have on development costs. The policy

should recognise that not all properties or sites are appropriate for affordable housing provision. A commuted sum may be more appropriate in such cases.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an

appropriate level of guidance for developers and people using the policy. Confirm the policy is intended to find a reuse for buildings which are falling into disrepair -

the proposed change of wording would allow conversion of buildings still in a state of good repair but are not used for their original use. The issue of commuted

sums may be appropriate and this would be considered under policy 24.

Proposed 1st Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Response to 1st modification objections

We are happy to withdraw all but one of our formal objections as believe that majority of them have been addressed by the modifications, or by clarity of issues in supporting text. The only one we would like to continue with is in relation to policy 1 where we still think that there should be support for projects which provide social or economic benefits of local as well as national importance.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 29	Agent Name
Objector Ref	Name Ian Francis	
424o	RSPB Scotland East Regional Office 10 Albyn Terrace Aberdeen, AB10 1YP	Company RSPB Scotland

Summary of objection to Deposit Local Plan

An additional clause should be added: f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6.

The policy should also build in a requirement for surveys for bird species nesting in the buildings, and appropriate design measures to allow these species to continue using the building after conversion.

CNPA analysis of objection to Deposit Local Plan

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction

will be amended to clarify this position.

The comments regarding nesting birds is also noted. The wording of the policy will be reviewed to ensure that best practice is followed, and consideration will be

given to including such level of detail within supplementary guidance such as the Sustainable design guide. Confirm all policies of the plan hold equal weight and all

developments must be considered against all of them - therefore proposals under this policy would also have to comply with all policies regarding natural heritage, biodiversity and impact on the landscape.

Proposed 1st Modification

Policy 29 implementation - include para 5.90 on potential for biodiversity impacts from such developments.

Response to 1st modification objections

No further comments added.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 29
Objector Ref Name Rona Main
425zi Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Agent Name Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB
Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

CNPA analysis of objection to Deposit Local Plan

Proposed 1st Modification

Response to 1st modification objections

We have a concern that Policy 29 may provide too much of an impediment to sustainable development.

CNPA analysis of objections to 1st modifications

The comment is noted. The policy should also be read with the other relevant policies of the plan and is not considered to be unduly restrictive. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 29
Objector Ref Name Mr Michael Bruce
403l Glen Tanar Estate

Agent Name John Wright
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA
Company Glen Tanar Estate

Summary of objection to Deposit Local Plan

Support the policy 27

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No further action required.

Response to 1st modification objections

No further action required.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Agent Name

Objector Ref Name Sandra Hebenton

368b Network Rail
Buchanan House
8 Port Dundas Road
Glasgow, G4 0LQ

Company Network Rail

Summary of objection to Deposit Local Plan

Support the policy but clarity is needed on the occasions when a transport assessment would be needed.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes which will provide the detail necessary to address the issue raised.

Proposed 1st Modification

Add additional info on use of transport assessments, and when they are required in line with SPP17.

Response to 1st modification objections

The additional information is welcomed and we have no objection to this Policy.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Agent Name

Objector Ref Name Mairi Maciver

025u Communities Scotland
Urquhart House

Beechwood Park
Inverness, IV2 3BW

Company Communities Scotland

Summary of objection to Deposit Local Plan

Support developer requirement to submit a transport assessment covering local transport impacts of developments, but note that where Communities Scotland

funding is being used for a development, it can only be used for housing purposes and not as a contribution to transport infrastructure.

CNPA analysis of objection to Deposit Local Plan

The limitations of the funding available to certain sectors is recognised. The policy will be reconsidered in line with the requirements of SPP17 to ensure that the

requirements place on all developers is not onerous. The expense would then fall to the developer or similar.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Your message to housing colleagues in relation to the proposed modification has been passed to me as I co-ordinated the Scottish Government response to the

consultation. Our comments were sent to Karen Major yesterday and are attached below.

CNPA analysis of objections to 1st modifications

Considered under objection 422. No further action required.

Objection withdrawn

Policy/site ref Policy 30

Objector Ref Name Susan Davies

465s Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Agent Name

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

Seek the inclusion in the plan of promotion of safe routes to schools and workplaces, cycle routes, and public transport facilities at car parks, in line with the open access strategy.

CNPA analysis of objection to Deposit Local Plan

The comment is noted, and efforts will be made to amend the policy to take a more positive approach to alternative forms of transport including the ones referred to.

Proposed 1st Modification

Amend policy to make reference to outdoor access strategy and build in greater reference to forms of sustainable transport in line with strategy and SPP17.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref **Policy 30**
Objector Ref **Name** DW and IM Duncan
0371 Pineacre
 West Terrace
 Kingussie
 PH21 1HA

Agent Name

Company

Summary of objection to Deposit Local Plan

The scale of proposed new housing will lead to the need for additional sustainable transport links and there should be additional investment in cycle tracks to match the demand.

CNPA analysis of objection to Deposit Local Plan

The policy is intended to promote alternative forms of transport other than the private car. The CNPA is committed to more sustainable development in all its

senses, and new housing developments will have to comply with this policy in the same way as any other proposed development. No modification considered

necessary as a result of this representation. Confirm ongoing work to improve cycle networks through the core paths plan and network and close working with other partners in provision.

Proposed 1st Modification

no modification proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy remains one to encourage green methods of transport. Policy 30 has been in part redrafted and additional information placed in the supporting text. No

further modifications are therefore proposed.

Objection maintained

Policy/site ref **Policy 30**

Agent Name Philip Clarke

Objector Ref Name Frogmore Estates Scotland Ltd
026g

Barton Willmore
12 Alva Street
Edinburgh
EH2 4QG

Company Frogmore Estates Scotland Ltd

Summary of objection to Deposit Local Plan

Two principal elements of achieving sustainability in terms of transport are to encourage walking and cycling, public transport and reduce the need to travel. Whilst these two themes run throughout SPP17 Scottish Ministers are realistic about the practicality of these requirements in remote and rural areas) Specific reference should be made to para 12, 50 and PAN 73 para 26, 34-36, and also circular 12/1996 para 5 and 11.

In terms of the Policy it is appreciated that, where a development has a significant impact on the local road network through traffic generation it is appropriate for that impact to be mitigated and a contribution towards the sustainable transport network secured. However, in the case of minor developments this may not be appropriate. Any minor proposals which would not generate a significant amount of traffic or have any material impact upon the existing road or public transport network should not be required to contribute towards the sustainable transport network. With such minor developments it may be impossible for it to make a positive contribution towards the sustainable transport network. An otherwise acceptable proposal for a single dwelling in the rural area would be required to make such a contribution. Given the remoteness of some areas of the Park, it may be the case that the development is inaccessible to any of the methods of transport commonly identified as achieving sustainability. Even if the proposed dwelling is near a public transport route, the level of finance required to result in any positive impact a local bus service would be entirely out of keeping with the scale of the development proposed. The wording is therefore overly prescriptive in its requirement that all proposals must make a positive contribution towards the sustainable transport network.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The wording selected may also have resulted in confusion and will be amended accordingly.

Proposed 1st Modification

Retain reference to government guidance regarding transport. Change reference to Development proposals.

Response to 1st modification objections

Maintain objection. Policy 30 Integrated and Sustainable Transport Network states (page 52) that 'development proposals should make a positive contribution towards the improvement of the sustainable transport network'. Barton Willmore has objected to the wording of policy 30 in the Deposit Local Plan

which stated

that 'all development should make' on the grounds that the wording of the policy was overly prescriptive in its requirement that all proposals must make a positive contribution towards the sustainable transport network, contrary to the provisions of SPP17, PAN 73 and Circular 12/1996.

The modifications of 'all proposals' to 'development proposals' as set out in the modifications is insufficient to alleviate Barton Willmore's concerns regarding the wording of policy 30.

Two of the principal elements of achieving sustainability in terms of transport are the encouragement of walking and cycling, the use of public transport and reducing the need to travel. Whilst these two themes run throughout SPP17 Planning for Transport, Scottish Ministers are realistic about the practicality of these requirements in remote and rural areas. SPP17 states (para 12) that 'Away from settlements, particularly in remoter localities, development plans should be realistic about the likely availability of public transport access. Rural development may be permitted on social and economic grounds where regular and frequent public transport cannot be justified and where the impact of vehicle movements on the local road network would not be significant.'

SPP17 acknowledges (para 50 page 14) that 'significant travel generating uses should be located to support more sustainable travel patterns'. The distinction between significant travel generating uses and non significant travel generating uses is of relevance.

PAN 73 (para 34036) confirms that greater reliance on the car is often inevitable in rural areas, and whilst measures to encourage bus travel, cycling and walking can and should be promoted, it is necessary to be realistic about traffic generation in enabling rural development. PAN 73 (para 26) also advises that applying matters of principle to individual circumstances requires careful consideration of all economic and social as well as environmental factors.

Circular 12/1996 identifies the role which planning agreements can play in the development control process, but recognises that these should only be sought where they are required to make a proposal acceptable in land use planning terms (para 4). It states (para 5) 'a planning authority should not, however treat an applicant's need for planning permission as an opportunity to obtain a benefit, financial or environmental, which is unrelated in nature, scale or kind to the development proposed'.

The issue of scale and kind is defined in Circular 12/1996 (para 11):

Planning agreements should be related in scale and kind to the proposed development. Developers may, for example, reasonably be expected to pay for or

contribute to the cost of infrastructure which would not have been necessary but for the development. The effect of such infrastructure investment may be to confer some wider benefit but payments should be consistent with the scale of the proposed development. Attempts to extract excessive contributions to infrastructure costs from developers or obtain extraneous benefits are, therefore, to be strongly discouraged. For example, developers should not be asked to fund local road improvements unless the need for these improvements arises wholly or substantially from the proposed development.

Policy 30 also states that where traffic generation from a proposed development would be significant then a traffic assessment will be required.

It is appreciated that where a development has a significant impact upon a local road network through traffic generation, it is appropriate for that impact to be mitigated and a contribution towards the sustainable transport network secured. However in the case of minor developments, this may not be appropriate.

Any minor proposals which would not generate a significant amount of traffic or have any material impact upon the existing road or public transport network should not be required to contribute towards the sustainable transport network.

Where the scale of a proposed development is minor it may be impossible for it to make a positive contribution towards the sustainable transport network. An otherwise acceptable proposal for a single dwelling in the rural area, under the current wording of policy 30 would be required to make such a contribution. Given the remoteness of some areas of the Park, it may be unfeasible for such proposals to be required to contribute towards public transport or walking and cycling routes, as it may be the case that the development is inaccessible to any of these modes of transport as a realistic means of travel. Alternatively even if the proposed dwelling is near a public transport route, the level of finance required to result in any positive impact upon a local bus service would be entirely out of keeping with the scale of the development proposed.

Consequently objection is maintained to the wording of policy 30, which is overly prescriptive in its requirement that all development proposals must make a positive contribution towards the sustainable transport network. The first sentence of the policy including points a-d should be deleted and the following sentence introduced at the end of the policy : ' such proposals should make a positive contribution towards the sustainable transport network in the Cairngorms National Park'.

CNPA analysis of objections to 1st modifications

The objection is maintained despite an amendment to the wording. However there is an option to clarify the position further by adding in the 1st sentence

'Development proposals, where applicable, should make a positive contribution ... ' or similar modifications to the wording. This would clarify that not all

developments will be able to make a positive contribution by their very nature, but this should not hamper their successful progress through the planning system. A

second modification to this effect should therefore be considered.

Objection maintained

Policy/site ref Policy 30 **Agent Name** Jones Lang Lasalle

Objector Ref **Name** Scottish and Southern Energy Plc
447i

7 Exchange Crescent
Conference Square
Edinburgh
EH3 8LL

Company Scottish and Southern Energy Plc

Summary of objection to Deposit Local Plan

Can all projects in the Park really make a positive contribution towards the improvement of the sustainable transport network? It would be more appropriate here to

include a reference to projects of a particular size or class, such as major and national developments and would make the policy more consistent with PAN 49.

CNPA analysis of objection to Deposit Local Plan

The comment is noted and the wording of the policy will be revisited to consider those occasions when development proposals do not affect the transport network.

Proposed 1st Modification

Change wording to 'development proposals'.

Response to 1st modification objections

This modification does not specifically address our objection as it does not include references to projects of a particular size or class and the policy wording is

therefore still considered to be inconsistent with PAN 49. The modification to 'development proposals' merely implies all development proposals rather than specific

proposals such as major and national developments.

CNPA analysis of objections to 1st modifications

The wording of the policy states that developments SHOULD make a contribution and this provides sufficient flexibility to allow for exceptional circumstances. No

further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 30

Agent Name

Objector Ref Name Alison Hogg

473x
Aberdeenshire Council, Planning and Development
Woodhill House
Westburn Road
Aberdeen, AB16 5GB

Company Aberdeenshire Council

Summary of objection to Deposit Local Plan

Changing the wording of Policy 30 would be welcomed. The phrase "transport network" appears to refer to a public transport service. As most (if not all)

developments will connect to a transport network, i.e. a road, suggest rewording paragraph to make it clearer.

Furthermore, the scope of transport assessments is wider than just public transport, they also consider potential impacts on infrastructure.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be cross checked against Scottish Government guidance to ensure there is no confusion or omissions. The wording selected may also

have resulted in confusion and will be amended accordingly.

Proposed 1st Modification

Expand background para regarding the use of transport assessments and also clarify the term 'transport network'

Response to 1st modification objections

We write with reference to your letter dated 18th Sept 2008, concerning the above subject. As stated in our previous letter dated 5th October 2007, Aberdeenshire Council does not object to the deposit local plan. Our previous letter did include a number of comments that we recommend being taken forward in

the deposit local plan. These comments/recommendations should not be treated as objections to the plan.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate

4231
Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

Why is there a link between transport and communications in sections 5.75 and 5.77. Also in 5.77 why is the reference to connections to transport networks

contained within this section. The link between transport and communications needs to be clearly explained. Also the mentioned section in 5.77

should be included in Policy 30.

CNPA analysis of objection to Deposit Local Plan

The comments are noted and the layout of the plan will be reconsidered to ensure that it is clear, logical and easy to follow.

Proposed 1st Modification

Separate transport and telecomms to avoid confusion.

Response to 1st modification objections

Transport Scotland acknowledges that the proposed modifications address representation ref. TS/Rep/2.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate
423c Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

There should be a clear approach to integrated land use and transport planning, in accordance with SPP17. The wording should expand to explain what is meant

by "transport requirements"; and "community cars" and "car sharing" are only one of several options that could be adopted as part of an integrated transport and land use policy.

The policy should be amended to give this clear approach in a policy which

- seeks to reduce car dependency;
- seeks to maximise the mode share of sustainable travel modes;
- adopts the priority/ hierarchy of travel modes set down in SPP17 as follows: walking; cycling; public transport followed by motorised modes; and
- seeks to reduce the need to travel.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The

wording selected may also have resulted in confusion and will be amended accordingly.

Proposed 1st Modification

Amend policy to give clear approach for new development which

- seeks to reduce car dependency;
- seeks to maximise the mode share of sustainable travel modes;

adopts the priority/ hierarchy of travel modes set down in SPP17 as follows: walking; cycling; public transport followed by motorised modes; and seeks to reduce the need to travel.

Response to 1st modification objections

Transport Scotland acknowledges that the proposed modifications satisfy objection ref. TS/Obj/3 and confirms that objection ref. TS/Obj/3 is withdrawn.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30
Objector Ref Name Fred Mackintosh
472e The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

Seeks the inclusion of reference to the need for adequate parking provision for larger developments and improvements to existing road, cycle and pedestrian networks may also be required.

CNPA analysis of objection to Deposit Local Plan

The comment is noted and the wording of the policy will be amended to consider the issue of parking associated with developments. Further work is also needed to

clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is

proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken and this

will include the issue of parking. The issue of parking would be considered under policy 18.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate
423a Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

There should be a presumption against new trunk road junctions. The policy should be amended to

“Given the strategic role of the trunk road network, there is a general presumption against new trunk road accesses which is highlighted in SPP17.

Therefore, a

development which proposes a new access must be thoroughly appraised in terms of need, location and access, to determine the potential trunk road and rail

impact, public transport access and travel plan content.

Where new access to the trunk road is being considered within the transport accessibility assessment for a specific land use allocation, full and detailed justification

will require to be provided in support of such an access strategy. This will be required to take the form of a development appraisal examining the decision process

undertaken regarding the allocation of development and an assessment of access options in accordance with the Scottish Transport Appraisal Guidance (STAG).

This will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road access in a particular instance”.

CNPA analysis of objection to Deposit Local Plan

The reference to trunk roads is noted, and the wording of the policy will be amended to reflect current agreements and presumptions to certain scales of

development within the Park.

Proposed 1st Modification

Include supporting para to make reference to requirements of SPP17 regarding trunk roads and access, and the necessary appraisals which are required to allow full

consideration of development proposals.

Response to 1st modification objections

Objection ref. TS/Obj/1 shall be sustained. The proposed modifications in paragraph 5.9.4 do not specifically make reference to the presumption against new trunk

road junctions, referred to in SPP 17, nor do they accurately capture the need for appropriate appraisal to identify appropriate transport interventions or the

circumstances when an appraisal using STAG is appropriate.

Transport Scotland reiterates the request for the inclusion of a general policy statement in Policy 30 related to the presumption against new trunk road junctions and

accurately reflecting the appropriate appraisal process and specifically STAG, using the text provided below.

“Given the strategic role of the trunk road network, there is a general presumption against new trunk road accesses which is highlighted in SPP17.

Therefore, a

development which proposes a new access must be thoroughly appraised in terms of need, location and access, to determine the potential trunk road and rail

impact, public transport access and travel plan content.

Where new access to the trunk road is being considered within the transport accessibility assessment for a specific land use allocation, full and detailed justification

will require to be provided in support of such an access strategy. This will be required to take the form of a development appraisal examining the decision process

undertaken regarding the allocation of development and an assessment of access options in accordance with the principles of Scottish Transport Appraisal Guidance

(STAG). This will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road access in a particular instance".

CNPA analysis of objections to 1st modifications

In 5.94 add 'SPP17 presumes against new trunk road junctions and the use of the existing ...' Also add before final sentence 'Developments which propose a new

access must be thoroughly appraised in terms of need, location, and access to determine the potential trunk road and rail impact, public transport access and travel

plan content.' Also add after final sentence 'this will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road

access in a particular instance.'

Objection maintained

Policy/site ref **Policy 30**

Objector Ref **Name** John Anderson

463zk Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Agent Name

Company Kincaig and Vicinity Community Council

Response to 1st modification objections

The north-west side of the area within easy catchment of buses on the B9152 is as well served as one could reasonably expect. Those on the B970 from Kingussie

to Rothiemurchus have to be self-sufficient (the school bus is available but the journey direction and timing is inappropriate for most).

CNPA analysis of objections to 1st modifications

The comment is noted. No modification is however proposed.

Objection maintained

Policy/site ref Policy 30
Objector Ref Name Fred Mackintosh
472d The Highland Council

Agent Name

Company The Highland Council

Summary of objection to Deposit Local Plan

a) Public Transport. Consultation with Highland Council's Passenger Transport Coordination Team is suggested on all matters of public transport.

b) Walking and Cycling. For larger developments a Green Transport Plan may be required as part of any Transport Assessment requested. The enhancement and expansion of existing walking and cycling facilities within the area will generally be welcomed. NB Highland Council will only consider for adoption those facilities that have been designed and constructed to an adoptable standard, and provide a major link between houses, schools, shops, public recreation and entertainment areas or form part of an existing adopted network.

c) Road Network and Facilities. Public parking is limited in many settlements within the Badenoch and Strathspey area. Suitable car and coach parking is essential for visitors and the provision of additional facilities should be encouraged wherever and whenever possible. There is a high car dependency within the area and public transport services are limited, consequently national guidelines in respect of maximum parking standards are not generally applicable.

NB : Highland Council has in place and has applied a policy whereby commuted charges can be levied on a development where adequate car parking cannot be provided within the curtilage of the development. Sums raised in this way are used to enhance the provision of public transport local to the development or increase areas of public parking within reasonably close proximity of the development. It is recommended that a similar policy be included in the Cairngorms National Park Local Plan.

CNPA analysis of objection to Deposit Local Plan

The comments are noted. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken and this will include the issue of transport provision, design standards, etc. Confirm comments on

consultations on

application are noted. Also confirm the parking standards for developments will be assessed in the normal way on application and that any commuted sums policy would be in line with CNPA plan once it is adopted and supercedes the B&S plan.

Proposed 1st Modification

Amend policy to give clear approach for new development in line with SPP17.

Response to 1st modification objections

No further representation made from THC.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Objector Ref Name Nicola Abrams

399SEA(m)

SEPA

Greyhope House

Greyhope Road

Torry, Aberdeen

Agent Name

Company SEPA

Summary of objection to Deposit Local Plan

SEPA accepts the results of the assessment in regard to Policy 30.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications needed at this stage.

Response to 1st modification objections

No further comments regarding the SEA received in the submission on the modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 30

Objector Ref Name Anne MacNamara, Planning Directorate

423b

Scottish Government

Victoria Quay

Agent Name

Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

There should be a requirement to carry out an appraisal in accordance with STAG to find transport solutions to transport problems and potential opportunities for

developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and that, in all other circumstances, STAG

should be used as best practice appraisal. The following wording should be added:

"There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions to transport

problems and potential opportunities for developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and

that, in all other circumstances, STAG should be used as best practice appraisal to find transport solutions to transport problems and potential opportunities."

CNPA analysis of objection to Deposit Local Plan

The comments regarding STAG are noted. The wording of the policy will be revisited to ensure that it complies with the requirements of such guidance. Where

appropriate additional information may be included within the supporting text.

Proposed 1st Modification

Include within the policy reference to STAG and its use as finding the best way of creating a transport solution to a transport problem. Support reference in

supporting text.

Response to 1st modification objections

Objection ref. TS/Obj/2 is retained. The proposed modifications do not accurately capture the circumstances when an appraisal using STAG is appropriate.

Transport Scotland reiterates the request for the inclusion of a statement which accurately reflects STAG, using the text provided below.

"There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions to transport

problems and potential opportunities for developments where Scottish Ministers/Scottish Government/ Transport Scotland consent and/or funding is required and

that, in all other circumstances, STAG could be used as best practice appraisal to find transport solutions to transport problems and potential opportunities."

CNPA analysis of objections to 1st modifications

Add new para 5.94 'There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions

to transport problems and potential opportunities for developments where Scottish Ministers/Transport Scotland consent and/ or funding is required and that, in all

other circumstances, STAG should be used as best practice.'

Objection maintained

Policy/site ref Policy 30

Agent Name

Objector Ref Name Nicola Abrams
3991

SEPA
Greyhope House
Greyhope Road
Torry, Aberdeen

Company SEPA

Summary of objection to Deposit Local Plan

The local plan should set out the need to consider the air quality implications of new development in accordance with SPP17 and Scottish Executive Planning and

Air Quality guidance. Reference should be made in Policy 30 or its supporting text for the need to ensure that transport from new development does not result in

breaches of National Air Quality Standards.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The

wording selected may also have resulted in confusion and will be amended accordingly.

Proposed 1st Modification

Retain reference to government guidance regarding transport.

Response to 1st modification objections

SEPA maintains its objection to the wording of the policy and supporting text. SEPA considers that the Local Plan should set out the need to consider the air quality

implications of new development in accordance with SPP17 and Scottish Executive planning and air quality guidance. SEPA notes that the modifications now include

reference to the need to consider impacts on access from any new development and therefore SEPA considers that similarly the impact of air quality should be

included here.

Suggested modification - SEPA requests that reference is made in policy 30 or the supporting text for the need to ensure that transport from new development does

not result in breaches of National Air Quality Standards.

CNPA analysis of objections to 1st modifications

Para 5.97 will be amended by way of second modifications to include a final sentence 'New development should not result in breaches of National Air Quality

Standards.'

Objection maintained

Policy/site ref Policy 30,31
Objector Ref Name Colonel F.M.K. Tuck
011f Allargue
Corgarff, Strathdon
Aberdeenshire
AB36 8YP

Agent Name

Company

Summary of objection to Deposit Local Plan

Revise the layout to match with the rest of the Plan and its policies. There are other services which make as much of an impact as telecoms and should be included, eg pylons and poles.

CNPA analysis of objection to Deposit Local Plan

The comments regarding the layout are noted. Modifications will endeavour to ensure the plan and its policies are clearly laid out and are easy to understand and implement. The comment regarding other forms of utilities provision is noted. Developments such as those mentioned would be considered under other policies in the Plan including the impact the development would have on the landscape, natural heritage, etc. Additional information will however be added to clarify the need for all developments to take full account of all the policies in the Plan.

Proposed 1st Modification

Separate transport and telecomms to avoid confusion in revised policies 30 and 31. Add reference to transmission etc in policy 16

Response to 1st modification objections

I refer to your letter obj 011 of 22 May on Modifications to Deposit Local Plan.

First may I say how very pleased and honoured I am to receive a personal and comprehensive reply to my comment on the plan. I can not remember ever having had one before, and it is gratifying to feel that one is being listened to !

Second I confirm that I am in agreement with the modifications suggested and do not wish to object further. On the whole I consider that you have dealt with my comments and that the amended plan is satisfactory.

Having said that , may I make one or two further comments ? !

- a. On p 42 Table 14 it is strange that Aberdeenshire would not have at least a target figure for Donside as well as Ballater and Braemar.
- b. Although much improved I still find Policy 23 and 24 overly and unnecessarily restrictive. I can see places in Corgarff (which badly needs regeneration) where two or three new build houses could be built without in any way conflicting with the other aims of the Park. So to restrict to one new house where there are three would prevent this. Similarly I can envisage other worthy candidates for a new house under Policy 24 eg a retired gamekeeper on my estate when his tied dwelling is

required, or for a family member with dependent needs to live on the estate. A wording could be inserted in the new subpara b " or similar worthy persons ".

c. Some of my problems have been resolved in Policies 25 - 29. It would be helpful to refer to these at the end of new para 5.70

d. Finally you have not taken on board my comment on other unsightly communication developments besides Telecoms in Policy 31. There are some awful

electrical, road, and water constructions including the 32000 volt power lines alongside the Lecht road which have not been used for 7 years.

I hope the Board will approve the Plan on 30 May and I wish you well with it.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 31

Agent Name

Objector Ref Name Susan Davies

465t Scottish Natural Heritage

Great Glen House

Leachkin Road

Inverness

Company Scottish Natural Heritage

Summary of objection to Deposit Local Plan

It would be useful to refer to the need for developers to consider concealment, camouflage and disguising techniques (see PAN 62).

Para 5.78 - It would be useful to explain that there are no permitted development rights for telecommunications developments in National Parks except in an emergency.

CNPA analysis of objection to Deposit Local Plan

The comments regarding additional information are noted, and further information will be included within the supporting text to expand on the issues raised.

Proposed 1st Modification

Include in background the reference to concealment, camouflage and disguising techniques as in PAN 62

Response to 1st modification objections

Para 5.100 We welcome additional text re telecommunications, but please note that restrictions on permitted development rights apply to the whole of the National

Park, not just NSAs (see NPPG19, para 58 and its associated footnote 13). We recommend that the text is amended accordingly.

CNPA analysis of objections to 1st modifications

The error is noted and the wording will be amended as a second modification.

Objection maintained

Policy/site ref Policy 31

Agent Name

Objector Ref Name Mrs Jane Angus

437p Darroch Den
Hawthorn Place
Ballater
AB35 5QH

Company

Summary of objection to Deposit Local Plan

How does the policy accommodate future changes in coverage. There is also a need for better security for wireless broadband

CNPA analysis of objection to Deposit Local Plan

The policy has been written to allow new telecommunications developments to occur in the most appropriate locations, designed to minimise the impact on the landscape. The wording should not therefore preclude changes in technological requirements. While the comments regarding broadband security are noted, this is not a matter for consideration under a land use planning document. No modification considered necessary as a result of this representation. Confirm the issue of future technology cannot be addressed by the planning process.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref Policy 31

Agent Name Steve Crawford

Objector Ref Name Rona Main

425r Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 1DB

Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Scottish Enterprise Grampian

Summary of objection to Deposit Local Plan

In demonstrating an established need the business need should be seen as valid.

CNPA analysis of objection to Deposit Local Plan

The policy has been worded to ensure that new developments occur in the most appropriate locations, and are designed to minimise the visual and landscape impact. Any business case outside that normally considered in line with national guidance should not be seen to override this requirement. No modification considered necessary as a result of this representation. Confirm all aspects of the policy should be complied with and one does not take

precedence over another.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The policy requires demonstration of a business need as well as a number of other criteria listed in the policy. No other demonstration of need is required. No

further modifications are therefore required.

Objection maintained

Policy/site ref Policy 31

Objector Ref Name Dr Alister Scott

477i

University of Aberdeen

Department of Geography and Environment

Elphinstone Road

Aberdeen

Agent Name

Company

Summary of objection to Deposit Local Plan

There should be a reference to the need for developers to consider outstanding and significant designs that could be used as exemplars for rural development. Rural

development need not be concealment, camouflage and disguising since good design can make a key contribution to the future rural landscapes and contribute to

the exemplar role the park wants.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that

it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the

policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Proposed 1st Modification

Include reference to exemplar design in supporting text.

Response to 1st modification objections

Hello and apologies for not replying sooner. I have resigned from my job in order to take up a new position in New Zealand and the issues with this have rather

been at the forefront of my mind. My principal concerns lay with the landscape section of the plan and i am glad to see that the revisions strengthen

this

considerably. Specific reference could be made and indeed should be made to the European landscape Convention as justification.

I therefore have no outstanding objections. I do still have some comments and at this stage wonder if they have to be formed in the form of an objection. Perhaps a short written response would be OK

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 31

Agent Name

Objector Ref Name Dr A Watson

0201

Clachnaben

Crathes, Banchory

Kincardineshire

AB31 5JE

Company

Summary of objection to Deposit Local Plan

Use 'impact on affected wildlife species, habitats or archaeological features' instead of 'ecology' and 'archaeology'.

CNPA analysis of objection to Deposit Local Plan

The comments regarding use of terminology are noted and the appropriate amendments will be made.

Proposed 1st Modification

Amend wording in policy 31 to include natural and cultural

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The reference has been changed. No further modification therefore proposed.

Objection maintained

Policy/site ref Policy 32

Agent Name

Objector Ref Name Robert Maund

434k

Scottish Council for National Parks

The Barony

2 Glebe Road

Kilbirnie, Ayrshire

Company Scottish Council for National Parks

Summary of objection to Deposit Local Plan

The policy should ensure that the Park Authority takes a positive lead in bringing the waste authorities together and set out clearly what is required to meet the Park’s needs.

CNPA analysis of objection to Deposit Local Plan

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to reached across the Park. The wording of the policy will be reviewed to ensure this is achieved through the local plan where possible.

Proposed 1st Modification

Clarify area waste strategies and national waste plan.

Response to 1st modification objections

Objection maintained as in 434a.

CNPA analysis of objections to 1st modifications

The policy has been largely amended to reflect the importance of waste management. The CNPA will also continue to work closely with the waste authorities to ensure a consistent approach across the park. No further modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 32

Agent Name

Objector Ref Name Anne MacNamara, Planning Directorate
422w Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Summary of objection to Deposit Local Plan

In para 1 of the policy insert “business to manage their waste and” after ‘assist’, to better reflect national policy. Amend references to SPP and PAN in para 5.81.

In para 5.83 delete “the responsibility for which lies with the relevant waste authority”. Also edit the 1st sentence of para 5.84 to delete “of the relevant waste authorities” and “to assist where possible in the delivery of their strategies” and the replacement of “these authorities” with “local authorities”.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Proposed 1st Modification

amend para 1 to reflect sequential approach. Clarify role of waste plan and strategies.

Response to 1st modification objections

No additional comments included.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 32	Agent Name
Objector Ref	Name Nicola Abrams	
399o	SEPA	
	Greyhope House	
	Greyhope Road	
	Torry, Aberdeen	Company SEPA

Summary of objection to Deposit Local Plan

In relation to landfill developments, while the National Waste Strategy seeks to promote a move away from landfill, there will always be instances where residual

landfill may be required for example; for the use of inert material to restore land. The local plan does not provide clear guidance on how suitable locations for landfill

may be found. The policy should be amended to say "There will be a presumption against the development of new landfill sites within the CNP unless the

development meets the following criteria- (some example criteria)

- the objectives of the National Waste Strategy and National Waste Plan
- appropriate environmental criteria including restoration of the site
- the option of site selection which helps secure reinstatement of derelict or despoiled land has been fully considered.
- The capacity and location of the site complies with the principles of self sufficiency and the proximity principle, located as close as practicable to

the source of the

generation of the waste and minimising, where possible, the transportation of waste by road.

- any facilities required to recycle/treat waste on site are included within the development proposal."

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Proposed 1st Modification

Add additional detail in line with representation.

Response to 1st modification objections

Accept - withdraw objection conditional upon modification being made. See additional comments regarding landfill for residual waste only.

CNPA analysis of objections to 1st modifications

No further action required.No further action required.

Objection withdrawn

Policy/site ref Policy 32

Agent Name

Objector Ref Name Nicola Abrams

399SEA(n)

SEPA

Greyhope House

Greyhope Road

Torry, Aberdeen

Company SEPA

Summary of objection to Deposit Local Plan

SEPA accepts the results of the assessment in regard to Policy 32.

CNPA analysis of objection to Deposit Local Plan

No modification considered necessary as a result of this representation.

Proposed 1st Modification

No modifications needed at this stage.

Response to 1st modification objections

No further comments regarding the SEA received in the submission on the modifications.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 32

Agent Name

Objector Ref Name Nicola Abrams

399n

SEPA

Greyhope House

Greyhope Road

Torry, Aberdeen

Company SEPA

Summary of objection to Deposit Local Plan

The wording of the policy seems to promote local composting and energy from waste schemes over other types of waste management facilities. EG it is not clear

why other waste management facilities such as local recycling centres should not be equally promoted. The wording of the policy should be amended to clearly refer to recycling centres.

In addition, SEPA welcomes the upfront commitment to energy from waste in the policy but recommends that the policy could be further improved to reflect SEPA's thermal treatment guidelines, and SPP10 both of which promote the production of both heat and power, for example by adding at the end of the first paragraph at the end "For example the use of the energy generated to provide district heating and to serve other users."

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. It will also be amended to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Proposed 1st Modification

include in policy "including local recycling centres".

Response to 1st modification objections

Accept - withdraw objection conditional upon modification being made. See additional comments regarding landfill for residual waste only.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 32

Objector Ref Name Jamie Williamson

439x Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Agent Name

Company Alvie and Dalraddy Estate

Summary of objection to Deposit Local Plan

The approach should not presume to export the waste problem from the Park and make no provision for it within its boundaries. There will still be a need for landfill into the future, and such material should be disposed of minimising transport costs. There should be a presumption in favour of recycling and composting locally. It is normally easier and more cost effective to sort waste or bi-products at source, however there is a problem in persuading people to sort their waste.

Producing energy from waste should be supported regardless of whether there is a dear benefit to the local community.

Amended wording –

In para 2 delete 'There will be a presumption against the development of'

In para 2 add 'and' before 'proposals'

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure

the underlying aim of the policy is achieved. The proposed wording will be considered along with this review. Confirm the policy allows for extensions to existing

sites and that the responsibility for waste continues to fall to each LA and they must make proper provision within their waste strategies. The move towards

recycling targets for waste authorities will drive this forward.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No reference to this policy in response to modifications. Therefore assume objection is resolved.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref	Policy 32	Agent Name
Objector Ref	Name James and Evelyn Sunley	
056p	12 Lochnagar Way	
	Ballater	
	AB35 5PB	

Company

Summary of objection to Deposit Local Plan

Waste management should be consistent across the 4 local authorities.

CNPA analysis of objection to Deposit Local Plan

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to be reached across the Park. The wording of the policy will

be reviewed to ensure this is achieved through the local plan where possible.

Proposed 1st Modification

Add para to clarify role of waste plan and strategies.

Response to 1st modification objections

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of objections to 1st modifications

It is entirely appropriate that a local plan should have a policy relating to waste management and this has been drawn up with assistance from SEPA.

No further amendment is therefore proposed.

Objection maintained

Policy/site ref Policy 32
Objector Ref Name Nicola Abrams
399m SEPA
Greyhope House
Greyhope Road
Torry, Aberdeen

Agent Name

Company SEPA

Summary of objection to Deposit Local Plan

The policy does not set the policy context for non municipal waste proposals nor does it require waste management proposals to comply with the principles of the National Waste Strategy. While welcoming the reference to the Area Waste Plans, at present they only deal with landfill diversion targets for municipal waste.

It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote the principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPP10 (para 1) which states that planning authorities assist in helping to further the National Waste Plan objectives in relation to sustainable waste management. A clear reference should be made in the policy or supporting text that the Area Waste Plan only deals with municipal waste, and that waste management facilities can extend beyond the requirements of the Area Waste Plans whereby direction is required for a//waste management proposals. It should be clearly stated that all new waste management developments require to comply with the objectives of the National Waste Strategy and National Waste Plan.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Proposed 1st Modification

Add para to clarify role of waste plan and strategies.
Include reference regarding waste management facilities in addition to area waste plans.

Response to 1st modification objections

SEPA welcomes the inclusion of a policy in the local plan to address waste management issues. SEPA considers that modifications address some of SEPA's concerns.

However SEPA considers that the policy wording is now confusing and recommends that it is improved for greater clarity.

Reason for objection - The policy as it stands does not set the context for non municipal waste which accounts for the majority (approximately 75%) of waste arising

in Scotland. It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote the

principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPP10 (para 1) which states that planning

authorities assist in helping to further the National Waste Plan objectives in relation to sustainable waste management. SEPA does however note that reference is

made in the supporting text (para 5.1.03) to the need for new development to comply with the National Waste Strategy and National Waste Plan.

Additional Comments - SEPA welcomes the upfront commitment to energy from waste in the Policy but SEPA recommends that the policy could be further improved

to reflect SEPA's thermal treatment guidelines and SPP10 both of which promote the production of both heat and power.

Suggested modification - SEPA recommends that Policy 32 is reworded for clarity, for example the first paragraph:-

Waste Management facilities will be considered favourable where they demonstrate compliance with the National Waste Strategy, National Waste Plan and Area

Waste Plans, are appropriately designed, and sited, assist business to manage their waste, and assist local authorities to meet or surpass their targets in relation to

recycling and composting, and waste diverted from landfill. This will include municipal solid waste particularly where they involve the production of compost and/or

energy from waste, where the energy generated can be used to provide district heating in the local area or where there is a direct community benefit such as local

recycling centres.

Additional comments - SEPA considers that for clarity the policy itself should make reference to the need to comply with the objectives of the National Waste

Strategy and National Waste Plan in order to make clear that landfill should be for residual waste only.

CNPA analysis of objections to 1st modifications

An additional sentence will be added at the end of the 1st para 'Developments will also demonstrate their compliance with the National Waste Strategy, National

Waste Plan and Area Waste Plans.' This will be included as a second modification. The reference to compliance to the objectives of the national waste strategy and

plan has already been included in para 5.103.

Objection maintained

Policy/site ref

Policy 32

Agent Name

Objector Ref 463v
Name John Anderson
Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Company Kincaig and Vicinity Community Council

Summary of objection to Deposit Local Plan

Generally support Alvie estate view on this policy. State that if existing landfill sites cannot be extended, it is unreasonable to expect others to find space for our rubbish. State there should be a presumption against transporting waste long distance to landfill sites outside the park, which would add to the carbon footprint of waste management.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review. Confirm the policy allows for extensions to existing sites and that the responsibility for waste continues to fall to each LA and they must make proper provision within their waste strategies.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Generally satisfactory in collection terms but waste has to be hauled a long way to landfill. Recycling is developing but is still generally unable to cope with plastic or cardboard.

CNPA analysis of objections to 1st modifications

The issue of waste is a developing one and the policy encourages advances in technology. No modifications are proposed.

Objection maintained

Policy/site ref Policy 32

Agent Name

Objector Ref 400g(i)
Name Dr A M Jones
Badenoch and Strathspey Conservation Group
Fiodhag
Nethybridge
PH25 3DJ

Company Badenoch and Strathspey Conservation Group

Summary of objection to Deposit Local Plan

Statements regarding energy from waste plants are not justified and could discourage waste minimisation.

Also there is insufficient detail regarding any potential EfW plant

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between

development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that

it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the

policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. Confirm that we are working closely with SEPA on

issues of waste and the inclusion of energy from waste is in line with their requirements.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

Object to lack of reference to waste as a valuable resource.

Object. Insert in final sentence of first para 're-use and' between 'local' and 'recycling'; and in d) insert 're-use' between 'site' and 'recycling'.

Object to unqualified favourable approach to energy from waste plants. EfW has the potential to impact negatively on reduction/re-use/recycling initiatives, targets

etc, and this should be safeguarded against in the mDLP.

In the final para explicit support for community initiatives contributing to Area Waste Plans would be desirable

CNPA analysis of objections to 1st modifications

The issue of waste is considered under the final sentence of the 1st para of the policy. The issue of reuse is considered to be included within the term recycle and

the term for such centres in 'recycling centres' rather than the suggested wording. The reference to waste plants is also in line with area waste strategies. No

modifications are therefore proposed.

Objection maintained

Policy/site ref Policy 32

Agent Name

Objector Ref Name Mrs Jane Angus

437q Darroch Den
Hawthorn Place
Ballater
AB35 5QH

Company

Summary of objection to Deposit Local Plan

The plan should consider a fuller collection/local storage/high plasma furnace disposal. c.f.Hampshire.

CNPA analysis of objection to Deposit Local Plan

The comment is noted and the suggestion will be considered when working with our local authority partners in the future. No modification considered necessary as a result of this representation. Confirm the CNPA will continue to work with LAs and SEPA on bringing forward innovative solutions to the situation as found in the Park.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

response received - need to confirm actual position regarding formality of objection

CNPA analysis of objections to 1st modifications

response received - need to confirm actual position regarding formality of objection

Policy/site ref Policy 32
Objector Ref Name John Forbes-Leith Esq
418q Dunachton Estate

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company Dunachton Estate

Summary of objection to Deposit Local Plan

It is unreasonable to expect other local authority areas to find space for waste from the Park Area and to drive waste to such sites if existing areas cannot be extended. The policy should be amended to state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. Confirm the policy allows for extensions to existing sites and that the responsibility for waste continues to fall to each LA and they must make proper provision within their waste strategies.

Proposed 1st Modification

No modification proposed.

Response to 1st modification objections

No further representation received regarding this issue.

CNPA analysis of objections to 1st modifications

No further action required.

Objection withdrawn

Policy/site ref Policy 32
Objector Ref Name The Crown Estate
419q

Agent Name Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY
Company The Crown Estate

Summary of objection to Deposit Local Plan

It is unreasonable to expect other local authority areas to find space for waste from the Park Area and to drive waste to such sites if existing areas cannot be extended. The policy should be amended to state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

CNPA analysis of objection to Deposit Local Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Proposed 1st Modification

Add para to clarify role of waste plan and strategies.

Response to 1st modification objections

Objection maintained.

CNPA analysis of objections to 1st modifications

The 2nd para of the policy has been redrafted to clarify the position regarding landfill sites. No further modifications are therefore proposed.

Objection maintained