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| Date: | | | |
| Issue: | Settlements – Ballater HI | | |
| Objector(s): | Phillip John Swan | Objection ref(s): | 462d |
| | James and Evelyn Sunley | | 056j, 056l, 056u |
| | Mr. J A Lovie | | 488 |
| | Harry Wright | | 401 |
| | Mrs. Aileen M Barbour | | 356 |
| | Mr. George Inglis | | 053 |
| | Ballater (RD) Ltd. | | 076a |
| | Mr. And Mrs. Houston | | 096a |

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| Reporter | Mr Hugh Begg |
| Procedure | Hearing |

1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified in respect of Settlements – Ballater HI and supplements the response made to those objections by the Cairngorms National Park Authority in its report to Committee (CD7.3-7.5). No changes are proposed.

2.0 Provision of the Local Plan:

- 2.1 The Deposit Local Plan as modified makes a variety of provision for Ballater within the Strategic Settlements section. The Proposals Map and accompanying text provide HI to the north east of Monaltrie Park as an opportunity for housing and mixed use land for the longer term to ensure a planned approach to development. The site has capacity for around 250 units with 90 being envisaged in the life of this Plan. The site has been subject to an Enquiry by Design workshop run by the Prince’s Foundation for the Built Environment involving the local community and other stakeholders. This process indicated a layout incorporating a variety of densities and designs and pockets of mixed uses to support the growth of sustainable communities, an approach supported in this Plan. The plan states the expectations of development in terms of its relationship with Monaltrie Park, links with the surrounding area and respect for the planned character of Ballater. The CNPA will work with the community, developers, and the Prince’s Foundation to produce a masterplan. Part of the site lies within SEPA’s indicative flood risk area and a detailed flood risk assessment will be required for proposals for the site.
- 2.2 Any proposal will be considered against the Local Plan as a whole, but the following policies in the mDLP are of specific relevance:
- Policy 1 – Development in the Cairngorms National Park
 - Policy 2 – Natura 2000 Sites
 - Policy 5 – Protected Species
 - Policy 6 – Biodiversity
 - Policy 7 –Landscape
 - Policy 12 – The Local and Wider Cultural Heritage of the Park
 - Policy 13 – Water Resources
 - Policy 14 – Mineral and Soil/Earth Resources
 - Policy 17 – Improvements to Settlements
 - Policy 18 – Design Standards for Development
 - Policy 20 – Developer Contributions

- Policy 21 – Contributions to Affordable Housing
- Policy 22 – Housing Development within Settlement Boundaries
- Policy 27 – Business Development
- Policy 28 – Retail Development
- Policy 31 – Integrated and Sustainable Transport Network
- Policy 32 – Waste Management
- Policy 34 – Outdoor Access
- Policy 35 – Sport and Recreation Facilities
- Policy 36 – Other Open Space Provision

3.0 Summary of objection(s)

3.1 10 objections raising some 4 issues have been lodged on Settlements – Ballater HI:

- The density is too high; the houses would be modest “affordable” homes for people for whom there would be limited employment opportunities. This would lead to serious unemployment with attendant social problems. New housing proposals on this scale are contrary to aims of the National Park, specifically the visual impact would damage the value of tourism to Ballater. Curtail the area for housing to the 4.3ha field on north east side of Monaltrie Park which should be sufficient for up to 100 affordable houses or alternatively reduce target of 250 to max 50 and seek to satisfy this by intelligent infill development and upgrading/conversion of existing properties. Objections maintained at 1st and 2nd mDLP. **(462d)**
- NEST indicates 150 houses within Mar for 2001-2016 which more reflects the needs of the area than the DLP. 250 homes overdevelopment and unacceptable, the plan shows no recognition of the 60 or more built in Ballater since 2002. **(0561)**
- Area has a number of constraints and should not be developed for housing: in the flood plain, there are brownfield sites that can be used, too many holiday homes, it would spoil the character of Ballater, there is little community space already, inadequate infrastructure, Ballater too remote for large scale development. **(488)**
- The plan has not been thought through with sufficient sympathy to maintain village feel of Ballater. 250 houses with influx of 1000 people is unacceptable to residents at Invercauld Park. Need housing, but not in the numbers stated. More to point to identify opportunity for reemployment in the area prior to house building. Surely an opportunity for small business pavilions aimed at IT industry, this is a market that could be attracted to the area, the Old School would be suitable for this. (petition with 27 signatures from Pannanich Road/Lochnagar Way. **(401)**
- Agree with need for good design, support endeavours of Prince’s Foundation and hope CNPA will recognise this in the Local Plan. In response to 2nd mDLP change from 10.99ha to 16.12ha is due to inclusion of areas that did not form part of development land in Aberdeenshire Local Plan. **(056j)**
- HI should not include land to west of the cinder path across the access to Monaltrie House. Access to housing should not be along Monaltrie Road as it is not adequate for level of traffic. **(356)**

- Object to area of HI west of Cinder Track across the access road to Monaltrie House and to any access via Monaltrie Avenue. Reduce size of site to exclude this area. **(053)**
- In respect of the proposals map, the area HI is planned to have capacity of 250 units, yet this area is less than Monlatries and Invercauld developments which between them have only 85 units. Area HI as designated in the Aberdeenshire Local Plan extends further east than shown in the Park Plan. The Prince's Foundation proposals received much acclaim by the people of Ballater and should be recognised on the map. **(056u)**
- The density is too high when account is taken of parking required for the Games and this is not appropriate for a small rural settlement. Previous local plan identified housing for local needs and in particular affordable housing for rent. These should be retained, no evidence of need for 190 houses for local need over next 10 years as proposed. Land for large housing development should not be designated unless a prior environmental assessment indicates it will not be detrimental to the community. Further such developments likely to have a damaging effect on environment, character, and small village charm that are main attractions to tourists. Over last 7 years more than 130 executive type houses have been built causing significant increase in population. Essential that amenity areas are now developed and HI is the only location. BRD has proposed community woodland for this site and many consultations over the last 5 years indicate that the majority of respondents favoured this. HI is on the flood plain and in SEPAS 1 in 200 year flood maps. Previous development on this plain has reduced its ability to hold flood waters thus increasing the risk. NPPG7 makes it clear that authorities should not encourage development on flood plains. Site should not be designated for housing unless it can be demonstrated that the risk of flooding is at an acceptable level. In response to 2nd mDLP object to late inclusion of 2 sources of information and request further time to consider them, CNPA to use creative energy to access affordable housing for local people, object to change in wording in Policy 21, question assessment of type of housing in 3Dragons Report 2008 as enquiries of Aberdeenshire Council indicate different needs. **(076a)**
- No problem with selected NPP outcomes 2012 and action programme other than those for making housing more affordable and sustainable. No statistical evidence that a "need" exists for new house building in Ballater other than to satisfy 2nd home owners and pressure from builders federations and lobbyists, not to mention cash strapped landowners. Further object to so called specialists who know nothing about how local communities function who allocate any vacant area for housing. Properties not bought as 2nd homes will presumably be bought by local young people. Where are new jobs coming from – only forestry, agriculture, tourism locally? This is ill conceived policy requiring a rethink, identify the real need. In response to 1st mDLP main objection is that it is a theoretical model of housing need without recognition of what happening in Ballater. Restates points made previously regarding where is local housing need and where are jobs coming from? In response to 2nd mDLP objects to methodology of implementation of consultation process and request further consultation on 2nd modifications. Refers to late addition in 5.28 p40 of 2 important sources of information with little time for them to be examined. Makes specific references to Ballater HI allocation and states that development solely for affordable housing would be acceptable on infill and brownfield sites if accompanied by removal of the allocation. Objects to reference in CD7.9 Communities Scotland report to 75% 2/3 bed units benchmark when need is for smaller units in Ballater. Despite elaborate and theoretical statistics you have still not demonstrated that there is a need. Maintain previous objections. **(096a)**

4.0 Summary of Cairngorms National Park Authority Response

4.1 The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. No further modifications are proposed.

5.0 CNPA Commendation to Reporter

5.1 It is commended to the Reporter that the objections to Settlements – Ballater HI as listed above are rejected.

6.0 Strategic issues

6.1 None other than as identified in the Topic Paper on “Statutory National Park Context and Approach to Housing Land Supply” (CPX)

7.0 Other material considerations

7.1 The Topic Paper on “Statutory National Park Context and Approach to Housing Land Supply” (CPX)
Summary Report of the Ballater Enquiry by Design November 2006 (CPX)
SPP7 Planning and Flooding

8.0 Assessment / Scope of Evidence

- 8.1 **(462d)** Objection: Objects, the density is too high; the houses would be modest “affordable” homes for people for whom there would be limited employment opportunities. This would lead to serious unemployment with attendant social problems. New housing proposals on this scale are contrary to aims of the National Park, specifically the visual impact would damage the value of tourism to Ballater. Curtail the area for housing to the 4.3ha field on north east side of Monaltrie Park which should be sufficient for up to 100 affordable houses or alternatively reduce target of 250 to max 50 and seek to satisfy this by intelligent infill development and upgrading/conversion of existing properties. Objections maintained at 1st and 2nd mDLP.
- 8.2 **Response:** The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. It is considered that the principle accords with the aims of the Park and the masterplan approach to detailed implementation will maintain the character of the village for tourists and offer scope to provide services for them. Reference is made in the objection to use of infill sites in lieu of the allocation. The mDLP does not preclude the use of such sites so long as they comply with relevant policies in the plan, but as there is no certainty as to their availability or capacity they are not effective and must be considered as windfall over and above allocated provision within the plan. No further modifications are proposed.

- 8.3 **(0561)** Objection: Objects, NEST indicates 150 houses within Mar for 2001-2016 which more reflects the needs of the area than the DLP. 250 homes overdevelopment and unacceptable, the plan shows no recognition of the 60 or more built in Ballater since 2002.
- 8.4 **Response:** The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The objection makes reference to NEST (CD6.1); it is considered that the Deposit Local Plan is in general conformity with NEST, but it should be noted that NEST is in the process of being replaced by the Finalised Aberdeen City and Shire Structure Plan which does not include the National Park part of Aberdeenshire. This Plan has been submitted to Scottish Ministers on 27 February 2009 and when approved will provide the context for the Aberdeen City and Aberdeenshire Local Development Plans. There will be a separate Cairngorms National Park Local Development Plan. With regard to the specific allocation, the Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. This Local Plan has to make provision for the future housing needs of the Park and the houses built under a previous local plan do not contribute to meeting that need. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. No further modifications are proposed.
- 8.5 **(488)** Objection: Objects, the area has a number of constraints and should not be developed for housing: in the flood plain, there are brownfield sites that can be used, too many holiday homes, it would spoil the character of Ballater, there is little community space already, inadequate infrastructure, Ballater too remote for large scale development.

- 8.6 **Response:** The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village and maintaining the character of Ballater. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. Development will have to be subject to a flood risk assessment that will satisfy SEPA. SEPA currently have an outstanding objection which they want considered via the written procedure, but they are currently in discussion with Scotia Homes who have prepared a flood risk assessment and SEPA’s definitive response is awaited at the time of writing. Reference is made to use of brownfield sites in lieu of the allocation. The mDLP does not preclude the use of such sites so long as they comply with relevant policies in the plan, but as there is no certainty as to their availability or capacity they are not effective and must be considered as windfall over and above allocated provision within the plan. No further modifications are proposed.
- 8.7 **(401) Objection:** Objects, the plan has not been thought through with sufficient sympathy to maintain village feel of Ballater. 250 houses with influx of 1000 people is unacceptable to residents at Invercauld Park. Need housing, but not in the numbers stated. More to point to identify opportunity for employment in the area prior to house building. Surely an opportunity for small business pavilions aimed at IT industry, this is a market that could be attracted to the area, the Old School would be suitable for this. (petition with 27 signatures from Pannanich Road/Lochnagar Way.
- 8.8 **Response:** The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to

contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The character of the village can be maintained and enhanced. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. Additional land is allocated in Ballater that can also provide for employment uses and the policies in the plan are in principle supportive of business opportunities that may come forward in any area of the Park. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. No further modifications are proposed.

- 8.9 **(056j)** Objection: Objects, agree with need for good design, support endeavours of Prince’s Foundation and hope CNPA will recognise this in the Local Plan. In response to 2nd mDLP change from 10.99ha to 16.12ha is due to inclusion of areas that did not form part of development land in Aberdeenshire Local Plan.
- 8.10 **Response:** The mDLP clearly states that it is intended to work with the Prince’s Foundation and others to ensure the high quality of development in terms of design and all other considerations. The increase in area allows for the provision of Parking for the Games adjoining Monaltrie Park and also enhances the capacity for mixed uses. No further modifications are proposed.
- 8.11 **(356)** Objection: Objects, HI should not include land to west of the cinder path across the access to Monaltrie House. Access to housing should not be along Monaltrie Road as it is not adequate for level of traffic.

- 8.12 **Response:** These points are noted, they are matters of detail and the masterplan can address the issues taking account of the setting of Monaltrie House, the landscape context, wildlife networks and traffic requirements. No further modifications are proposed.
- 8.13 **(053) Objection:** Objects to area of HI west of Cinder Track across the access road to Monaltrie House and to any access via Monaltrie Avenue. Reduce size of site to exclude this area.
- 8.14 **Response:** These points are noted, they are matters of detail and the masterplan can address the issues taking account of the setting of Monaltrie House, the landscape context, wildlife networks and traffic requirements. No further modifications are proposed
- 8.15 **(056u) Objection:** Objects, in respect of the proposals map, the area HI is planned to have capacity of 250 units, yet this area is less than Monlatries and Invercauld developments which between them have only 85 units. Area HI as designated in the Aberdeenshire Local Plan extends further east than shown in the Park Plan. The Prince's Foundation proposals received much acclaim by the people of Ballater and should be recognised on the map.
- 8.16 The indicative number of 250 takes account of the assessment of the historic character of Ballater in the Prince's Foundation work rather than recent housing developments. It also has regard to affordability and ensuring efficient use of land. The areas referred to are low density developments of substantially detached housing that does not reflect the historic character of much of Ballater. The text of the mDLP recognises the Prince's Foundation work; it would not be proper to reflect it on the proposals map – particularly as it was indicative and work in progress which it is understood TPF wish to take forward later in 2009. No further modifications are proposed.
- 8.17 **(076a) Objection:** Objects, the density is too high when account is taken of parking required for the Games and this is not appropriate for a small rural settlement. Previous local plan identified housing for local needs and in particular affordable housing for rent. These should be retained, no evidence of need for 190 houses for local need over next 10 years as proposed. Land for large housing development should not be designated unless a prior environmental assessment indicates it will not be detrimental to the community. Further such developments likely to have a damaging effect on environment, character, and small village charm that are main attractions to tourists. Over last 7 years more than 130 executive type houses have been built causing significant increase in population. Essential that amenity areas are now developed and HI is the only location. BRD has proposed community woodland for this site and many consultations over the last 5 years indicate that the majority of respondents favoured this. HI is on the flood plain and in SEPAS 1 in 200 year flood maps. Previous development on this plain has reduced its ability to hold flood waters thus increasing the risk. NPPG7 makes it clear that authorities should not encourage development on flood plains. Site should not be designated for housing unless it can be demonstrated that the risk of flooding is at an acceptable level. In response to 2nd mDLP object to late inclusion of 2 sources of information and request further time to consider them, CNPA to use creative energy to access affordable housing for local people, object to change in wording in Policy 21, question assessment of type of housing in 3Dragons Report 2008 as enquiries of Aberdeenshire Council indicate different needs.
- 8.18 **Response:** The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic

Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. The masterplan approach can facilitate provision such as community woodland within an area outwith the allocation, but integrated with the landscape structure within it. In terms of density, the mDLP accounts for parking for the Games and it is intended, in line with the Prince’s Foundation work, to reflect the scale of the longer established housing in Ballater rather than the “executive” style of recent years. This will also facilitate more affordable housing and efficient use of land. The flood issue is acknowledged and any development would have to be subject to a Flood Risk Assessment that would satisfy SEPA. SEPA currently have an outstanding objection which they want considered via the written procedure, but they are currently in discussion with Scotia Homes who have prepared a flood risk assessment and SEPA’s definitive response is awaited at the time of writing. Reference should be made to Policy 21 for objections to that policy. Housing needs change over time and the new approach in SPP3 (2008) (CD2.4) is intended to enhance the ability of planning to help with delivery. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan, which will be informed by the new SPP3 approach, will allow the situation to be kept under ongoing review. No further modifications are proposed.

- 8.19 **(096a)** Objection: Objects, No problem with selected NPP outcomes 2012 and action programme other than those for making housing more affordable and sustainable. No statistical evidence that a “need” exists for new house building in Ballater other than to satisfy 2nd home owners and pressure from builders federations and lobbyists, not to mention cash strapped landowners. Further object to so called specialists who know nothing about how local communities function who allocate any vacant area for housing. Properties not bought as 2nd homes will presumably be bought by local young people. Where are new jobs coming from – only forestry, agriculture, tourism locally? This is ill conceived policy requiring a rethink, identify the real need. In response to 1st mDLP main objection is that it is a theoretical model of

housing need without recognition of what happening in Ballater. Restates points made previously regarding where is local housing need and where are jobs coming from? In response to 2nd mDLP objects to methodology of implementation of consultation process and request further consultation on 2nd modifications. Refers to late addition in 5.28 p40 of 2 important sources of information with little time for them to be examined. Makes specific references to Ballater HI allocation and states that development solely for affordable housing would be acceptable on infill and brownfield sites if accompanied by removal of the allocation. Objects to reference in CD7.9 Communities Scotland report to 75% 2/3 bed units benchmark when need is for smaller units in Ballater. Despite elaborate and theoretical statistics you have still not demonstrated that there is a need. Maintain previous objections.

8.20 Response: The CNPA has identified Ballater as a strategic settlement. It is the largest village in the eastern side of the National Park and as such is the proper location for allocations to contribute to the future housing needs of the area. Land is also allocated in Braemar. Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explains the background to the provision of housing land within the Park and the basis for the allocations. There is specific reference to the University of Manchester and GROS Population/Household Projections (CD7.10, CD8.12), Cairngorms Housing System Analysis 2006 (CD7.8) and Planning for Affordable Housing in Cairngorms National Park 2008 (CD7.9) which provides the statistical basis for the approach to housing land supply. The most recent analysis indicates a need in Upper Deeside for 29 affordable houses a year. Between Ballater and Braemar the plan provides for 130 housing units total in the plan period to meet the needs of the growing number of households, to contribute to the affordable housing requirement and ensure a long term demographically balanced community in Ballater. It is noted that Scottish Enterprise Grampian, although their objection has since been withdrawn, were concerned that the allocations are not sufficient and are of the view that employment follows housing provision. Following the Aberdeenshire Local Plan Inquiry, the adopted Aberdeenshire Local Plan 2006 (CD6.5) makes provision for a future undefined area of housing land in Ballater in the general location of HI in the DLP. The Cairngorms Landscape Capacity for Housing Study 2005 (CD7.19) considered Ballater and identified HI as having potential for development with buildings concentrated towards the south and woodland to the north. The Prince’s Foundation held a 3 day Enquiry by Design workshop in November 2006 which was attended by representatives of the Community Council, Ballater and Royal Deeside, CNPA, Aberdeenshire Council and others. This was the first stage in an ongoing process and it is understood that TPF wish to return later in 2009 to take the work forward. The Summary Report of the Ballater Enquiry by Design November 2006 (CD8.8) explains the process in full and the Deposit Local Plan reflects what was coming out of the work. The proposals in the mDLP are considered to be consistent with these two pieces of work and allow for the proper planning of Ballater’s long term growth via a masterplanning process rather than the more ad hoc approach of the past. This will allow continuity, early establishment of long term landscaping requirements, and a planned approach to integrating future development with the historic core of the village. The area allocated is intended to provide for a range of needs for the community, including housing, business and recreation. This will facilitate the achievement of high quality and consistent design, the full range of sustainability measures and provision for biodiversity throughout the development. Reference is made in the objection to use of infill sites in lieu of the allocation. The mDLP does not preclude the use of such sites so long as they comply with relevant policies in the plan, but as there is no certainty as to their availability or capacity they are not effective and must be considered as windfall over and above allocated provision within the plan. In response to issues raised elsewhere officers are suggested that reference to 75% 2 and 3 bedroom units be removed from para 5.58 of the mDLP. In terms of working with communities, the CNPA is currently involved in and along with others is supporting the Ballater One Voice Our Future Group which is in the course of

preparing an action plan that will reflect a wide range of needs for the community, including housing. This is an ongoing project and the outcomes will inform the implementation of this plan and the preparation of the new Local Development Plan. The period covered by this plan allows for 90 units and monitoring of its implementation plus preparation of the new Local Development Plan will allow the situation to be kept under ongoing review. No further modifications are proposed.

9.0 Conclusions

9.1 It is commended to the Reporter that the objections to Settlements – Ballater HI as listed above are rejected.

10.0 List of documents (including Core Documents)

- CD1.3 The National Parks (Scotland) Act 2000
- CD1.18 Cairngorms National Park Designation Order 2003
- CD7.21 Topic Paper 1 “Statutory National Park Context”
- CD7.23 Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing”
- CD7.24 Topic Paper 4 “Site Selection”
- CD6.13 Cairngorms National Park Deposit Local Plan as at 2nd modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD7.3-7.5 CNPA Committee Reports
- CD7.19 Cairngorms Landscape Capacity for Housing Study 2005
- CD8.8 The Princes Foundation for the Built Environment – Ballater Summary Report Enquiry by Design 2006
- CD6.5 Aberdeenshire Local Plan
- CD6.1 North East Scotland Together 2002
- CD7.10 Population and Household Projections University of Manchester 2005
- CD8.12 GROS Population and Household Projections for National Parks
- CD7.8 Cairngorms Housing System Analysis 2006
- CD7.9 Planning for Affordable Housing in Cairngorms National Park (Communities Scotland) 2008
- CD2.7 SPP7 Planning and Flooding
- CD2.4 SPP3 Planning for Housing (2008)

11.0 Cairngorms National Park Authority Witnesses for Hearing

- Don McKee – Head of Planning