

CNPA Natural Heritage Group state that the land between Heather cottage and the existing access track should not be developed. The area to the south of the access track should be retained as amenity woodland as it has been in the previous local plan.

The land around Dalfaber farmhouse has been flooded within a 1 in 200 year timescale proving that the SEPA 1 in 200 year flood map is accurate. Development should be prevented in areas of flood risk especially considering current climatic change.

The access route (Dalfaber Drive) and its associated level crossing is incapable of coping with any further increase in traffic.

Comments by CPNA planners that all land designated for development need not necessarily be developed is an attempt to artificially reduce the density of any development by increasing the area of land designated for housing. Land that is not to be developed should be shown as such in the Local Plan.

Designation of this area for development is contrary to the Aims of the National Park. AV/H3 should therefore be designated as amenity woodland

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref **Name** Nick Halfhide
001 Great Glen House
 Leachkin Road
 Inverness
 IV3 8NW

Company Deer Commission

Policy/site ref General

Summary No comments to make

CNPA analysis- No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref **Name** Mrs Deirdre McCreath
002 Ardavon
 Nethy Bridge
 Inverness-shire
 PH25 3DR

Policy/site ref Settlements - Nethy Bridge OSI

Summary Wish to see an area of garden removed from the Open Space allocation, and included, instead housing land. Map of site included.

findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA.

Proposed Modification HI add remaining field area within proposed site.

Objector Ref	Name	Agent
005		Mike Munro Ardconnel Woodlands Terrace Grantown-on-Spey PH26 3JN

Company Munro Chartered Quantity Surveyors

Policy/site ref Settlements - Cromdale

Summary Extend settlement boundary to add land identified.

CNPA analysis The allocated sites within Cromdale will be analysed in light of the comments received. The consideration of the land will be done in light of the fact that sufficient land has already been identified to meet the housing need. The site will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA.

Proposed Modification

Amend settlement boundary to include the land identified.

Objector Ref	Name
006	Richard Renton Nethybridge & Vicinity Community Council Aspen Lodge Nethybridge PH25 3DA

Company Nethybridge & Vicinity Community Council

Policy/site ref Settlements - Nethy Bridge HI/ CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Amend text to HI to confirm planning permissions

Objector Ref	Name
007	RMB Bloomfield The Grey House

Nethybridge
Inverness-shire
PH25 3EB

Company RMB Bloomfield

Policy/site ref Settlements - Nethy Bridge Boundary

Summary Amend settlement boundary to include land identified.

CNPA analysis The allocated sites within Nethy Bridge will be analysed in light of the comments received. The proposed amendment will ensure the land associated with this property is included in total.

Proposed Modification

Amend settlement boundary to include land identified.

Objector Ref	Name Davall Developments Ltd	Agent	Brian W Muir
008	Myrtlefield House	Muir Smith Evans Ltd	
	Grampian Road	203 Bath Street	
	Aviemore	Glasgow	
	PH22 1RH	G2 4HZ	

Company Muir Smith Evans

Policy/site ref Settlements - Boat of Garten HI

Summary Support the allocation of HI in Boat of Garten for housing development.

CNPA analysis The comment is noted. Update wording once appropriate assessment from SNH has been completed.

Proposed Modification

Include reference to mitigation required by SNH as result of appropriate assessment of HI.

Objector Ref	Name Susan Culliford
009	Gargowan
	Nethybridge
	Inverness-shire

Company

Policy/site ref Settlements - Nethy Bridge CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref	Name Mr Paul Culliford
010	Gargowan

The Causer
Nethybridge
PH25 3DS

Policy/site ref Settlements - Nethy Bridge CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Colonel F.M.K. Tuck
011a Allargue
 Corgarff, Strathdon
 Aberdeenshire
 AB36 8YP

Policy/site ref Housing (general)

Summary Para 5.35 - Amend wording to include 'landowners'

CNPA analysis The comment is noted and the wording will be amended.

Proposed Modification

Include 'landowners' to para 5.34.

Objector Ref 011b

Policy/site ref Policy 23

Summary Clarify the wording in Policy 23 regarding the amount of 2 and 3 bedroom houses, and houses with 3 or more bedrooms.

CNPA analysis 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 011c

Policy/site ref Policy 24

Summary 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 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 Modification

Revise policy 24 to create new policy 21. Clarify position regarding % requirements. Move the detail of definitions to an appendix for clarification.

Objector Ref 011d

Policy/site ref Policy 25,26

Summary 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 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 SPPI. Any change to the approach taken may also impact on the SEA.

Proposed 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.

Objector Ref 011e

Policy/site ref Policy 28

Summary The wording of 28a should be amended to clarify actual restrictions placed on development affecting a listed building.

CNPA analysis The consideration of listed buildings is considered under Policy 10.

Proposed Modification

No modification necessary

Objector Ref 011f

Policy/site ref Policy 30,31

Summary 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 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 Modification

Separate transport and telecomms to avoid confusion in revised policies 30 and 31. Add reference to transmission etc in policy 16

Objector Ref 011g

Policy/site ref Policy 33,34

Summary Building for tourist accommodation should be included as well as facilities and attractions. Specific mention of car parking, toilets and information points would help.

CNPA analysis The policies have been worded to support as wide a range of facilities as possible and also to facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. To ensure the wording is not restrictive, specific mention of particular provisions for tourists has deliberately been left out. Policy 33 would include proposals for tourist accommodation as well as other forms of tourist related provision. No modification considered necessary as a result of this representation.

Proposed Modification

Clarify wording in Policy 33 and 34 regarding support for tourism development.

Objector Ref 011h

Policy/site ref Policy 36

Summary Why specify year round activities? The nature of the area means that there need to be separate winter and summer activities provided e.g. skiing and canoeing.

CNPA analysis The comments are noted, and the CNPA continue to work closely with the 4 Local Authorities to provide and support an appropriate level of recreational provision for communities across the Park. The policies have been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. However in light of the comments received, the wording will be reviewed to ensure that the aims of the policy are deliverable and will ensure that open space is supported across the Park throughout the year.

Proposed Modification

Amend reference to 'extends the tourist season' in revised para 6.23.

Objector Ref 011i

Policy/site ref Settlements omissions Strathdon

Summary Strathdon should be identified as a settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Bellabeg within settlement proposals.

Objector Ref 011j

Policy/site ref Maps

Summary Map D may not be accurate. There never was ancient woodland along the River Don between Delnadamp and Allargue, nor yet on the Hill of Allargue.

CNPA analysis The presentation of the maps will be reviewed and modified to ensure correctness of information and ease of understanding.

Proposed Modification

Use most up to date map bases.

Objector Ref **Name** Mr Robert Robbie

012 18 Dirdhu Court

Nethybridge

Inverness-shire

Policy/site ref Settlements - Nethy Bridge CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Mr Ian Hogarth

013 Bynackbeg

Nethybridge

Inverness-shire

Policy/site ref Settlements - Nethy Bridge CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Mr & Mrs L Evans

014 Redmires

Mossie Road

Grantown on Spey
Moray, PH26 3HW

Policy/site ref Settlements - Grantown on Spey HI

Summary Further to an original objection to development within Grantown on Spey, the original notice for the development of HI detailed 228 plus 7 dwellings whereas the Deposit Local Plan shows a reduced site of 9.6ha for around 200 units, which must mean a greater density is being allowed. By what standard are such plans being accepted even allowing for the time cycle of 5 years?

In GS/OSI what does 'protected open space' mean. Is it protected for all time or for a 5 year period only? On what basis have the boundaries between the open space and development site been drawn up. Why is the open space not listed as a conservation area? the wedge of land to the rear of Mossie Road serves no purpose other than to isolate people from the Open Space. why is so much and such dense development required in Grantown on Spey or within the National Park. There is no economic need for such scale development.

- can the existing road widths cope with this scale of development.
- what is the ratio for affordable housing
- why is land to the north of Church Avenue not identified for development
- what measures are being taken to prevent flooding as a result of building over the Mossie
- who will guarantee that appropriate levels of civic amenities will be provided eg. Water, sewerage, schools, health care, care for the elderly, public transport, etc.

Also see previous representation made on the submitted planning application.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref **Name** Mr Jim MacEwan
015 The Manse
 Nethybridge

Policy/site ref Settlements - Nethy Bridge CI

Summary Remove the reference to housing within the text for site CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Sir Thomas MacPherson **Agent**
016 Speyville House
 Newtownmore

PH20 IBS

Policy/site ref Settlements - Newtonmore HI

Summary The only access to Newtonmore HI is from Perth Road. Current traffic on Station Road and the practical impossibility of widening Station Road means that substantial additional traffic on it is to be avoided. The lower flat area of HI is liable to periodic flooding and I would suggest that this land is not suitable for housing.

CNPA analysis The comments are noted, and the appropriate modifications will be made to the wording of the proposal to highlight any constraints to development. Clarify that current applications will be determined under the currently adopted plan and its policies. Confirm Highland Council roads engineers will be involved in any future development brief in regard to access and capacity of the existing networks.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref	Name Mrs Sally Spencer
017a	Pitagowan House
	Newtonmore
	Inverness-shire
	PH20 IBS

Policy/site ref Policy 01

Summary Special consideration should be given to individual applicants with strong family or local connections. Many are unlikely to be able to afford expensive sites or houses, so are currently at a considerable disadvantage and local landowners may be willing to offer land to such people at below market price because he is a 'local'. In such cases there should be an assumption that permission will be granted unless there are extremely good reasons for refusal. This local connection with folk who have inherited local customs and traditions will be the only way of "conserve and enhance the cultural heritage of the area".

CNPA analysis The approach taken has tried to create a clear link between the Park Plan, the aims of the Park and the Local Plan and its delivery. Throughout the remainder of the policies in the Plan, issues such as landscape impact, sensitivity of development and the promotion of a healthy rural economy must all be considered in the determination of any planning application. The proposal regarding local connection is not one favoured by CNPA as it precludes many sectors of society. However the important point raised regarding providing appropriate development opportunities to those wishing to add to sustainable rural communities across the point will be reinforced throughout the Plan

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 017b

Policy/site ref Policy 01

Summary The CNPA needs to ensure the planning process is fair and transparent. Retrospective planning permission should not be granted as it gives the impression that developments which might not get permission if considered in the normal way, do get permission because they are already in existence. Robust discouragement should be in place to ensure

retrospective applications are not successful, including fines, additional fees, stringent planning conditions to restore the site, etc. This should be “loophole proof”. Where permission is granted subsequent alterations should not be allowed unless there are good reasons why amendments are needed.

The Park Authority should always consider such amendments, and not the Local Authority.

CNPA analysis

The comment is noted. The regulations regarding the implementation of planning legislation through the development management approach are set out by Scottish Government. The CNPA will continue to work to ensure that these regulations are written in a way which best serves the Park and its communities. No modification considered necessary as a result of this representation.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 017c

Policy/site ref Policy 07

Summary How do you ensure the implementation of this policy when some developers do not implement that carefully considered landscape sections of their planning permissions. This is also true for light pollution when not all lighting requires planning permission. Robust enforcement is required throughout.

CNPA analysis The policy regarding landscape will be implemented through the planning process when development proposals are considered for permission. The detail of such permissions will be considered in the normal way and those issues which can be addressed by the planning process will be. No modification considered necessary as a result of this representation.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 017d

Policy/site ref Policy 18

Summary 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 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 Modification

No further modification necessary as a result of this representation.

Objector Ref 017e

Policy/site ref Policy 19

Summary 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 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 Modification

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

Objector Ref 017f

Policy/site ref Policy 22

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

CNPA analysis 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 Modification

No modification necessary as a result of this representation.

Objector Ref 017g

Policy/site ref General - layout

Summary The 4 aims of the Park should be highlighted clearly so that it is clear that they are taken into consideration in the determination of any planning application.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. A review of the Introduction and Context sections is necessary to clarify the context for the Local Plan and its relationship with other documents, the Park Plan, and also to expand on the thinking behind the policies as drafted.

Proposed Modification

Amend introduction to clarify link to 4 aims in para 1.2 and reinforce links through revised policy 1.

Objector Ref 018

Policy/site ref Settlements - Newtonmore OS

Summary Retain land adjacent to The Paddock and Alvey House Hotel, Newtonmore within the settlement boundary and allocate as open space.

CNPA analysis The comment is noted. Carry out site visit to assess the qualities of the land suggested as open space. If appropriate include as open space and amend boundary accordingly. For clarity additional text will be added to the plan to explain the level of protection offered to sites on the boundary of settlements identified in the Plan.

Proposed Modification

Include land within settlement boundary to be protected from development. Amend para 7.5 to clarify position regarding land within and outwith settlement boundaries.

Objector Ref **Name** Gillianne Clegg

019 Craiggowrie

Nethybridge

PH25 3DR

Policy/site ref Settlements - Nethy Bridge

Summary Designate as open space the field in the centre of Nethy Bridge between the Mountview Hotel and Wilburn Homes development.

CNPA analysis The comment is noted. Ensure the land identified in the application associated with Wilburn homes is included as open space, and amend text accordingly. Amend text to reflect additional protection offered to this site as a result of planning condition.

Proposed Modification

Identify land to be protected in line with previous planning permission

Objector Ref **Name** Dr A Watson

020a

Clachnaben

Crathes, Banchory

Kincardineshire

AB31 5JE

Policy/site ref Housing (general)

Summary CNPA need to ensure the plan covers all issues more equally. At the moment, there is an over emphasis on new housing, and living and working in the Park, and not enough focus on conserving and enhancing the national park

CNPA analysis 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. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted. Similarly further clarification is needed in the introduction section to each Chapter to state clearly the justification for the approach taken and the aspirations sought as a result of implementation of the policies.

Proposed Modification

Amend introduction to clarify position and role of aims of the Park. Amend Local Plan vision to link more closely to the National Park Plan.

Move definitions regarding housing into appendix.

Objector Ref 020b

Policy/site ref General - Links to Park Plan

Summary Add "where this would not damage the sites" to page 10, ix.

CNPA analysis The comment is noted. However the wording referred to is a quote from the National Park Plan which has now been adopted. The consultation undertaken here relates to the wording within the local plan rather than cross references to other documents. No modification considered necessary as a result of this representation.

Proposed Modification

No modification necessary as result of objection.

Objector Ref 020c

Policy/site ref Policy 01

Summary Para 3.1 should recognise that Straths include many other habitats as well as farmland.

Page 14, right column, 2nd to last para in 3.4 should add that alternative sites have been investigated and found to be more damaging. Include how the term 'outweighed' in this para and also in policies 6 and 7 will be assessed.

CNPA analysis The comments regarding the clarity of the wording are noted and the appropriate changes will be made to ensure policies and supporting text are clear, understandable and are not subjective in their implementation.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 020d

Policy/site ref Policy 06

Summary Recognise that old planted woods, moorland, and some semi-natural habitats within farmland, such as fluvio-glacial sandy hillocks have the same value as long established woodland, in that when they are newly recreated, they do not have equal wildlife value as a long established site.

CNPA analysis The comment is noted and the wording of the policy in regard to the comments will be reviewed to ensure correctness and clarity.

Proposed Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 020e

Policy/site ref Policy 07

Summary para 4.32 last four lines are incorrect

para 4.33 line 2 replace mix with mixture

4.35 - agree with principle, but plan needs to recognise this should lead to action. Policy should make this action clear

CNPA analysis The comments regarding the text used are noted and the wording will be amended to ensure clarity and ease of use.

Proposed Modification Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 020f

Policy/site ref Policy 13

Summary Need to define "wherever reasonable" in para 4.66 to ensure prevention of unnecessary problems of pollution

CNPA analysis The comment is noted. The wording of the policy will be reviewed to ensure it is clear and provides an appropriate level of guidance for developers and interested parties. 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 Modification

Clarify in 4.80

Objector Ref 020g

Policy/site ref Policy 14

Summary Include the reference to alternative sites elsewhere in the plan to support this idea.

In ii) define 'outweighed'

In final para of Policy include 'vegetation'

In 4.73 note that soil plants and soil animals are microbial. Ensure that summary statements on scientific technical issues are accurate.

In 4.74 grammar error - 'its' should be 'their'. Replace 'balance' with 'characteristics'. Use 'affects' rather than 'impact'.

In 4.75 Include reference to 'suitable alternatives' in previous policies.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text.

The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users.

Proposed Modification

Revise wording in policy 14 and supporting text to clarify impact of development on soils and mineral resources.

Objector Ref 020h

Policy/site ref Policy 17,18

Summary 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 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 Modification

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

Objector Ref 020i

Policy/site ref Policy 21,22

Summary 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 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 Modification

No modifications necessary.

Objector Ref 020j

Policy/site ref Housing (general)

Summary Incorrect use of language in box regarding the Extract from the National Park Plan. In 5.34 use 'council houses' not 'council owned property'. Suggest that the sale of council houses should end.

In 5.39 note that the increase in housing will be accompanied by a lack of sustainable growth, energy use, pollution and destruction of habitats.

In 5.49 support this idea.

CNPA analysis Amend the text to support the housing policeis to clarify the wording.

Proposed Modification

modify para 5.29 to clarify the issue of need.

Objector Ref 020k

Policy/site ref Policy omission

Summary There should be greater control over the change of use both in forestry and agriculture. Where activities which cause an impact cannot be controlled by the planning system the CNPA should be requesting control from Government.

CNPA analysis Where such operations are covered by planning legislation the policies of the local plan would apply as with any other form of development. However where such operations are not covered by planning legislation the local plan would not apply and such operations would be dealt with under separate control or guidance as relevant to that industry. The CNPA will however continue to work to ensure the most appropriate level of control operates in the Park area. No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref 020l

Policy/site ref Policy 31

Summary Use “impact on affected wildlife species, habitats or archaeological features” instead of 'ecology' and 'archaeology'.

CNPA analysis The comments regarding use of terminology are noted and the appropriate amendments will be made.

Proposed Modification

Amend wording in policy 31 to include natural and cultural

Objector Ref 020m

Policy/site ref Policy omission

Summary There is no policy on Vehicle tracks.

CNPA analysis In regard to tracks the comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight such developments within separate policies. 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 Modification

Clarify introduction to clarify role of all policies (para 1.20). No other modification proposed.

Objector Ref 020n

Policy/site ref Policy 34,35

Summary There is no mention of new paths, bridges, huts etc.

CNPA analysis The policy has been worded to consider all forms of recreational facility and does not therefore refer to specific forms of recreation. The policy should be read in conjunction with the other policies in the plan, in particular those regarding landscape and visual setting, developments impacting on natural heritage etc. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development.

Proposed Modification

Amend policies 34-36 to clarify access issues.

Objector Ref 020o

Policy/site ref Maps

Summary Map D 'ancient woodland' actually covers all woodland. The blue of 'Ancient woodland' should be on the guide.

CNPA analysis The presentation of the maps will be reviewed and modified to ensure correctness of information and ease of understanding.

Proposed Modification

Ensure most up to date maps are used in future modifications and versions.

Objector Ref 020p

Policy/site ref Policy omission

Summary There is no policy regarding signs or advertisements.

CNPA analysis The comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight adverts and signs within a separate 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 Modification

No modification proposed other than to clarify role of all policies in para 1.20.

Objector Ref 020q

Policy/site ref Policy 28

Summary There should be a limit on the size of any replacement house. Eg 50%

CNPA analysis 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 Modification

No modifications proposed.

Objector Ref **Name** Mr D Carrott

021a

Tigh na Fraoch

Nethy Bridge

PH25 3DA

Policy/site ref General - Housing

Summary The consultation process is not transparent and could be misleading.

a)The Deposit Plan was only forwarded to people who previously made comments which could preclude others getting involved.

b)On the proposals maps 'Community' use also includes Affordable Housing. This is confusing as there is a separate colour used for housing.

c)It is clear that affordable housing for the community does not necessarily mean the local people from that settlement.

d)It contradicts the value of the Plan to have windfall sites which could be used for housing. This implies that any suitable site outwith the designated areas could be used for housing without going through the consultation process.

CNPA analysis The comments are noted. The consultation on the Deposit Plan has exceeded the requirements of the guidelines prepared by the Scottish Parliament, and every effort has been made to contact as many people within the community and other interested groups and individuals. The level of response is testament to the efforts made. The comments regarding the terminology used on the proposals maps are noted, and clarification on the terms used will be included as a proposed modification. The comments regarding affordable housing are also noted and further clarification on this point will be added to paragraphs 5.47-5.60.

The comments regarding windfall sites are noted. National planning guidance allows for the consideration of such ad hoc sites for all forms of development, where applications are judged against the policies within the Plan regarding such considerations as impact on the landscape, design, sustainability, impact on natural heritage, etc. Consideration will be given however to the need for an additional policy to consider development proposals within settlements, and also further clarity on how development proposals outwith settlement boundaries are assessed.

Proposed Modification

cpt 7 change wording in 7.10 to revised para 7.11 referring to 'sustainable communities'.

Objector Ref 021b

Policy/site ref Settlements - Nethy Bridge HI

Summary The plan should make reference to the outline approval for HI and highlight the debate associated with that application regarding the height of the buildings and the nature of the housing provided in terms of sheltered housing rather than affordable housing.

CNPA analysis The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Proposed Modification

Amend text to HI to confirm planning permissions

Objector Ref 021c

Policy/site ref Settlements - Nethy Bridge CI

Summary Protect the site CI from all forms of development. More than a change to the wording is required if the reference to affordable housing is retained within the definition of Community Use.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. The reference to developments which may be in the wider community interest should be considered and the definition of what constitutes 'community use' should be carefully considered.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Mrs J Carrott

022a

Tigh na Fraoch

Nethy Bridge

PH25 3DA

Policy/site ref Settlements - Nethy Bridge HI

Summary The plan should make reference to the outline approval for HI and highlight the debate associated with that application regarding the height of the buildings and the nature of the housing provided in terms of sheltered housing rather than affordable housing.

CNPA analysis The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Proposed Modification

Amend text to HI to confirm planning permissions

Objector Ref 022b

Policy/site ref Settlements - Nethy Bridge CI

Summary Protect the site CI from all forms of development. More than a change to the wording is required if the reference to affordable housing is retained within the definition of Community Use.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. The reference to developments which may be in the wider community interest should be considered and the definition of what constitutes 'community use' should be carefully considered.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Roy Gibson
023 Craigower Lodge
 Newtonmore
 Inverness-shire
 PH20 IAT

Policy/site ref Settlements - Newtonmore Boundary

Summary Redraw the Newtonmore settlement boundary to include the fields previously allocated as agriculture/set aside/community woodland/open space provision in the current Local Plan (policy 8.3.3)

CNPA analysis The comment is noted. Carry out site visit to assess land and include as open space as appropriate, amending settlement boundary. Clarify para 7.5 in modifications to explain the level of protection offered to sites on the boundary of settlements identified in the Plan.

Proposed Modification

Modify to include land as open space within settlement boundary.

Objector Ref **Name** Hebe Carus
024a The Mountaineering Council of Scotland
 The Old Granary
 West Mill Street
 Perth, PH1 5QP

Company The Mountaineering Council of Scotland

Policy/site ref Policy 01

Summary Support for approach being proposed in Policy 1

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification No further action required.

Objector Ref 024b

Policy/site ref Policy 02

Summary Policy needs to recognise the low capacity for recovery of habitats as well as the impossibility of replacement of long established woodlands. It also needs to ensure the integrity of the Park is not eroded through cumulative effects.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 024c

Policy/site ref Policy 03

Summary Support the protection of the integrity of sites, but the policy should be changed to recognise the importance of corridors between sites. Concern over proposals to allow mitigation for loss of certain sites by enhancement of different qualities that are of equal importance to the National Park's natural heritage.

CNPA analysis The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPP1. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 024d

Policy/site ref Policy 04

Summary Policy needs to recognise the low capacity for recovery of habitats as well as the impossibility of replacement of long established woodlands. It also needs to ensure the integrity of the Park is not eroded through cumulative effects.

CNPA analysis The comment is noted and the appropriate amendments will be made to the wording to clarify the position.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.23 define 'commensurate'.

Objector Ref 024e

Policy/site ref Policy 06

Summary Concern about proposals to allow for mitigation for loss of habitats. Well-established habitats often have an intrinsic value due to their age alone. The policy should be changed to ensure that new habitats created as mitigation should be able to support the same population size, and have the same levels of complexity and connectivity.

CNPA analysis 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 this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Proposed Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 024f

Policy/site ref Policy 07

Summary Concern that the Policy states adverse effects on the special landscape quality can be outweighed by economic and social benefits. MCoFS seeks protection against adverse effects on the wildness qualities in and on the fringes of the mountain areas in the Park. Suggest using Landscape Character Assessment to define this higher level landscape areas as the Plateau and Upland & Glens categories. Also then suggest these areas of 'wildness' should be given greater weight in any balancing against social and economic benefits.

CNPA analysis 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 this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 024g

Policy/site ref Policy 33

Summary Tourism Development policies must also recognise the large numbers of people who visit the NP and who find way marking / surfaced paths detracting from their visitor experience.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm way marked paths are considered in policy 34 where they form part of the core path network.

Proposed Modification

No modification proposed.

Objector Ref **Name** Mairi Maciver

025a Communities Scotland

Urquhart House
Beechwood Park
Inverness, IV2 3BW

Company Communities Scotland

Policy/site ref General - layout

Summary Welcome the shorter version of the plan. Need to include a statement on the CNPA's policy on complaints handling.

CNPA analysis The comment is noted. Modifications will endeavour to clarify such procedures or refer to CNPA wider policies which affect the Authority as a whole, rather than the Planning Section.

Proposed Modification

Include reference after 1.20 regarding use of plan in regard to other CNPA policies including approach to take if there are complaints.

Objector Ref 025b

Policy/site ref Maps

Summary Reinstate smaller settlements as identified in the proposals maps to give a more comprehensive picture of settlement proposals overall within the Park. Also include a map indicating the 4 local authorities with responsibility within the Park.

CNPA analysis The comment is noted and an overarching proposals map will be included as a modification showing the boundaries of the four local authorities and settlements identified in the proposals section of the Plan.

Proposed Modification Add smaller settlements to give more accurate picture of proposals across the Park.

Objector Ref 025c

Policy/site ref Housing - links to other plans

Summary Local Housing Strategies should be given more prominence, with reference to their role in the delivery of the Local Plan established at the start of the Housing section.

CNPA analysis The links with Local Housing Strategies will be clarified in the text explaining the links between the Local Plan and other Plans and Strategies (para 2.10-2.11). Any further explanation considered necessary within the Housing section of the Plan will be added as appropriate.

Proposed Modification

5.24-5.26 expand clarity on the role of strategic guidance including role of local housing strategies.

Objector Ref 025d

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 025e

Policy/site ref General - Consultation

Summary Welcome information about the consultation process contained in the Plan, but there should be a statement how local development forums contributed to the Local Plan.

CNPA analysis The comment is noted. The wording does not however identify particular forums and groups but remains a general comment.

Proposed Modification

No modification proposed.

Objector Ref 025f

Policy/site ref Housing (need)

Summary Welcome general approach to housing land provision and comments regarding access to affordable housing. Need to include a definition of "Local Need", as its current use is confusing and potentially excluding.

CNPA analysis Further clarification on terms used within the Plan, such as that of 'local need' will be added within the modifications.

Proposed Modification

Include appendix to clarify issue on housing need.

Objector Ref 025g

Policy/site ref Policy 01

Summary Policy 1 should refer to requirement for planning decisions to reflect current Scottish planning legislation and national planning policy guidance and advice.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of

the Park.

Objector Ref 025h

Policy/site ref Policy 13

Summary Support for approach to water resources, but it would be useful to address the requirement for major investment required at source for new developments once those with detailed planning permission have been connected.

CNPA analysis The comment is noted. The issue of investment is an important one and consideration will be given to highlighting it in the supporting text to the policy. Confirm ongoing working relationships with Scottish Water to ensure appropriate investment to keep up with development pressures.

Proposed Modification

No further action required.

Objector Ref 025i

Policy/site ref Policy 16

Summary Support for policies 16, 17, 18 and 19. Suggest amending Policy 16, first sentence, to read "... complement the sustainability of a development." to focus clearly on sustainability and not on perception.

CNPA analysis The comments are noted and the appropriate amendments will be made to the wording to clarify the position.

Proposed Modification Change wording of 1st sentence to 'a development'.

Objector Ref 025j

Policy/site ref Housing - links to other plans

Summary Support the reference to provide a range of opportunities and mechanisms to enter the housing market, and the need to create an appropriate balance of house sizes. Further detail on what mechanisms and opportunities exist would be helpful, as in PAN 74. There should also be clear reference to the Homelessness etc (Scotland) Act 2003 and its impact on the homelessness duties of local authorities and registered social landlords, as well as on the Planning Authority area for any potential land-use implications.

CNPA analysis Within the section dealing with Housing Issues in the National Park, further clarity will be included on the mechanisms available to address the issues faced. Cross referencing to PAN 74 and the Homelessness etc (Scotland) Act 2003 will be undertaken to ensure the policies are supporting text are in alignment with the advice therein.

Proposed Modification

5.24-5.26 expand clarity on the role of strategic guidance.

Objector Ref 025k

Policy/site ref Housing Table 2

Summary The sourcing of the figures used in Table 2,3 and 4 and para 5.39 should be added. The wording in Table 2 should be amended to ".. to reflect both the backlog of existing demand for housing from recent years, changes in household structure and inward migration." Regarding the need identified in Table 2, given Heriot-Watt's suggestion that the net need for additional affordable housing is 132 units per year over the Plan period, it appears that insufficient land supply has been

allocated to meet this need. Land allocations in the Plan should be sufficient to meet all need.

CNPA analysis Include the work of the consultants on line for general viewing.

Amend table 2 to reflect comment.

Proposed Modification

Reword table 2 part 1 to 'inward migration'.

Cross check allocations in table 4 against requirement in Table 2.

Objector Ref 025l

Policy/site ref Housing - Table 3

Summary Table 3 should be clearer with columns labelled 0-5 years and 5-10 years, if this is what is meant.

CNPA analysis The titles used in the table will be reviewed to ensure clarity and easy understanding.

Proposed Modification

Amend table 3 to clarify years referred to.

Objector Ref 025m

Policy/site ref Housing (affordable)

Summary In Para 5.49 suggest using PAN 74 definition of affordable housing ("housing of a reasonable quality that is affordable to people on modest incomes")

CNPA analysis Move definition to appendix and cross referencing of the definition in PAN 74.

Proposed Modification

Include appendix on definition of what is affordable housing

Objector Ref 025n

Policy/site ref Housing (affordable)

Summary In Para 5.57 'applicants' should be defined to clarify to whom it refers.

CNPA analysis

Confirm that the use of the term 'applicant' is a commonly used on in the planning process - for those applying for permission.

Proposed Modification

No modification proposed.

Objector Ref 025o

Policy/site ref Housing (affordable)

Summary In Para 5.59 has consideration been given to the possible effects on affordability for those building their own home who do not require grant aid, but have limited means.

CNPA analysis The approach taken will support any method of truly affordable housing provision. The revisions to the policies will not therefore preclude against any particular mechanisms.

Proposed Modification

Modify policy 21 to reflect 3Dragons report and include list of options for affordable provision in appendix.

Objector Ref 025p

Policy/site ref Policy 24

Summary Welcome monitoring mechanisms as stated.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications required.

Objector Ref 025q

Policy/site ref Policy 26

Summary What is meant by an "occupation appropriate to the rural location"?

CNPA analysis 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 Modification

Include para to clarify such rural occupations.

Objector Ref 025r

Policy/site ref Policy 26

Summary What would happen if the original "rural business" no longer functions?

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 025s

Policy/site ref Policy 28

Summary In para 5.71, second sentence - What is meant by "recent past" here?

CNPA analysis The comment is noted and additional wording will be added to clarify to position.

Proposed Modification

Change to past 10 years.

Objector Ref 025t

Policy/site ref Policy omission

Summary The policy regarding gypsy/traveller sites should be retained.

CNPA analysis The comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight gypsy/traveller sites within a separate 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. Confirm the issue of gypsy/traveller developments would be considered under all policies of the plan including specifically those regarding 'conserving and enhancing' and 'living and working' and not under a particular policy regarding gypsy/traveller developments.

All policies of the plan must be complied with where relevant to gain permission, therefore a topic specific policy is not considered appropriate.

Proposed Modification

No modification proposed.

Objector Ref 025u

Policy/site ref Policy 30

Summary 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 The limitations of the funding available to certain sectors is recognised. The policy will be reconsidered in line with the requirements of SPPI7 to ensure that the requirements place on all developers is not onerous. The expense would then fall to the developer or similar.

Proposed Modification

No modification proposed.

Objector Ref 025v

Policy/site ref Policy 36

Summary Welcome policy regarding open space provision and proposed open space audit and open space strategy.

CNPA analysis o modification considered necessary as a result of this representation.

Proposed Modification

no modification proposed.

Objector Ref 025w

Policy/site ref Housing (land supply)

Summary In Section 7 timescales for the completion of the number of houses in each settlement should be included, making clear the link to Table 4.

CNPA analysis The links between the proposals section and Table 4 are noted, and some cross referencing will be made to help clarify the position.

Proposed Modification

Amend tables to ensure correct and clear.

Cross reference to settlement proposals

Objector Ref 025x

Policy/site ref General - wording

Summary Check the alphabetical ordering of settlements in Section 7.

Para 4.48, first sentence - amend "Panning" to read "Planning"

Policy 24 para 3 - "to a target of 30 per cent" conflicts with para 5.54 "will start at 30 per cent".

CNPA analysis The ordering of settlements will be reviewed to ensure clarity and ease of use. The typo in para 4.48 and wording in policy 24 are noted and the appropriate amendments will be included.

Proposed Modification

Amend typos in line with comment

Amend order of settlements in Cpt 7 to logical alphabetical order.

Objector Ref	Name	Agent
026a	Frogmore Estates Scotland Ltd	Philip Clarke Barton Willmore 12 Alva Street Edinburgh EH2 4QG

Company Frogmore Estates Scotland Ltd

Policy/site ref Policy 01

Summary Object to the removal of general policies 1-3 from the draft plan and their substitution with new policy 1. Landscape character assessment carried out for the Cairngorms identified a variety of different landscape character areas, each with different sensitivity for development. The policies in the draft plan recognised this, the new Policy 1 does not, and therefore wish to see original approach retained.

CNPA analysis The approach taken has tried to create a clear link between the Park Plan, the aims of the Park and the Local Plan and its delivery. Throughout the remainder of the policies in the Plan, issues such as landscape impact, sensitivity of development and the promotion of a healthy rural economy must all be considered in the determination of any planning application. Whilst the approach taken may not be a definitive, modifications will be made to the Introduction and Context to clarify that all the policies in the Plan must be considered equally, and also to clarify the relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 026b

Policy/site ref Policy 07

Summary Policy 7 is overly restrictive in terms of appropriate development in rural areas and as such is not in line with SPPI5. Wording should be amended to "All development will be sited, laid out, designed and constructed of materials so as to ensure no unacceptable adverse impact upon the special landscape qualities of the Cairngorms National Park."

CNPA analysis 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 Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 026c

Policy/site ref Policy 07

Summary Object to the term 'wildness' in Policy 7. The elements attributed to "wildness" are ambiguous and lack objectivity, and could be misapplied against any and all new development within the Park, Adverse impact on wildness could be used as a broad-brush justification to refuse any development within the National Park whenever it introduces new building and/or lighting where there was none before. This would be out of keeping with the policy, aims and spirit of SPP15 and would also be contrary to the provisions of PAN49: Local Planning. Reference to "wildness" should be removed.

CNPA analysis 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. In addition, more information will be included to define the terms used, and ensure the wording is clear and easy to understand.

Proposed Modification I

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 026d

Policy/site ref Policy 26

Summary 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 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 SPPI.

Proposed Modification

Revise para in b) regarding retiring persons, and add c) brownfield development.

Objector Ref 026e

Policy/site ref Policy 28

Summary 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 SPPI5 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 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 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.

Objector Ref 026f

Policy/site ref Policy 28

Summary 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

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 Modification

No modifications proposed.

Objector Ref 026g

Policy/site ref Policy 30

Summary 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 SPPI7 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 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 Modification

Retain reference to government guidance regarding transport. Change reference to Development proposals.

Objector Ref **Name** Sandra McKelvie & John Fleming
027 Grantown on Spey Caravan Park
 Seafield Avenue
 Grantown on Spey
 PH26 3JQ

Policy/site ref Settlements - Grantown on Spey Boundary

Summary Amend the settlement boundary for Grantown on Spey to include the whole of the Caravan Park.

CNPA analysis The comment is noted, and a site visit will be undertaken to assess the extent of the Caravan Park, and amend the proposals map and the settlement boundary to ensure that the appropriate boundary is included.

Proposed Modification

Amend boundary in line with comment.

Objector Ref **Name** Janet Eileen Jemmett
028 I Rhuarden Court
 Grantown on Spey
 PH26 3DA

Policy/site ref Settlements - Grantown on Spey HI

Summary The proposed housing site at HI would have an adverse impact on the economic viability of the Caravan Park. The open space associated with this development should therefore be extended to border the caravan park and part of Seafield Avenue to protect the rural setting. The density of the proposed housing site is out of character with this part of the town. The overall

density should be reduced to bring it in line with that of surrounding villages. This is particularly needed on the part of the site adjacent to Seafield Avenue.

The development if completed as proposed would have an adverse and dangerous impact on the traffic situation within Grantown. Several junctions are already hazardous. Should any development go ahead, serious consideration is needed to how the affected roads and pavements can be improved.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref	Name
029	Mr Derek N North
	6 Monaltrie Way
	Ballater
	Aberdeenshire
	AB35 5PS

Policy/site ref Settlements - Ballater HI

Summary HI in Ballater is within the floodplain, the density is out of keeping with the rest of Ballater, the development would adversely impact on the Games field and its use for the local games, and the parking required would use up 2/3 of the site.

If development was to proceed, it should not be in the floodplain, the density should be reduced and more green spaces to absorb any potential flood water, and an appropriate site should be retained for parking for the Games.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue.

Proposed Modification

Amend HI to reduce the allocated land making provision for parking.

Include reference to confirm density will be in line with that found in Ballater

Objector Ref	Name
030	Stuart Wright
	2 Craigview Place
	Ballater
	AB35 5PJ

Policy/site ref Settlements - Ballater HI

Summary Development on this site, at this density would destroy the character of Ballater. It would also destroy a valuable piece of good quality agricultural land and therefore erode the

economic viability of agriculture in the area. The area already has enough new houses, and too many holiday and second homes. There should therefore be no more large scale housing development and no more houses sold as second homes.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Proposed Modification

Amend supporting text to H1 to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Include reference to ensure design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref	Name Roger Muhl
031	The Heather
	Allanglach Wood
	North Kessock, Inverness
	IVI 3XD

Company Mountain Bothies Association

Policy/site ref General

Summary No issues raised.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref	Name R M Lambert
032	28 Corroul Road
	Aviemore
	PH22 ISS

Policy/site ref Settlements - Aviemore H2/H3

Summary Development of these sites would have an unacceptable impact on loss of amenity and recreational land in Aviemore. These sites provide a positive benefit to the local community. Further loss of such land should therefore not be allowed.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref **Name** Ian G Hay
033 Braemore
 2 Morven Way
 Ballater
 AB35 5SF

Policy/site ref Settlements - Ballater HI

Summary The proposed density for housing on HI is excessive when compared to the population, and the influx of such a large addition of residents would not be sustainable for the village in terms of amenities, medical and educational resources. The density is not in keeping with the character of the village, and the entrance to the village from Tullich will be destroyed. The number of houses built need not be so high. Many of the houses built will end up as holiday homes, if any affordable houses are to be included there must be limitations on who can buy or rent them, and this should be linked to local family connection or local workers. Any new development must be adequately screened, at least to the standard of the Invercauld Park development.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Proposed Modification

Amend supporting text to HI to refer to ongoing work of prince's foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Include reference to ensure design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref **Name** Jean Slimon
034 Blaven
 Golf Course Road
 Newtonmore, Inverness-shire
 PH20 IAR

Policy/site ref Settlements - Newtonmore Boundary

Summary The land to the south of Newtonmore, previously identified in the consultative plan as Open Space should be retained as such, and included within the settlement boundary.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and the settlement boundary may thereafter be amended. For clarity additional text will be added to the plan to explain the level of

protection offered to sites on the boundary of settlements identified in the Plan.

Proposed Modification

Include land within settlement boundary to be protected from development.

Objector Ref **Name** DW and IM Duncan
037a Pineacre
 West Terrace
 Kingussie
 PH21 IHA

Policy/site ref Housing (land supply)

Summary The focus of the Local Plan on housing development is at odds with the first aim of the National Park.

CNPA analysis The aims of the Park are paramount in all decision making the Policy I must be complied with to allow any development to go forward.

Proposed Modification

No modifications proposed.

Objector Ref 037b

Policy/site ref General - links to other agencies

Summary There should be mention of SNH and Historic Scotland in the policies where they are the lead regulatory agency.

CNPA analysis The comment is noted. Additional reference will be included within the background text in support of each application to clarify the roles of partner organisations.

Proposed Modification

Amend I.16 implementing the Plan to highlight the role of partner organisations.

Objector Ref 037c

Policy/site ref Policy 13

Summary a - Any major development proposals, including those for housing within the Plan should be supported by an assurance of a secured water supply.

c - whilst supportive of the principle, the constraints within Kingussie should be recognised.

d - support.

e - any new developments should be linked to adequate provision for sewage capacity. This again is particularly the case in Kingussie and Newtonmore.

CNPA analysis The comments are noted. The policy is written to ensure that new developments do not have a significant adverse impact on current hydrology/water environment and the planning authority has a duty to ensure that all planning proposals comply with this and all other planning policies in the local plan unless there are over riding reasons for departure. It is therefore considered that the wording addresses the issues raised and therefore no modification is considered necessary as a result of this representation. Confirm close working relationship with SW and input into their investment programme to ensure it is in line with the local plan. Also confirm SW approach to connections and supply.

Proposed Modification

No further action required.

Objector Ref 037d

Policy/site ref Policy 16

Summary What is small scale?

CNPA analysis Further information will be provided in regard to the comment, both in terms of the supporting text and wording in the policy and in any supplementary planning guidance produced to support this policy.

Proposed Modification

Remove 'small scale' and 'micro' from the wording.

Objector Ref 037e

Policy/site ref Policy 19

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

CNPA analysis 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 Modification

Clarify the role of community needs assessments in para 5.20.

Objector Ref 037f

Policy/site ref Policy 22

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

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 037g

Policy/site ref Housing (need)

Summary In para 5.27 it is ironic that the designation of the National Park has increased demand for housing which has added to the cost of housing.

CNPA analysis The policies in the plan and the allocations for housing development are intended to redress the balance in house prices and the need for affordable housing across the Park. Whilst the asking prices for open market houses cannot be controlled by the CNPA the policies are designed to impact particularly on affordable homes, and provide choice for those in need of such accommodation. No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref 037h

Policy/site ref Housing (land supply)

Summary The addition of 500 houses as second homes in the table is concerning. The CNPA should take a more robust approach to resisting such homes. The total allocation of 1640 houses in the next 10 years seems unsustainable, in terms of water provision, energy use, pollution, traffic and congestion. Such level of development would have an adverse impact on important habitats in the area, and the impact on landscape is already evident in certain settlements in Strathspey.

CNPA analysis Amend table 2 to reflect the parts of the housing market not controlled by the planning system. The total figures are however based on work undertaken to establish need within the Park and this study is available on line. Issues such as infrastructure are considered through the planning process and the local plan feeds into the investment programmes for supplies. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims.

Proposed Modification

Amend table 2 to reflect parts of the market not controlled through the planning process.

Place consultants work on line.

Objector Ref 037i

Policy/site ref Policy 23

Summary 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 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 037j

Policy/site ref Policy 24

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

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

Proposed 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.

Objector Ref 037k

Policy/site ref Policy 25

Summary New development in rural settlements should only be permitted where it enhances

the character of that settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 037I

Policy/site ref Policy 30

Summary 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 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 Modification

no modification proposed.

Objector Ref 037m

Policy/site ref policy 35

Summary The site of the old Aviemore ice rink should be used to benefit locals and visitors

CNPA analysis The comment is noted. The policy has been worded to support the widest range of facilities and ensure that they are located in the most appropriate locations across the Park. Any proposal which would support the range of facilities in a settlement such as Aviemore would therefore be supported under the terms of the policy. The CNPA will continue to work closely with partners and developers to encourage and facilitate the provision of such facilities in key settlements. No modification considered necessary as a result of this representation. Confirm ongoing discussions regarding this and finding an appropriate site.

Proposed Modification

No modification proposed.

Objector Ref 037n

Policy/site ref Settlements - Aviemore

Summary No further development should be permitted west of the A9 at Aviemore.

CNPA analysis Land to the west of the A9 is not allocated within the Plan for additional development. No modification considered necessary as a result of this representation. Confirm that no new allocations fall outwith the areas described.

Proposed Modification

No further action required.

Objector Ref 037o

Policy/site ref Settlements - An Camas Mor

Summary This area should remain undeveloped

CNPA analysis This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation.

Proposed Modification

No modification proposed.

Objector Ref 037p

Policy/site ref Settlements - Kingussie OSI

Summary Is there a real requirement for 300 additional houses in Kingussie. However it is good to see that the woodland surrounding the town is outwith the settlement boundary and therefore protected. In OSI 'valley' should be replaced with 'gorge'.

CNPA analysis A detailed paper outlining the background to the housing land requirement calculations, land supply requirements and proposed balance of house sizes will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made. The comment regarding terminology is also noted. Confirm allocations are based on consultants work, waiting lists, etc and is continually monitored.

Proposed Modification

Change wording in OSI.

Objector Ref 037q

Policy/site ref Settlements - Ballater

Summary The level of proposed new development would adversely alter the character of Ballater.

CNPA analysis The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for

the site, and a long term vision for the future growth of Ballater. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. The design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Proposed Modification

Amend supporting text to ensure design respects character of Ballater.

Objector Ref 037r

Policy/site ref Settlements - Carr-bridge

Summary The site for 117 houses in Carrbridge should not be included.

CNPA analysis The site has outline permission granted and a detailed application has now been submitted which is being dealt with by CNPA. Due to the timescales the current application will be carefully monitored to ensure that the appropriate proposal or detailed information is included within the future plans for the Local Plan. However, as the application is currently registered, it will be determined in line with the policies in Highland Council Plan. In the event that the detailed application is refused, the situation will be revised. .

Proposed Modification

Include up to date info on extant permissions and outstanding applications.

Objector Ref 037s

Policy/site ref Settlements - Kincaig

Summary The site for development in Kincaig is important botanically and should not be allocated for development.

CNPA analysis The comments are noted, and the site will be reviewed to assess the natural heritage interests on the site. The site will also be reviewed in light of the SEA to ensure appropriate analysis of its development has been included.

Proposed Modification

Remove H2.

Objector Ref 037t

Policy/site ref Settlements - Nethy Bridge H2

Summary The scale of development is too great.

CNPA analysis This site has outline permission for housing and throughout the forthcoming consultation modifications to the local plan will reflect the position regarding extant permissions and submitted planning applications being determined under the Highland Council Local Plan. Where possible the local plan will be used to influence the scale and design of future development to ensure that it is appropriate for the village and is matched with an appropriate level of service provision. Confirm that site has outline permission and CNP will work to influence scale and design of future development.

Proposed Modification

No further modification required.

Objector Ref 037u

Policy/site ref Policy omission

Policy/site ref Policy 25

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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.

Objector Ref **Name** Richard Renton

040 Nethybridge & Vicinity Community Council

Company Nethybridge and vicinity community council

Policy/site ref Settlements - Nethy Bridge

Summary Land between the Mountview Hotel and Wilburn Homes should be allocated as open space and protected for community recreational use.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Objector Ref **Name** Fergus Ewing MSP

041
Constituency Office
Highland Railhouse
Station Square, Inverness
IVI ILE

Policy/site ref Settlements - Newtonmore/employment allocations

Summary Additional land should be allocated for employment use, particularly within Newtonmore.

CNPA analysis 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 Modification

Allocate employment land in Newtonmore.

Objector Ref **Name** RG and CE Armstrong
042 59 North Bar Within
 Beverley
 East Riding of Yorkshire
 HUI7 8DG

Policy/site ref Housing (affordable)

Summary Affordable homes should not be mixed through open market housing as this can adversely impact on the value of the latter. Also there should be a greater allocation of land within rural settlements to allow for development to meet local demand for housing.

CNPA analysis The approach to 'pepper potting' affordable houses is one which has been tried and tested across the country for many years. However, the approach taken will be assessed on a case by case basis and a prescriptive approach will not be imposed.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Objector Ref **Name** Bryan Grozier
046 Camerary
 By Grantown on Spey
 PH26 3PR

Policy/site ref Settlements - Grantown on Spey HI

Summary The allocation of land for housing in Grantown on Spey and Aviemore does not support the aims of the National Park, and the CNPA should not be pressured to allocate land by land owners.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref	Name Mr D Black	Agent	MA Munro
047	Laggan of Clachaig	Munro chartered quantity surveyors	
	Nethybridge	Ardconnel	
	PH25 3DY	Woodlands Terrace, Grantown on Spey	
		PH 26 3JN	

Policy/site ref Settlements - Nethy Bridge

Summary The existing land allocated in Nethy Bridge has been so for some time without development progressing. They are unlikely to be effective in the medium to long term, and are under mature woodland which impacts on the development potential for the site and the amount of affordable homes which could be developed. The CNPA is required to ensure adequate effective land is allocated and within Nethy Bridge the only other land allocated is HI which the community wish to see retained as community use. Therefore there is no land effective in the short to medium term.

As a result an additional site should be allocated at Lettoch Road . The site is outwith the 30mile speed limit as are the other sites allocated.

Visibility from the site is not an issue, and the site topography would not require extensive restructuring. The site has natural defendable boundaries and there is also the opportunity to create landscaping zones within the site. It is immediately adjacent to the existing housing stock, so that any extension of this is in accordance with the Scottish Government wish to have new developments abut onto the existing settlement. The proposed modification is supported by national planning policies – outwith the settlement limits as defined by town and village envelopes. Further, where brownfield and infill sites cannot fulfil the housing requirement it is necessary to release greenfield land next to built up areas. Policy 5.41 of the local plan states that ‘an additional 800 houses land for which must be identified’. We fully appreciate the need for affordable housing and my client understands that I will be discussing and agreeing with you, the Planning Authority, a proportion of affordable housing on this site should this application for modifying the plan be accepted. In order for the affordable element to be viable, we would request that the whole site be zoned for residential to enable affordable housing to work. This site is deliverable in the short term meeting the current demands for smaller family units as opposed to the larger detached bungalows and villas. CNPA recognises the rise in population and there are growing employment opportunities in the Nethy Bridge/Grantown area and there is no house building going on at present, this site can be delivered in the short term. This site fits well with the key objective of sustainability in that it is well located but also it will encourage young people to stay, return and come to Nethy Bridge in the short/longer term. A broader range of two and three bedroom houses and tenure is an important element of creating a long term sustainable population.

CNPA analysis The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Proposed Modification

No modification proposed.

Objector Ref Name W Cassells
048a Balnafettach
Cromdale
PH26 3LW

Agent MA Munro
Munro chartered quantity surveyors
Ardconnel
Woodlands Terrace, Grantown on Spey
PH 26 3JN

Policy/site ref Settlements - Cromdale

Summary An additional area to the north of HI forms part of the same field and will become

redundant if HI is developed and should therefore be included within the allocation. The topography of the site is sloping in places and would not require extensive re-structuring. It has natural defendable boundaries and there is also the opportunity to create landscaping zones within the site. Development of the site would be adjacent to existing housing stock and any extension of this is in accordance with the Scottish Government wish to have new development abut onto the existing development. The proposed modification is supported by national planning policies – outwith the settlement limits as defined by town and village boundaries. Further, where brownfield and infill sites cannot fulfil the housing requirement it is necessary to release greenfield land next to built up areas. The local plan identifies the need for an additional 800 houses and this site could in part be used for affordable housing. The site is deliverable in the short term.

CNPA analysis The allocated sites within Cromdale will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA.

Proposed Modification

HI add remaining field area within proposed site.

Objector Ref 048b

Policy/site ref Settlements - Cromdale

Summary An additional site should be included as a housing allocation within the settlement. The current boundary stops at an illogical point 40yrds short of a heavily wooded area, and this site would take the boundary to this natural edge. The site is therefore considered an infill site to create two house plots in an area in need of additional housing land. The site topography is gently sloping in places and will not require extensive re-structuring. It has natural defendable boundaries and there is also the opportunity to create landscaping zones behind the site as my client owns the land. It is immediately adjacent to the existing housing stock, so that any extension of this is in accordance with the Scottish Government wish to have new development abut onto the existing development. The modification is supported by national planning policies – outwith the settlement limits as defined by town and village boundaries. Further, where brownfield and infill sites cannot fulfil the housing requirement it is necessary to release greenfield land next to built up areas. The local plan states the need for an additional 800 houses. This site could be used to make a contribution to the affordable housing fund.

CNPA analysis The allocated sites within Cromdale will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA.

Proposed Modification

Amend settlement boundary to include the land.

Objector Ref 050
Name Colin Robertson
Priormuir, 11 Monaltrie Avenue
Ballater

AB35 5RX

Policy/site ref Settlements - Ballater HI

Summary The development of HI should be done in a way which does not require access through Monaltrie Avenue. Access should be provided through Craigendarroch Walk directly to Craigview Road.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm need for traffic impact assessments and also that any proposal will have input from council roads engineers to ensure appropriate standards are met.

Proposed Modification

No modification proposed.

Objector Ref	Name James Mitchell
051	18 Seafield Court
	Grantown on Spey
	PH26 3LE

Policy/site ref Settlements - Grantown on Spey HI

Summary The development of HI would have a significant adverse impact on the economic prosperity of Grantown Campsite which in turns makes a significant contribution to the economy of the town as a whole. Its development would be contrary to the aims of the National Park and as such any development on the site should be done in sympathy with the operations of the campsite. It should be single storey as in Seafield Court and low density. There should be a 'green' border between it and the camp site and the undulations of the field levelled to preserve views.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref	Name Bill Carr
052a	Glenisla
	Dalwhinnie
	Inverness-shire
	PH19 IAB

Company Dalwhinnie Community Council

Policy/site ref Settlements - Dalwhinnie

Summary The housing sites proposed would all fall below the limit for a mandatory proportion to be affordable housing but which taken together would substantially increase housing

stock within the village. This approach is contrary to the CNPA's stated philosophy of encouraging sustainable communities through the provision of affordable local housing.

CNPA analysis The policies regarding affordable housing apply to all developments, regardless of size. The wording however seems to be unclear and will be amended to give greater guidance on the position. Confirm all developments will have to provide a contribution to affordable houses. The sites go towards the housing targets for the area and will therefore contribute to both sustainable communities and affordable provision.

Proposed Modification

No modification proposed.

Objector Ref 052b

Policy/site ref Settlement Boundaries

Summary Wish to confirm that there are no proposed developments in the Dalwhinnie area beyond the defined settlement boundary without appropriate local consultation.

CNPA analysis The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary.

Proposed Modification

Include in intro to cpt 7 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref 052c

Policy/site ref Settlements - Dalwhinnie H1

Summary Within H1 why has a density of only 6 houses been identified, which would therefore not require an 'affordable housing' component?

CNPA analysis The policies regarding affordable housing apply to all developments, regardless of size. The wording however seems to be unclear and will be amended to give greater guidance on the position. Confirm all developments will have to provide a contribution to affordable houses.

Proposed Modification

No modification proposed.

Objector Ref 052d

Policy/site ref Settlements - Dalwhinnie H2

Summary Why has this site been allocated?

CNPA analysis The site has been included to provide a level of choice, and was considered to be a gap site where new development could complement the character of the settlement. The allocation could be removed however, and any new development considered on its merits since the site is a small site within the settlement boundary. The sites in Dalwhinnie will therefore be reviewed to ensure that they are in line with the requirements of the community, and provide an appropriate level of guidance to comply with the requirements of SPP1. Confirm the small site was included as an infill site in the draft plan and has been carried forward from then.

Proposed Modification

No modification proposed.

Objector Ref 052e

Policy/site ref Settlements - Dalwhinnie H3

Summary How many houses will be developed on this site and how many will be affordable?

CNPA analysis The policies regarding affordable housing apply to all developments, regardless of size. The wording however seems to be unclear and will be amended to give greater guidance on the position. The capacity of the site will also be reviewed in light of the comments and an indicative figure included to give greater clarity. Confirm the position regarding affordable houses in terms of sites with outline permission.

Proposed Modification

Clarify what extant permission is for.

Objector Ref 052f

Policy/site ref Settlements - Dalwhinnie H4

Summary Why on a site of this size has a density of only 6 houses been proposed, which would therefore not require an 'affordable housing' component

CNPA analysis The policies regarding affordable housing apply to all developments, regardless of size. The wording however seems to be unclear and will be amended to give greater guidance on the position. Confirm all developments will have to provide a contribution to affordable houses.

Proposed Modification

No modification proposed.

Objector Ref 052g

Policy/site ref Settlements - Dalwhinnie OSI

Summary The entire area and not just the section allocated at OSI should be protected from development.

CNPA analysis In light of the comments received, the sites in Dalwhinnie will be reviewed to ensure that they are in line with the requirements of the community, and provide an appropriate level of guidance to comply with the requirements of SPPI. Amendments will then be made to reflect any additional information received from the community and the landowner.

Proposed Modification Amend wording of OSI to reflect that woodland scheme may not go ahead. Amend boundary to include the whole field.

Objector Ref **Name** Mr George Inglis

053 25 Monaltrie Avenue

Ballater

AB35 5RX

Policy/site ref Settlements - Ballater H1

Summary Any development on this site should not be accessed through Monaltrie Avenue, and the site should be reduced in size to remove the area to the west of the Cinder Path and the access path to Monaltrie House.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added

to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm need for traffic impact assessments and also that any proposal will have input from council roads engineers to ensure appropriate standards are met.

Proposed Modification

Include reference to setting of Monaltrie House in text

Objector Ref	Name	Mr Mark Cox
054a	Balnagowan	
	Balnagowan Brae	
	Nethybridge	
	PH25 3DR	

Policy/site ref Settlements - Nethy Bridge

Summary The settlement boundary of Nethy Bridge should be amended to include Balnagowan Wood and the land to the east of the River adjacent to new housing at Lynstock Park and both these areas should be clearly identified as protected from future development of any kind as both contribute to the strategic setting of the village.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref	054b
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Policy/site ref Settlements - Nethy Bridge

Summary The land adjacent to the MountView Hotel should be protected from future development and maintained for important amenity use.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Objector Ref	Name	Mr Steven Broadhurst
055	Kelvinbank	

Dell Road
Nethybridge
PH25 3DG

Policy/site ref Settlements - Nethy Bridge

Summary A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the Mountview Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and Balnagowan Woods.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Objector Ref **Name** James and Evelyn Sunley
056a 12 Lochnagar Way
 Ballater
 AB35 5PB

Policy/site ref Policy 33

Summary The local plan should include more detailed policies to support industrial and tourist development to create sustainable full time employment. There is over emphasis on housing and no detail on encouraging business incentives or creating employment for people who might live in the houses proposed. Also there is little mention of the facilities and infrastructure needed to support such levels of development.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Amend proposals for Ballater to reflect work being done by Princes Foundation.

Add employment proposals to proposals maps.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref 056b

Policy/site ref Settlements omissions Crathie, Dinnet

Summary Dinnet and Crathie should be identified as settlements and land identified within them for development potential.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 some settlements will be identified including dinnet, but outwith these opportunities still exist in a much less structured way for housing and employment - the way the plan is formed therefore allows small communities a much greater degree of flexibility than if a line is drawn on proposals maps.

Proposed Modification

Include some rural settlements within proposals.

Objector Ref 056c

Policy/site ref SEA

Summary The SEA should further explain how it reaches its conclusions.

CNPA analysis The comments are noted, but CNPA must refer to the responses from the 4 statutory consultees on SEA who have all commented on the clarity and soundness of the Environmental Report. The findings of the ER will impact directly on the local plan, its policies and proposals and this will be done in line with the legislative requirements and in liaison with the consultees.

Proposed Modification

A number of changes have been made to the SEA environmental report, which address the concerns raised.

Objector Ref 056d

Policy/site ref General - layout

Summary The local plan approach of having policies which apply equally across the Park is not realistic, and there should be area based policies to account for the different requirements of the various communities within the Park. The allocation of land for development must also be over a greater period of time and must include the provision of services and amenities so that new development can adequately be incorporated within the existing settlements.

CNPA analysis The approach taken attempts to create a clear planning framework for the Park area as a whole. The wording of individual policies should provide sufficient flexibility to account for the needs of individual communities, but further clarity will be included as a proposed modification within the Introduction Section to further explain how to use the Plan and its policies and proposals. Further consideration will also be given to the long term future planning for the Park to ensure that land allocations are appropriate to take the Park and its various communities into a success long term future.

Proposed Modification

Amend 1.5 purpose of Plan to explain the role of the Plan across the Park.

Include in table 4 clear timescales for short, medium and long term provision.

Objector Ref 056e

Policy/site ref General - Consultation

Summary The consultation carried out does not represent the whole community.

CNPA analysis The comment is noted. The consultation process is designed to gain a full understanding of all views within the Park and uses a variety of techniques to gain a full picture of the views of the community. It does not rely on particular events and considers all representations received of equal importance. No modification considered necessary as a result of this representation.

Proposed Modification

No modification needed

Objector Ref 056f

Policy/site ref SEA

Summary The SEA assessment needs greater examination as its findings are so important to future development.

CNPA analysis The comments are noted, but CNPA must refer to the responses from the 4 statutory consultees on SEA who have all commented on the clarity and soundness of the Environmental Report. The findings of the ER will impact directly on the local plan, its policies and proposals and this will be done in line with the legislative requirements and in liaison with the consultees.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 056g

Policy/site ref Policy 01

Summary The wording is overly complicated and confusing. The policy seems to conflict with all other policies in the Plan and seems too powerful.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 056h

Policy/site ref Policy 13

Summary The policy should be more specific and flood prevention measures should be identified in association with new housing land allocations.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance

regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary. Confirm in letter that SEPA comments have been taken on board to amend wording.

Proposed Modification

Modifications in line with SEPA information provided.

Objector Ref 056i

Policy/site ref Housing

Summary The housing allocations should recognise the important part of the economy played by retiring people, which could be used to assist affordable housing provision.

CNPA analysis Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 056j

Policy/site ref Settlements - Ballater HI

Summary The proposal for HI should greater reflect the findings of the Prince's Foundation proposals for Ballater.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm CNPA are keen to work with Princes Foundation to ensure good development is realised.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Amend HI to reduce the allocated land making provision for parking.

Amend text to HI to reflect Princes Foundation and need for sustainable communities.

Amend boundary on plan to account for Games Park and Princes Foundation proposals.

Objector Ref 056k

Policy/site ref Policy 20

Summary 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 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 Modification

Add economic development sites into settlements identified in the proposals section.

Objector Ref 056l

Policy/site ref Settlements - Ballater

Summary The housing requirements in NEST which identify 150 homes for the Mar area more reflecting the needs of the area. The proposed 250 houses is extreme and unacceptable.

CNPA analysis The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection.

Proposed Modification

No modification proposed.

Objector Ref 056m

Policy/site ref Housing (need)

Summary The number of affordable housing units needed in different parts of the Park are not comparable and the plan needs to identify how many LOCAL people need accommodation and employment.

CNPA analysis The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. CNPA also work closely with the housing authorities to ensure the most up to date information is available on local need. Also we continue to try and influence the use of housing waiting lists.

Proposed Modification

No modification proposed.

Objector Ref 056n

Policy/site ref Policy 23,24

Summary 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 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 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.

Objector Ref 056o

Policy/site ref Housing (affordable)

Summary 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 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 Modification

No modifications proposed.

Objector Ref 056p

Policy/site ref Policy 32

Summary Waste management should be consistent across the 4 local authorities.

CNPA analysis 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 Modification

Add para to clarify role of waste plan and strategies.

Objector Ref 056q

Policy/site ref Settlements - Ballater

Summary Land should be identified for the development of hotel and hostel accommodation within Ballater.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development and tourism opportunities and the protection of the special qualities of the area. Within Ballater, general policies have been included to do this, rather than identify a particular site which may be considered by some as restrictive. However work will continue with the local chamber of commerce to ensure that the approach taken meets with the aspirations of the local community. Confirm that policies (esp 33 and para 6.3 and 6.4) aim to promote development such as tourism rather than shoe horn proposals into particular sites.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Objector Ref 056r

Policy/site ref Policy 34

Summary A road should be created between Braemar and Glen Feshie and on to Kingussie to link both sides of the Park to improve access.

CNPA analysis The policy is worded to consider applications for development which impact

on outdoor access. Should a proposal come forward as mentioned in the representation it would be considered on its merits and judged against this policy and the others of the local plan. No modification considered necessary as a result of this representation. Confirm this would be considered on its merits if a proposal came forward but it would be unlikely to be supported due to the impact it would have on landscape, wildness, etc.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 056s

Policy/site ref Settlements - Ballater

Summary The local plan should identify sites to meet local aspirations for recreational development including an outdoor activity centre, indoor sports centre, theatre, cinema etc.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development and tourism opportunities and the protection of the special qualities of the area. Within Ballater, general policies have been included to do this, rather than identify a particular site which may be considered by some as restrictive. However work will continue with the local chamber of commerce to ensure that the approach taken meets with the aspirations of the local community. Confirm that policies (esp 34 and 35) aim to promote development such as recreational developments rather than direct them particular sites.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Objector Ref 056t

Policy/site ref Settlements - Ballater

Summary Provision should be made within the Local Plan for football pitches and other outdoor projects including supporting the Ballater Games.

CNPA analysis The allocated site at Ballater HI will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site.

Proposed Modification

Amend HI to reduce the allocated land making provision for parking.

Include reference to need for recreational land within masterplan.

Objector Ref 056u

Policy/site ref Settlements - Ballater HI

Summary The density of HI is out of keeping with surrounding developments in Ballater. The proposal should reflect the findings of the Prince's Foundation study of Ballater and the Aberdeenshire allocation previously agreed.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required

within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. The design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Proposed Modification

Amend supporting text to H1 to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Objector Ref **Name** Clare Jenkins
057 6 Railway Cottages
 Newtonmore
 PH20 IAR

Policy/site ref Housing (Sustainable Communities)

Summary The local plan should not be making any provision for the development of second homes which add little to the economy and exacerbate house price rises. The policies should promote sustainable communities and protect the special qualities of the Park.

CNPA analysis Amend table 2 to reflect issue of sectors of the market not controlled by the planning system.

Proposed Modification

Clarify table 2.

Objector Ref **Name** Nick Semple
058 1 Lettoch Road
 Nethybridge
 PH25 3EJ

Policy/site ref Settlements - Nethy Bridge

Summary Affordable housing should be made available for young local people and should not be linked to local authority waiting lists. This may be achieved through the allocation of land within Nethy Bridge to a housing association or similar to develop housing for the community

CNPA analysis The CNPA will continue to work closely with the 4 local authorities, social housing providers and private developers to ensure the most appropriate affordable housing approach to meet the needs of people in the National Park. In terms of land allocations, work will continue to target areas of demand and allocate land in those areas as appropriate and to match demand. Confirm approach taken regarding affordable houses and allocations.

Proposed Modification

No modification proposed.

Objector Ref **Name** Sheena Semple
059 1 Lettoch Road
 Nethybridge
 PH25 3EJ

Policy/site ref Policy 04

Summary The allocation of ancient woodland should be reviewed to accurately reflect what is

important on the ground.

CNPA analysis The comments regarding the datasets are noted and work will continue between the CNPA and its partners to ensure that this is addressed to allow the best information to be available to inform the development process. Within the terms of the policy the wording will be reviewed to ensure it is reasonable, clear, and delivers the intentions of the policy. The wording proposed will be assessed as part of this review.

Proposed Modification

4.20 add for clarity that datasets are flawed and site inspections are needed to establish the qualities of each site, but that the datasets are used as a starting point.

Objector Ref	Name	Catherine Johnson
061	Shieldaig	
	Station Road	
	Newtonmore	

Policy/site ref Settlements - Newtonmore

Summary Land previously identified in the draft local plan should be reinstated within the settlement boundary of Newtonmore and allocated as open space.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and the settlement boundary may thereafter be amended. For clarity additional text will be added to the plan to explain the level of protection offered to sites on the boundary of settlements identified in the Plan.

Proposed Modification

Include land within settlement boundary to be protected from development.

Objector Ref	Name	Alistair McLeod
062	Strathkinness	
	Seafield Avenue	
	Grantown on Spey	

Policy/site ref Settlements - Grantown on Spey HI

Summary The land for housing should be allocated as open space/amenity use to protect the natural break between the housing and caravan park. The development of housing would create intolerable levels of traffic and would be dangerous.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref	Name	Catharine Hilary Mordaunt
063a	62 Corroul Road	

Aviemore

PH22 ISS

Policy/site ref Settlements - Aviemore H2/H3

Summary H2 and H3 should not be used for development as it would increase traffic problems in the area, and there would be no natural break in housing development in the area. The site should be allocated as amenity space.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref 063b

Policy/site ref Settlements - Aviemore H2/H3

Summary No further development should be carried out in Aviemore to provide housing for second homes.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref **Name** Mrs A Ritchie

064

Collie Ghlas

Dell Road

Nethybridge

PH25 3DG

Policy/site ref Settlements - Nethy Bridge

Summary I support the Local Plan in its efforts to protect the special qualities of the Park.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref **Name** Robin J L Melville

065

Land Management (Scotland) Ltd

64a High Street
Laurencekirk
AB30 1BJ

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be identified as a settlement and land allocated for 60 dwellings to support local proposals for economic development.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref **Name** Serena Humphrey
066a Rhu-na-Haven
 Aboyne
 AB34 5SD

Policy/site ref Settlements - Ballater HI

Summary The allocation of HI cannot be supported by adequate infrastructure and employment opportunities. The new developments will be bought by retiring people and be second homes and will end in destroying the character of the village.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. The design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Proposed Modification

Amend supporting text to HI to refer to ongoing work of prince's foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Add employment opportunities in proposals maps.

Objector Ref 066b

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be identified as a settlement and land should be identified for housing development to invigorate the area and support local businesses.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref **Name** Mr Peter Smith
067 Brackenburn
 Nethybridge
 PH25 3DB

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing for the community should be removed and the site should be protected from development.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Mrs Julie Smith
068 Brackenburn
 Nethybridge
 PH25 3DB

Policy/site ref Settlements - Nethy Bridge CI

Summary Further development will destroy the character of Nethy Bridge and the reference to affordable housing for the community should be removed and the site should be protected from development.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref **Name** Mrs EM Farnell
069 Woodcutter's cottage
 2 Lettoch Road
 Nethybridge
 PH25 3EJ

Policy/site ref Settlements - Nethy Bridge

Summary A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the MountView Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and Balnagowan Woods. Further, reference to affordable housing for the community in CI should be removed and the site should be protected from development.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref	Name George E Nutt
070	Woodcutter's cottage
	2 Lettoch Road
	Nethybridge
	PH25 3EJ

Policy/site ref Settlements - Nethy Bridge

Summary A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the Mountain View Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and Balnagowan Woods. Further, reference to affordable housing for the community in CI should be removed and the site should be protected from development.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. Confirm approach to non designated woodland and retaining trees on development sites by way of condition.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref Name Mrs Ann E Nutt

071 Woodcutter's cottage
2 Lettoch Road
Nethybridge
PH25 3EJ

Policy/site ref Settlements - Nethy Bridge

Summary A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the Mountain View Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and Balnagowan Woods. Further, reference to affordable housing for the community in CI should be removed and the site should be protected from development.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. Remove reference to housing in the text to CI.

Confirm approach to non designated woodland and retaining trees on development sites by way of condition.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Objector Ref Name Rachel Gallagher

072 1 Lettoch Road
Nethybridge
Inverness-shire
PH25 3EJ

Policy/site ref Settlements - Nethy Bridge

Summary There should be no further development proposals for Nethy Bridge at this time to allow recent developments to be properly integrated into the village and allow for the proper phasing of future infrastructure requirements.

CNPA analysis The sites currently allocated within the deposit local plan all have outline planning permission for housing development, granted under the terms of the Highland Council

Local Plan. The detailed applications for these sites will be carefully monitored to assess whether the CNPA local plan can be considered as material in their determination. Where applications are currently registered they will be determined in line with the policies of the Highland Council Plan. In the event that the detailed applications are refused, the situation will be revised. Confirm in letter sites allocated, permissions granted, approach being taken for life of Plan.

Proposed Modification

No further action required.

Objector Ref **Name** Donside Community Council
073a c/o Mrs M Henderson
 3 Kingsford Road
 Alford

Company Donside Community Council

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 073b

Policy/site ref Settlements omissions Strathdon

Summary Strathdon should be identified as a settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Bellabeg within settlement proposals.

Objector Ref 073c

Policy/site ref Policy 26

Summary 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 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 Modification

Revise policy 23 to reduce the size of groups to 3.

Policy 24 add additional para c) taking on need to include brownfield land or reuse of redundant sites to create some more opportunities.

Objector Ref	Name Ballater (RD) Ltd	Agent	Bryan Wright
076	7 Bridge Street	Pronybeg	
	Ballater	Ballater	
	AB35 5QP	AB35 5XB	

Company Ballater (RD) Ltd

Policy/site ref Settlements - Ballater H1

Summary There is no evidence to support the requirement for such a large development within Ballater. The site as allocated covers the car parking used for the Ballater Games. This should not occur. The density proposed is not in keeping with a rural settlement and the development of this site would have an adverse impact on the character of the village. The site is also within the flood plain and development would not only impact on the site itself but have knock on effects elsewhere. The site should not be designated unless the risk of flooding is at an acceptable level. The site should instead be used to provide environmental and recreational assets needed to serve the growth in the village seen during the past 7 years.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue. Confirm approach to developer contributions for new development to support services. Confirm the policy for affordable houses supported in the plan. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Proposed Modification

Amend supporting text to H1 to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Amend proposals map to reflect need for parking.

Include reference to ensure design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref	Name Gordon Findlay
077	24 Pannanich Road
	Ballater
	AB35 5PA

Policy/site ref Settlements - Ballater H1

Summary There is no need for such a large scale development in Ballater. Also why do we

need low cost housing as there is no great number of people on the waiting list. There is no employment within the area and poor public transport links. Any jobs in tourism are poorly paid. Also the allocation marked on the plan is vague and should indicate accesses and design, since the density would suggest a large housing scheme out of character with Ballater.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm access issues etc will be addressed once more developed proposals are being considered - this stage is to establish the use of the land and also the scale of development.

Proposed Modification

Amend supporting text to HI to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Include reference to ensure the design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref	Name	Michael F Franklin
078		40 Pannanich Road
		Invercauld Park
		Ballater
		AB35 5PA

Policy/site ref Settlements - Ballater HI

Summary The density proposed for the site is out of keeping with similar sized sites elsewhere in the Park. The first priority should be to create the necessary recreational space and parking area and assign what is left. Although some low cost housing is needed in the area the allocation is excessive. The site also lies within the flood plain and any development should be subject to a detailed flood risk assessment carried out in a rigorous way.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue. Confirm approach to developer contributions for new development to support services. Confirm the policy for affordable houses supported in the plan. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Proposed Modification

Amend proposals map to reflect need for parking.

Amend supporting text to HI to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Include reference to ensure the design of new development will support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref Name Mrs Sally Leslie Melville
079 South Cantray
Croy
Inverness
IVI 2PW

Agent James Carnegie- Arbuthnott
Buccleuch Town and Country
43 Melville Street
Edinburgh
EH3 7JF

Policy/site ref Settlements - Newtonmore

Summary Additional land adjacent to H1 should be included to meet long term demands and H1 and H2 should meet current demand.

CNPA analysis The comments are noted, and a comprehensive review will be undertaken in Newtonmore to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made. This will include a survey and review of the additional land suggested. Confirm housing allocations are based on need etc, and based on the work of the various studies. The long term growth of Newtonmore will therefore be assessed in line with normal monitoring of the local plan, and should existing allocations be taken up within the plan period future revisions and modifications to any future plan will consider additional land for the long term. However confirm view that effective 5 year supply has been met and that medium term growth is also met (table 2-4)

Proposed Modification

No modification proposed.

Objector Ref Name Lord Hogg of Cumbernauld
080 26 Pannanich Road
Ballater
AB35 5PA

Policy/site ref Settlements - Ballater H1

Summary Support for the comments made by James Sunley.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref Name Mr R Lawson
081 Nethybridge Pottery
Grantown on Spey
PH26 3NH

Policy/site ref Settlements - Nethy Bridge

Summary The settlement boundary should be protected and the recent levels of development capped. Outwith the boundary there should be a presumption against dispersed or ribbon development. A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the Mountview Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and

Balnagowan Woods. Further, reference to affordable housing for the community in CI should be removed and the site should be protected from development.

CNPA analysis The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary. In respect of open space, a comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. Confirm designations such as SSSI are not responsibility of CNPA but can pass comment to SNH

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref Name Penny Lawson

082

Easter Culreach

Grantown on Spey

PH26 3NH

Policy/site ref Settlements - Nethy Bridge

Summary The settlement boundary should be protected and the recent levels of development capped. Outwith the boundary there should be a presumption against dispersed or ribbon development. A number of important areas of open space have not been afforded an adequate level of protection from future development. These sites are the land adjacent to the MountainView Hotel, land adjacent to the River at the south end between Dell Road and Lynstock, and Balnagowan Woods. Further, reference to affordable housing for the community in CI should be removed and the site should be protected from development.

CNPA analysis The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary. The comments regarding open space are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. . The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref Name Jane Linda Cox

083a
Balnagowan
Nethy Bridge
PH25 3DR

Policy/site ref Settlements - Nethy Bridge

Summary A number of areas of open space should be protected from future development. These are Balnagowan Woods, land to the east and north of H2, and land to the south of Lettoch Road.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref 083b

Policy/site ref Settlements - Nethy Bridge

Summary Land between Mountview Hotel and Wilburn Homes should be protected from future development and allocated as protected open space.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Objector Ref Name Mark Cox

084
Balnagowan
Balnagowan Brae
NethyBridge
PH25 3DR

Policy/site ref Settlements - Nethy Bridge

Summary The village boundary should be extended to include the whole of the 'Nursery' and the whole should be protected as open space.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

OS1 extend boundary at Dell Road on west side of river

Add to intro of section 7 para 7.5 pproach to development within and outwith settlement boundary.

Objector Ref Name George M Cowie

085 Garden House
Morven Way
Ballater
AB35 5SF

Policy/site ref Settlements - Ballater HI

Summary The land allocated has to accommodate parking for the Games and landscaping to the west, and the density of 250 is therefore unreasonable. Land should also be protected to the west of Monaltrie House to protect the setting of this listed building. However the space remaining would in fact be more appropriate in scale to Ballaters needs, and the proposal should therefore be reduced in area, reduced in number of houses proposed, include parking for the games and landscaping, and any development should protect the setting of Monaltrie House and the views from the top of the hill on A93 east of the Pass of Ballater.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm allocation is phased for the long term growth of the village. Also confirm detail such as landscaping would be considered only after the concept of development on the site is established through the Plan.

Proposed Modification

Amend boundary on plan to account for Games Park and Princes Foundation proposals.

Objector Ref Name Alexander Copland

086 Roslin Lodge
School Lane
Ballater

Policy/site ref Settlements - Ballater HI

Summary Adequate space should be identified within the map to ensure parking is protected for the Ballater Games.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required

within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site.

Proposed Modification

Amend H1 to include additional land for making provision for parking.

Amend text to H1 to reflect Princes Foundation and need for sustainable communities.

Objector Ref Name Ralph C Wylie

087
I Braeriach Road
Kincaig
Kingussie
PH21 1QA

Policy/site ref Settlements - Kincaig H1, H2

Summary Recent development in Kincaig has been out of keeping with the village and new development should not add to this style of development. Any new development at H1 should strictly adhere to policy 18 regarding design standards with imaginative and good quality design. The density should be reduced to no more than 30 dwellings. Development at H2 would not consolidate the village and would detract from the amenity of the school, thus being contrary to policy 18.

CNPA analysis The sites have been allocated in light of the findings on housing need for the area, and further information will be provided to ensure that this work is transparent and easy to understand. The sites will then be reviewed to ensure that the appropriate amount of land is included to meet this demand. The policies regarding the design apply to all developments, and any application for development must adhere to these. This includes policy 18. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park, and this will include issues relating to design and sustainable development.

Proposed Modification

Remove H2.

Objector Ref Name George Ritchie

088
Bellerive
Dell Road
Nethy Bridge
PH25 3DG

Policy/site ref Settlements - Nethy Bridge

Summary The reference to affordable housing for the community should be removed and the site should be protected from development.

CNPA analysis The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1.

Proposed Modification

Remove reference to housing in the text to C1.

H2 clarify wording in terms of outstanding permissions and if any influence to the landscaping of the development can be insisted through the plan.

Objector Ref Name Mrs Fiona Powell
089 I Meadow Gardens
Hopeman
Elgin
IV30 5PN

Policy/site ref Policy 24

Summary 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 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 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.

Objector Ref Name Frank Jemmett
090 I Rhuarden Court
Grantown on Spey
PH26 3DA

Policy/site ref Settlements - Grantown on Spey HI

Summary Development at HI would exacerbate current traffic management problems within Grantown at the junction with High Street/The Square and also at Seafield Avenue. Any new development must therefore ensure adequate improvements to these junctions and other possible traffic management solutions.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan.

The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name Dr Sheila Sedgwick

091a Ballater & Crathie Community Council
Girnoc Shiel
Glengirnoc, by Ballater
AB35 5SS

Company Ballater & Crathie Community Council

Policy/site ref Housing (Sustainable Communities)

Summary The plan focuses too heavily to housing provision and not enough on employment opportunities and incentives. Also there is little focus on the need to provide adequate infrastructure to support new housing development. All these should be intrinsically linked.

CNPA analysis The plan must ensure adequate housing provision. However additional focus will be placed on employment provision. The CNPA continue to work closely with infrastructure providers to build into their investment programmes sufficient capacity to meet the needs of the local plan.

Proposed Modification

Include employment land in proposals maps.

Objector Ref 091b

Policy/site ref Settlements - Ballater

Summary The settlement boundary of Ballater should include the Craigendarroch complex and the wooded area around the school. There are also omissions including the battlefield site and souterrain. Crathie should be included as a settlement.

CNPA analysis The boundary of Ballater has been drawn to include the main settlement and housing areas which form the village. This is in on way to imply that certain other developments do not play a key role in supporting the village, particularly economically. In regard to Crathie, the approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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. onfirm that settlement boundary has been drawn to exclude the SSSI. Also confirm that Crathie as a disperced settlement would be better served within a settlement boundary, as it allows a much greater degree of flexibility for incremental growth which supports the settlement - policy 25 and 26.

Proposed Modification

Redraw settlement boundary to include woodland around school

Objector Ref 091c

Policy/site ref General - layout

Summary The approach to create policies which apply across the park does not allow for flexibility within individual communities.

CNPA analysis The approach taken attempts to create a clear planning framework for the Park area as a whole. The wording of individual policies should provide sufficient flexibility to account for the needs of individual communities, but further clarity will be included as a proposed modification within the Introduction Section to further explain how to use the Plan and its policies and proposals.

Proposed Modification

Amend 1.5 purpose of Plan to explain the role of the Plan across the Park.

Objector Ref 091d

Policy/site ref SEA

Summary The SEA must be more carefully examined as its findings will have a major impact on the area as a whole.

CNPA analysis The comments are noted, but CNPA must refer to the responses from the 4 statutory consultees on SEA who have all commented on the clarity and soundness of the Environmental Report. The findings of the ER will impact directly on the local plan, its policies and proposals and this will be done in line with the legislative requirements and in liaison with the consultees.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 091e

Policy/site ref Policy 11

Summary There are 4 conservation villages

CNPA analysis The comment is noted. The conservation areas are marked on the proposals maps. No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 091f

Policy/site ref Policy 13

Summary

The policy regarding flooding needs more careful consideration to ensure that sites are not allocated in areas at risk from flooding and

appropriate levels of protection are included in all developments.

CNPA analysis

The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement

proposals where necessary.

Confirm modifications will be in light of comments received from SEPA and also approach to flood risk assessments.

Proposed Modification

No further work required.

Objector Ref 091g

Policy/site ref Settlements - Ballater

Summary The housing policies should reflect the important role retired people make to the economy, and the value added to houses which could be used to support affordable houses.

CNPA analysis The approach to housing policy endeavours to recognise all sectors of the market, and provide a policy basis to meet the needs of all communities in their housing need. The approach tries to redress the current imbalance between cost of housing and those in need of affordable housing. However this is in no way to underplay the key role played by the open market sector including those who retire within or to the area. The wording of the supporting text will be amended to better reflect the various sectors within the housing sector. Confirm that only a portion of the land allocated would be for affordable houses and the remainder will be for open market housing which will support the economy and housing markets in the village.

Proposed Modification

No modification proposed.

Objector Ref 091h

Policy/site ref Settlements - Ballater HI

Summary The work of the Prince's Foundation should be better reflected in the housing proposals for Ballater.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Amend HI making provision for parking.

Amend text to HI to reflect Princes Foundation and need for sustainable communities.

Objector Ref 091i

Policy/site ref Policy 20

Summary 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 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 Modification

Add economic development sites into settlements identified in the proposals section.

Objector Ref 091j

Policy/site ref Housing (land supply)

Summary The housing requirements identified in NEST better reflect the actual need for the Mar area and in turn Ballater.

CNPA analysis Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan therefore allocates sufficient and adequate land for housing development.

Proposed Modification

No modification proposed.

Objector Ref 091k

Policy/site ref Housing (affordable)

Summary There should be greater clarity on how the housing requirement for each area has been calculated. The requirement for affordable housing mixed throughout developments will have an adverse impact on the value of open market houses. There should also be a better understanding of the size requirements within individual communities. What ever development occurs it should be in keeping with the character of the settlement, and should ensure that low cost and affordable houses are truly for local people and essential workers.

CNPA analysis Amend policy to reflect findings of 3Dragons work on affordable housing provision. Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park. The approach to 'pepper potting' affordable houses is one which has been tried and tested across the country for many years. However, the approach taken will be assessed on a case by case basis and a prescriptive approach will not be imposed.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 091l

Policy/site ref Settlements - Ballater

Summary Land should be allocated within Ballater for the development of hotel and hostel accommodation.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development and tourism opportunities and the protection of the special qualities of the area. Within Ballater, general policies have been included to do this, rather than identify a particular site which may be considered by some as restrictive. However work will continue with the local

chamber of commerce to ensure that the approach taken meets with the aspirations of the local community. Confirm that policies (esp 33 and para 6.3 and 6.4) aim to promote development such as tourism rather than shoe horn proposals into particular sites.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Objector Ref 091m

Policy/site ref Settlements - Ballater

Summary The proposal at HI should include an appropriate allocation for parking for the Ballater Games. The density should be adjusted accordingly to reflect the reduction in the size of the site. Within Ballater there should also be provision made for recreational and social activities such as a sports centre, outdoor centre, cinema, etc. The local plan should also make reference to ongoing community aspirations such as football pitches and a woodland project.

CNPA analysis The comment is noted, and amendments will be included to the proposals maps to highlight the needs of the community and the various uses to which the site is put. The amendments will take into account the ongoing work of the Princes Foundation to prepare a masterplan and vision for the future growth of Ballater, and a design guide for the development of the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm community needs assessments will address the need for facilities and develop appropriate plans for such developments which will be supported by local plan policies.

Proposed Modification

Amend supporting text to HI to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Amend proposals map to reflect need for parking.

Objector Ref 091n

Policy/site ref Settlements - Ballater HI

Summary The proposed density of the site HI would not be in character with Ballater and the proposal does not identify supporting facilities such as shops and land for amenity use. The site is not in line with the site identified in the Aberdeenshire Plan. The proposal should better reflect the findings of the Prince's Foundation.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm allocation is phased for the long term growth of the village. Confirm where the housing figures come from, and the demand for affordable homes in Ballater and the role of the this plan and the aberdeenshire plan.

Proposed Modification

Amend boundary on plan to account for Games Park and Princes Foundation proposals. Include employment land within village boundary.

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

Policy/site ref Policy 25

Summary 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 Kincardine.”.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 092b

Policy/site ref Policy 24

Summary 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 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 Modification

Refer to the use of community needs assessments in the revised housing appendix.

Objector Ref 092c

Policy/site ref Settlements - Boat of Garten CI

Summary The community wish to see included the development of a new primary school to support the sustainable growth of the community. CI should therefore clarify that development on

this site could include a school if so desired by the community. The wording should therefore read “ This site would be appropriate for a replacement for Deshar Primary School”.

CNPA analysis The proposed wording and in a review of this site, the wording will be considered. Work will continue with the Highland Council to ensure that the approach taken and wording included is the most appropriate to meet the needs of all interested parties.

Proposed Modification

Include reference to possible use of land as school site.

Objector Ref 092d

Policy/site ref Settlements - Boat of Garten

Summary The community wish to see greater emphasis within the proposals maps to secure the balance of activities and uses within the village. The general wording of resisting change of use is not strong enough. The proposals maps and supporting text should therefore be amended as follows:

BG/OS1: Milton Loch and associated woodland and habitats are protected from development.

BG/OS2: The Playing field is protected as recreational/open space.

BG/OS3: The curling rink and adjoining woodland are protected as recreational / open space.

BG/OS4: The grounds of the Gold and Tennis club, including the Golf course, are protected as recreational / open space

BG/ED1: The Caravan and Camping site is retained for business/ tourism use.

BG/ED2: The building of the Boat of Garten Hotel is retained for business/tourism use.

BG/ED3: The Boat of Garten Station and the associated yards of the Strathspey steam railing are retained for business/ tourism use.

BG/ED4, ED5 and ED6: The premises in Deshar Road currently occupied by the Post Office, Anderson’s restaurant and M&B Stores are retained for business/ tourism use.

BG/ED7: The sawmill is retained for commercial use.

CNPA analysis The level of detail on the proposals maps in support of the local plan will be reviewed in light of the representations received to allow for an appropriate level of detail to guide developers and clarify future development opportunities to communities. As part of this review a survey of the proposed sites in this representation will be undertaken to ascertain their qualities in meeting the development and other needs of the community and the impact it would have when assessed through the SEA.

Proposed Modification

Include area at station and camp site as Economic Development land.

Include playing fields as open space.

Add para 7.5 to confirm position outwith settlement boundary where other suggestions are not identified.

Objector Ref Name Mr Alan Billington

093 Ellen-Brae

Nethy Bridge

PH25 3DB

Policy/site ref Settlements - Nethy Bridge C I

Summary The site should be protected from development and must not be decrefted but protected for future generations. It should be protected as open space.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name Mrs Olwen Billington

094 Ellen-Brae
Nethy Bridge
Inverness-shire
PH25 3DB

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing for the community should be removed and the site should be protected from development.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name Kay Briggs

095 Dalwhing Mill House
Glen Tanar
Aboyne
AB34 5ET

Company Mid Deeside Community Council

Policy/site ref General

Summary Support for the policies of the deposit local plan.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref Name Mr & Mrs Houston

096 28 Craigendorroch Walk
Ballater
AB35 5ZB

Policy/site ref Settlements - Ballater HI

Summary There is no statistical evidence to support the housing allocation for Ballater, and land should not be allocated by people who do not understand the local situation. Also there is a lack of focus on providing supporting employment opportunities.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm in letter where the housing figures come from, and the demand for affordable homes in Ballater. Also confirm allocation is to be phased for the long term growth of the village.

Proposed Modification

No further action required.

Objector Ref Name Adam Gordon

097 Miltonburn
Pityoulish, by Aviemore
Inverness-shire

Policy/site ref Settlements - Boat of Garten C1

Summary The site should not be retained for use by the community, and this site should be restored to that of the draft plan. The area does not have land zoned for business use, and the site does have potential to provide business units in part and the rest for community use leaving plenty of room for the development of a school if required.

CNPA analysis The comments are noted, and the site will be reviewed to consider the options for future development in addition to that allocated in the deposit plan. Further work is also needed to ensure that there is an appropriate level of land allocated to meet the development aspirations of the community in terms of economic growth, and to ensure that these are directed to the most appropriate sites. Work will continue with the Chamber of Commerce and business interests in the community to ensure that future modifications provide for this.

Proposed Modification

Include reference to support for mixed uses on site to support sustainable communities.

Objector Ref Name R B Tozer

098 7 Barclay Road
Aviemore
PH22 IUH

Policy/site ref Settlements - Aviemore ED1

Summary ED1 should be retained as open space as it provides an important area of open space within this part of Aviemore and links to the Speyside way.

CNPA analysis The comment is noted and a site visit will be undertaken to assess the qualities of the site, and compare this with the contribution it could make to employment within the village. Alternative sites for such provision will also be considered. The potential development will also be considered against the aims of the Park. The development of any proposal on this site will have to comply with the relevant policies of the plan, which are intended to ensure appropriate development which respects its setting. Any public open space could be protected in the development of the site.

Proposed Modification

No modifications proposed.

Objector Ref Name Dr David Gasking

099 Seann Bhruthach
 Carr-Bridge
 PH23 3AA

Policy/site ref Maps

Summary More detail should be included in the proposals maps to clarify the development potential within individual settlements.

CNPA analysis The approach taken in the deposit plan was to create proposal maps which were as simple as possible. In a review of the comments received it is now acknowledged that this has not provided the level of guidance and clarity required, and does not therefore fall into line with the requirements of SPP1. Future modifications will therefore be made to the proposals maps to add detail and additional information to meet the needs of all those using the plan and its maps.

Proposed Modification

Amend proposals maps to return to additional detail on natural heritage, open space, employment etc.

Clarify wording to highlight the presumption in favour of current uses.

Objector Ref Name Graham MacPherson

100 18 Birch Grove
 Boat of Garten
 PH24 3BA

Policy/site ref Housing - outside settlements

Summary 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 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 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.

Objector Ref Name Miss Margaret Ann Campbell

101 3f High Street
 Grantown on Spey
 PH26 3HB

Policy/site ref Settlements - Grantown on Spey HI

Summary The proposed housing development at HI will adversely impact on the character of Grantown on Spey. The development should not be in the style of other urban centres and as such the area between the caravan park and Seafield court should be left as open space.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name J M Gaukroger

104 Inchcailloch
 Nethybridge
 Inverness-shire
 PH25 3DB

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to housing provision within CI should be removed and the site protected from development and allowed for use as parking for the local games.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name George Ewen

336 Greenhaugh
 Ordie
 Dinnet

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing, employment uses and community improvements and facilities.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mrs N Jepson
337 40 Hesley Grove
Chapeltown
Nr Sheffield

Agent Mrs C Ross
Kumasi
Dinnet
Aboyne

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for houses and community facilities.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mr W Ross
338 Kumasi
Dinnet
Aboyne
AB34 5JY

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing and business uses and facilities to support the community.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mrs E Ross
339 Kumasi
Dinnet
Aboyne

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and include land for housing, employment, community uses and shops

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mrs R Ewen

340 Greenhaugh

Ordie

Dinnet

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing, employment and community use.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Colin Lawson (Builders) Ltd

341 11 The Square

Grantown on Spey

Morayshire

PH26 3HG

Company Colin Lawson (Builders) Ltd

Policy/site ref Policy 26

Summary 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 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 Modification

Revise policy 23 to reduce the size of groups to 3.

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.

Objector Ref Name Miss D Hanley

342 63 Bellwood Drive
 Aboyne
 AB34 5QS

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for houses, employment and shops.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Elizabeth C Gillanders

343 Tigh-na-Aitionn
 Peathillock
 Dinnet

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing, employment, shops and community facilities.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name John Davison

344 Locheil
 Drumuille
 Boat of Garten
 PH24 3BX

Policy/site ref Housing (need)

Summary Housing in Aviemore is not in accordance with the aims or intentions of the Park. Who are all the houses for? The proposals are completely unsustainable. And where will it end - looking at the other unspoilt villages in the Strath.

CNPA analysis The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims.

Proposed Modification

No modification proposed.

Objector Ref Name Lorna Crane

345
4 Lynstock Park
Nethy Bridge
Inverness-shire
PH25 3EL

Policy/site ref Settlements - Nethy Bridge

Summary OSI should be extended to include land between Nethy Hotel and Mountain View Hotel to protect it from any future development. The reference to housing in C1 should be removed. The safe route to school through H2 and the path through School Wood should be protected. The planning gain funding through the development of H2 should be used to improve the heating system in the school.

CNPA analysis The comments regarding open space are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1. The issues raised regarding developer contribution will be addressed through the consideration of planning applications. Where applications have already been lodged, this will be done through current Highland Council policy adopted in the Badenoch and Strathspey Local Plan.

Proposed Modification

Confirm position regarding extant permissions and outstanding planning applications.

Include land at MountView hotel as open space.

Objector Ref Name Peter Crane

346a
4 Lynstock Park
Nethy Bridge
Inverness-shire
PH25 3EL

Policy/site ref Housing (affordable)

Summary Support the policy regarding affordable housing provision, the proposals for housing in the countryside and the contribution new development makes to the Park.

CNPA analysis No modification considered necessary as a result of this representation

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Objector Ref 346b

Policy/site ref Settlements - Nethy Bridge

Summary The amount of housing however proposed for Nethy Bridge represents 6.7% of the total new housing within the Park. Large scale new developments will have an adverse impact on the character of Nethy Bridge and on the social infrastructure existing in the village.

CNPA analysis The sites currently allocated within the deposit local plan all have outline planning permission for housing development, granted under the terms of the Highland Council Local Plan. The detailed applications for these sites will be carefully monitored to assess whether the CNPA local plan can be considered as material in their determination. Where applications are currently registered they will be determined in line with the policies of the Highland Council Plan. In the event that the detailed applications are refused, the situation will be revised.

Proposed Modification

Include most up to date position regarding extant permissions

Objector Ref 346c

Policy/site ref Settlements - Nethy Bridge OSI

Summary OSI should be extended to include land between Nethy Hotel and MountView Hotel to protect it from any future development.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

Identify land to be protected (in line with previous planning permission)

Objector Ref 346d

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing in CI should be removed.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name Richard Renton
348a Nethybridge and Vicinity Community Council
Aspen Lodge
Nethybridge
PH25 3DA

Company Nethybridge and Vicinity Community Council

Policy/site ref Policy 16

Summary The line between Boat of Garten to Donside will facilitate the development of a number of local generation schemes creating revenue for local communities and should not be taken down as a result of the Beauly to Denny power line inquiry.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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. If the line referred to is to be removed as a result of the PLI this would be outwith the scope of the Local Plan and at the discretion of Scottish Ministers.

Proposed Modification

Remove 'small scale' and 'micro' from the wording.

Objector Ref 348b

Policy/site ref Settlements - Nethy Bridge

Summary The reference to affordable housing in CI should be removed.

The plan should make provision within Nethy Bridge for the development of a locally organised and run affordable housing project.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. In regard to housing, CNPA will continue to work closely with the 4 local authorities, social housing providers and private developers to ensure the most appropriate affordable housing approach to meet the needs of people in the National Park. In terms of land allocations, work will continue to target areas of demand and allocate land in those areas as appropriate and to match demand. Confirm community should work directly with developers/RSL if they wish to take forward a new housing scheme - this was the idea of the sentence in CI but CC may wish a more flexible approach. CNPA would be happy to help

Proposed Modification

Remove reference to housing in the text to CI.

Objector Ref 348c

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing in CI should be removed and the area

protected to provide recreational open space and facilitate the local games.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref 348d

Policy/site ref Settlements - Nethy Bridge

Summary The local plan should support local projects such as the proposed redevelopment of Abernethy Old Kirk and Castle Roy and the local heritage project 'Explore Abernethy'.

CNPA analysis The policies within the Deposit Local Plan are supportive of local economic and tourism developments such as those mentioned. No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref Name Alison Robb

349

Fasgadh

Blairgorm

Nethybridge

PH25 3ED

Policy/site ref Settlements - Nethy Bridge

Summary The recent new development in Nethy Bridge should be allowed to integrate into the village before any further development is permitted. To assist this new areas of open space should be created for example between Nethy Hotel, Mountview Hotel and Balnagowan Wood. The area CI should also be protected from new development and the reference to housing removed from this proposal.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref Name Nick Thompson

350

Insh House

Kincraig

By Kingussie

PH21 1NU

Policy/site ref Policy 26

Summary 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 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 Modification

Revise policy 23 to reduce the size of groups to 3.

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.

Objector Ref Name Kevin and Caryl Shaw

351

Heatherlea (Scotland) Ltd

The Mountview Hotel

Nethybridge

PH25 3EB

Company Heatherlea (Scotland) Ltd

Policy/site ref Settlements - Nethy Bridge

Summary The land between Mountview Hotel and Nethybridge Hotel should be allocated as amenity open space. Such a change to the allocation will support the valuable economic resource which the Mountview Hotel provides within Nethy Bridge and the wider community and prevent further loss of an important amenity resource within the Village.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

Identify land to be protected (in line with previous planning permission)

Objector Ref Name Lorna Fraser

352

20 Braid Hills Approach

Agent Stewart G Fulton

2 Upper Derraid

Edinburgh
EH10 6 IY

Grantown-on-Spey
PH26 3PT

Policy/site ref General - links to other plans

Summary 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 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 Modification

Include additional detail on sites and settlements for clarity.

Objector Ref Name	Roslyn Oakes and Garry Fowler	Agent	Stewart G Fulton
353	27 Cairngorm Avenue		2 Upper Derraid
	Grantown-on-Spey		Grantown-on-Spey
	Morayshire		PH26 3PT
	PH26 3EY		

Policy/site ref General - links to other plans

Summary 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 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 Modification

Include additional detail on sites and settlements for clarity.

Objector Ref Name	David Dean OBE
354	Badanfhuarain
	Nethybridge
	Inverness-shire
	PH 25 3ED

Policy/site ref Settlements - Nethy Bridge

Summary The recent levels of new development in the village have provided more than enough housing for the area and further development would stretch in supportive infrastructure beyond capacity. As such the reference to affordable housing in CI should be removed. To protect the existing character the land between the Mountview hotel and Nethy Bridge Hotel should be protected as open space and the land at OSI extended to include the woodland and open ground bordering the River itself. Where new development does go ahead sufficient levels of landscaping and screening must be included to protect the character of the area and more detail should be

provided on the design and finish of houses to ensure they blend with the existing character.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI. Confirm housing policies regarding development both in and out of settlement boundaries. Confirm approach to design and landscape policies.

Proposed Modification

Add para to intro to section 7 para 7.5 regarding acceptable development within and outwith boundaries.

Include up to date info on extant permissions and applications received.

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

OSI extend boundary at Dell Road on west side of river

Objector Ref Name Paul and Susan Culliford

355
Gargowan
The Causer
Nethybridge
PH25 3DS

Policy/site ref Settlements - Nethy Bridge

Summary The housing allocations should not make such a generous allowance for holiday and second homes. Further, in the calculations, clarity is needed to explain table 4 regarding existing permissions and future allocations.

In Nethy Bridge HI should be allocated as sheltered housing, not 'affordable'.

CI should not make reference to affordable housing and should be protected as open space.

Outwith the boundary, greater emphasis should be placed on restricting design and ensuring new development compliments the character of the area. In particular the site adjacent to the boundary of Nethy Bridge owned by Goldcrest homes should be carefully controlled.

CNPA analysis A detailed paper outlining the background to the housing land requirement calculations, land supply requirements and proposed balance of house sizes will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made. With particular reference to the sites allocated, the wording for sites HI and CI will be amended accordingly and additional clarity in the text will also be included to ensure that the level of development within and outwith the settlement boundary is clear. Confirm in letter approach to housing calculations being taken, and growth projections for long term.

Proposed Modification

Amend text to HI to reflect planning permission granted.

Remove reference to housing in the text to CI.

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref Name Mrs Aileen M Barbrar

356 Doon Bye
38 Monaltrie Avenue
Ballater
AB35 5 RX

Policy/site ref Settlements - Ballater HI

Summary HI should not include land to the west of the cinder path across the access to Monaltrie House. The access to the housing site should not be along Monaltrie Avenue as the road network is not adequate to accommodate the potential level of traffic.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm need for traffic impact assessments and also that any proposal will have input from council roads engineers to ensure appropriate standards are met.

Proposed Modification

Include reference to setting of Monaltrie House in text

Objector Ref Name Max and Tricia Brown

357 An Leanag
Station Road
Newtonmore
PH20 IAR

Policy/site ref Settlements - Newtonmore HI, H2

Summary The scale of the proposed housing development in Newtonmore is too large for the village, will adversely impact on the character of the area and the infrastructure is inadequate to cope with this additional pressure. The proposed sites are also within the floodplain. The sites should therefore be reduced by 75%, should include appropriate levels of landscaping, should be of a design to promote sustainable construction and include appropriate areas of open space. Associated road networks should be upgraded to cope with increased demand and the new houses should be affordable and available to local people only.

CNPA analysis The comments are noted, and a comprehensive review will be undertaken in Newtonmore to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made. Confirm housing allocations are based on need etc, and based on the work of the various studies. Also confirm the policies regarding design, sustainable methods of construction,

impact on the landscape etc to protect the setting and the need for developer contributions where facilities are lacking. Also that Highland roads engineers will be involved, and that allocations will be based on the affordable housing policies.

Proposed Modification

No modification proposed.

Objector Ref Name BMS Dunlop

358a

Ben A'an

Lynemacgregor

Grantown-on-Spey

PH26 3PR

Policy/site ref Settlements - Grantown on Spey Boundary

Summary The core path to the west of Grantown should be amended to accurately reflect the line of the path.

CNPA analysis Once adopted the core paths will be included within the Local Plan proposals maps for information. Confirm core paths were indicative only and the route of paths will be dealt with through the core path plan.

Proposed Modification

No further action required.

Objector Ref 358b

Policy/site ref SEA Policy 01

Summary The level of proposed development, particularly housing, is not in accordance with the aims of the Park as originally designated, and the level of development should therefore be controlled to provide housing for local people at affordable cost without any associated open market housing .

CNPA analysis 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

Proposed Modification

Policy I has been modified so as to better reflect the National Parks Scotland Act 2000.

Objector Ref Name Dr R and Mrs C L Gutteridge

359

Edradour

Golf Course Road

Newtonmore

PH20 IAT

Policy/site ref Settlements - Newtonmore

Summary The land previously included within the settlement of Newtonmore (map enclosed) should be retained as such and allocated as open space.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the

settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and the settlement boundary may thereafter be amended. For clarity additional text will be added to the plan to explain the level of protection offered to sites on the boundary of settlements identified in the Plan.

Proposed Modification

Include land within settlement boundary to be protected from development.

Objector Ref Name Pamela Thain and Scott Michie

360 3 Mulloch View
 Dinnet
 Aboyne
 AB34 5GG

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement and allocations included for housing, shopping and community uses.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Ian Leach

361 6 Lynstock Park
 Nethy Bridge
 PH25 3EL

Policy/site ref Settlements - Nethy Bridge

Summary Support the proposals for Nethy Bridge.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref Name Mrs Isobel Crichton

362 Floradale
 Dinnet

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name James Crichton

363
Floradale
Dinnet

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mrs Jean Greenlaw

364
6 Mulloch View
Dinnet
Aberdeenshire
AB34 5GG

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as settlement and allocations included for housing

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mr Robert Greenlaw

365
6 Mulloch View
Dinnet
Aberdeenshire

AB34 5GG

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Mrs A D Wallace

366 7 Bynack Place
Nethybridge
Inverness-shire
PH25 3DZ

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to housing in the CI proposal should be removed.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name Mr K and Mrs R B Salthouse

367 8 Craigendarroch Walk
Ballater
Aberdeenshire
AB 35 5 ZB

Policy/site ref Settlements - Ballater HI

Summary The proposals for HI are too high in density for the character of Ballater, lies within the floodplain and would provide housing for second homes. There should be a greater proportion of affordable homes to meet local need and additional infrastructure to support the increased population.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth

projection. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue. Confirm approach to developer contributions for new development to support services. Confirm the policy for affordable houses supported in the plan. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Proposed Modification

Amend supporting text to HI to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Refer to need for the design of new development to support Ballater and care will be taken to ensure the character of the planned settlement and the conservation will be protected

Objector Ref Name Sandra Hebenton

368a
Network Rail
Buchanan House
8 Port Dundas Road
Glasgow, G4 0LQ

Company Network Rail

Policy/site ref Policy 19

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

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 368b

Policy/site ref Policy 30

Summary Support the policy but clarity is needed on the occasions when a transport assessment would be needed.

CNPA analysis 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 Modification

Add additional info on use of transport assessments, and when they are required in line with SPP17.

Objector Ref 368c

Policy/site ref Settlements - An Camas Mor

Summary Further information should be included on the impact the development will have on local infrastructure and the existing settlement. This should be included in the Masterplan which should be open to consultation.

CNPA analysis The development of the site will require many detailed assessments including the preparation of a masterplan to establish the break down of various land uses within

the settlement, and a transport assessment to assess the impact on the surrounding area. The masterplan will be a public document open to public scrutiny. The wording of the settlement proposal will be amended to reflect this. Confirm consultation on masterplan will occur on submission.

Proposed Modification

Add reference to impact on rail network in para 3 re masterplan.

Objector Ref 368d

Policy/site ref Settlements - Kingussie Boundary

Summary The land adjacent to Kingussie station used as sidings should be included in the settlement boundary.

CNPA analysis The comment is noted and the site will be assessed for inclusion within the settlement boundary. The proposals map may require to be amended as a result of this assessment.

Proposed Modification

Change settlement boundary accordingly.

Objector Ref Name Fiona Toovey

369

Rhindhu

Braes of Glenlivet

Ballindalloch

AB37 9JT

Policy/site ref Policy 26

Summary The policy should be amended to add greater flexibility for retiring farmers particularly in terms of the size of property allowed.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref Name Cooperative Group

370a

Property Division

Agent Lorraine Jones

GL Hearn

241 St Vincent Street

Glasgow

G2 5QY

Company Cooperative Group

Policy/site ref Policy 21

Summary 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 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 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.

Objector Ref 370b

Policy/site ref Policy 21

Summary 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 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 Modification

Add sequential approach

Objector Ref 370c

Policy/site ref Settlements - Ballater ED3

Summary As the site ED3 lies within the town centre, the uses which would be acceptable would be wider than 'business' use.

CNPA analysis The comment is noted, and the wording of the proposal will be reviewed to consider alternative uses which may be considered appropriate for this town centre location.

Proposed Modification

ED3 add after use - or another use appropriate to this town centre

Objector Ref Name James Hall

371

Craigdhu

Braeside Place

Newtonmore

PH20 1DW

Policy/site ref General - Consultation

Summary The consultation process is flawed and does not take into account the views of Newtonmore and Vicinity Community Council.

CNPA analysis The comment is noted. Representation has been received separately from the Community Council referred to and the representations made by them will be analysed full in connection with their submission. No modification considered necessary as a result of this representation.

Proposed Modification

No modification needed

Objector Ref Name Mr P Boyce Kenyon

373
Beckside
Mill Lane
Nethybridge
PH25 3EQ

Policy/site ref Settlements - Nethy Bridge

Summary The local plan should be amended to offer protection to a number of key sites within Nethy Bridge: these are the field between Mountview Hotel and Nethy Bridge Hotel, and Balnagowan Wood and School Wood. The site at HI should also only be used for sheltered housing

CNPA analysis The comments are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. In regard to HI, the comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Amend text to HI to reflect planning permission granted.

Objector Ref Name Mrs Thelma van Tienen

374
4 Bridge Square
Ballater
Aberdeenshire
AB35 5QJ

Policy/site ref Policy 17

Summary 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 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 Modification

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

Objector Ref Name Mr T Ross

375 63 Bellwood Drive
Aboyne
Aberdeenshire

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement and should have land allocated for housing and local facilities.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Keith Duncan

376 Rivendell
Blairgorm
Nethy Bridge
PH25 3ED

Policy/site ref Settlements - Nethy Bridge

Summary An additional site in Nethy Bridge should be allocated as protected open space on land linking the Causer Road and Balnagowan Wood.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Include land identified as open space.

Objector Ref Name Campbell Gerrard

380a Sportscotland

Caledonia House
South Gyle
Edinburgh, EH12 9DQ

Company SportsScotland

Policy/site ref Policy 01

Summary Support the policy but consider the need for amended wording to better reflect the actual wording of the National Park Act. It is clear that the first aim will take precedence over the other three aims and the policy does not properly reflect this. The wording should be revised to ensure that the final paragraph refers only to National Park aims as defined in the Act and not to any other aims and objectives.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The proposed wording will be assessed accordingly.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 380b

Policy/site ref Policy 16

Summary No reference is made to the negative impact small scale renewables can have on sport and recreation. Eg impact on water flow for canoeing or fishing. There needs further clarification on what is meant by 'small scale', and consideration of how this definition would impact on recreational activities. There may be need to make reference to the need to consider potential impacts on sport and recreation interests in any scheme proposed. Alternatively an additional policy should be included to require the consideration of sport and recreation interests in development proposals

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Add phrase to the end of the policy 'or detrimental impact on the environment'

Objector Ref 380c

Policy/site ref Policy 35

Summary Further clarity is needed on what is meant by 'footprint' and 'affected area'. Throughout the policy wording is confusing and requires amendment.

CNPA analysis The wording of the policy will be revisited to ensure it is reasonable, is not contradictory, provides users of the plan with an appropriate level of clarity, and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Proposed Modification

Delete b) from policy

Objector Ref 380d

Policy/site ref Policy 36

Summary The policy fails to provide adequately for the range of recreational provision it aims to address, does not make adequate protection for playing fields and is contrary to NPPG I I and the emerging SPP I I. The wording is too vague and in c) provides no timescale for the provision of replacement playing fields. The supporting text seems to apply to a wide range of activities but the wording is not relevant to all of these, some of which could not be described as open space.

The Policy states that 'loss of existing provision will be resisted particularly where identified on proposals maps'. However no mountain bike or ski centres are identified or have policy designations on the proposals maps which implies a reduced level of protection. Also within the proposals maps, within settlements some sports pitches and golf courses are not protected as Open space, thereby according them less protection. It is also noted that the football ground in Aviemore has been identified as possible site for development of a new school and SportsScotland should be consulted on any such development. All sports pitches and golf courses and easily identifiable sports sites in the countryside should be identified with the relevant policy on the proposals maps.

Proposed modifications are three separate policies are needed regarding the protection/provision for sports pitches; the protection/ provision of other open spaces; and further a policy protecting other sports facilities and opportunities outwith settlement boundaries. This latter may be adequately covered by a general policy referring to the need to make sport and recreation interests into account in any proposal which may affect a site in the countryside that is important for sport and recreational purposes.

CNPA analysis The policy has been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. However in light of the comments received, the wording will be reviewed to ensure that the aims of the policy are deliverable and will ensure that open space is supported across the Park. The wording of the policy will be reviewed to ensure that it takes appropriate cognisance of national guidance on the topic. The comments regarding the proposals maps are also noted and the appropriate modifications will be made to the Proposals maps and supporting text to clarify this position.

Proposed Modification

Revise policy to make better links with SPP I I and other government guidance and the requirements therein.

Objector Ref Name G Simpson

381 8 Birch Grove
Boat of Garten
PH24 3BA

Policy/site ref Settlements - Boat of Garten HI

Summary The housing proposal at Boat of Garten is in contrast to the other smaller sites and numbers of houses discussed at community meetings. The proposal is too large and dense and would create a suburban style development. There should also be restrictions placed on new houses becoming holiday homes. The proposal should be reduced to provide 20-30 affordable houses in the village in small developments which compliment the setting of Boat.

CNPA analysis The allocation of land in the village is based on work done to assess local need, particularly for affordable housing, and also to take account of growth aspirations in the area in general. Further information will be produced to explain in detail the housing land and supply requirements and the needs for affordable housing. A review of the site will however be undertaken to ensure that the proposal is at the appropriate level, and takes proper account of the constraints on the site from all perspectives. Confirm where the housing figures come from, and the demand for affordable homes in Boat. Also confirm allocation is to be phased for the future growth of the village.

Proposed Modification

No modification proposed.

Objector Ref Name Mr R Taylor

382 Rajabarra
Dinnet
Aboyne

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name J M McCulloch

383 Alexandra Cottage
Dinnet
AB34 5JY

Policy/site ref Settlements omissions Dinnet

Summary Include Dinnet as a settlement and allocate land for housing, local economic and employment opportunities

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Frank and Alison Bardgett

384a
Tigh an Iasgair
Boat of Garten
Inverness-shire
PH24 3BY

Policy/site ref Settlements omissions Street of Kincardine

Summary The wording of policies 25 and 26 require clarification to explain how development opportunities would be considered in Street of Kincardine. Also the area should be identified as a settlement and land allocated for open space: “BS/OSI: Fields and Woodland between Street of Kincardine and the boundary of Abernethy Forest Reserve, excepting gaps in the current lines of houses along the B790 are reserved for agricultural use and as protected open space.”

A number of additional sites (details provided) should also be protected from development.

CNPA analysis The comments are noted and the wording of the relevant policies dealing with housing outside settlements will be reviewed so that they are clear and easy to understand and provide an appropriate level of guidance for potential developers, in line with the requirements of SPP1. 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 the changes to the housing policies regarding affordable provision and building outside settlements and that to designate the area as a settlement would result in greater pressure for development.

Proposed Modification

No modification proposed.

Objector Ref 384b

Policy/site ref Policy 07

Summary Support para 4.35. Para 4.39 however is not sufficient as a defence against light pollution as it is included only in the supporting text to the policy. To be enforceable it should be included in the policy: “the planning authorities will ensure that all consented developments minimise light pollution by seeking the minimum level of light provision in developments for security, safety and operation, as well as minimising light slippage from consented developments”.

CNPA analysis The comment is noted, and the wording of the supporting text will be revised to ensure that the appropriate level of protection is offered to the landscape and that where necessary, additional information is included within the Policy wording rather than the supporting text.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution

should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref Name Donald Lockhart

385a
Albyn Housing Association
98-100 High Street
Invergordon
IV18 0DL

Company Albyn Housing Association

Policy/site ref Housing (affordable)

Summary In general terms, Albyn Housing Association would seek further clarification on how the Common Housing Register will operate; how RSL's deal with home ownership applications; the exigencies of the 2001 Housing Act as they bear upon RSL's particularly and how the affordable element is to remain deliverable given these ambitious policy statements. Albyn support the views of Highland Council regarding strategic context, however previous comments made regarding household and population numbers and projections remain true. The tone of the document remains negative and does not adequately explain the development process and the weight given to all aspects of it.

CNPA analysis For clarity move the explanation of use of the common housing register to appendix and confirm that the CNPA will work with the approaches taken by the housing authorities. Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park. Throughout also ensure a more positive tone is achieved.

Proposed Modification

Include reference to Common Housing Register in appendix.

Place consultants reports on line for general viewing.

Objector Ref 385b

Policy/site ref Housing (land supply)

Summary Concern remains that relatively little new land has been added to the existing land allocation. There is an over-reliance on the future development of An Camus Mor despite the significant infrastructure challenge that it poses. The issue of indicative densities marked on proposals maps is unhelpful as these are often unsupported by detailed feasibility studies which when carried out later often prove density levels the project is unviable, which can then generate unhelpful interest among parties opposed to development and one which is difficult to argue against. The plan should instead make it clear that numbers were truly indicative and considerations of density levels will be subject to other tests, such as maximising the use of diminishing serviceable sites together with rigorous analysis of the sustainability issues.

CNPA analysis Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested. The CNPA staff will continue to work with the developers at An Camas Mor to ensure that it is delivered to support the local plan.

Proposed Modification

No modifications proposed.

Objector Ref 385c

Policy/site ref Housing (affordable)

Summary While supporting the boldness of the 50% quota Albyn are concerned that this may deter developers from bringing forward development proposals. A case by case consideration depending on the level of housing stress in the area might be preferable. Some sites may merit a greater quota than the 50% stated.

CNPA analysis Amend policy to reflect findings of 3Dragons work on affordable housing provision. Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 385d

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref Name Ian Kirk

386 Auchendean
Lodge Hotel
Dulnain Bridge
PH26 3LU

Policy/site ref Policy 33

Summary The policy which aims to stop changes of use away from tourism facilities is more likely to have a negative impact. It may be applicable to large developments such as hotels, but when applied to small facilities it could adversely effect the future of the operation and act as a disincentive

to those wishing to come into the tourism sector. This is particularly true when considering the impact the policy would have on small operators seeking to invest in their properties, or accessing the value amassed in their business for such things as retirement. The policy should instead encourage new and enhanced facilities particularly small businesses.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Reword para 1 to be more supportive for developments.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref Name John M Smith
387
92 Main Road
Langbank
Renfrewshire

Agent Malloy Smith Associates
92 Main Road
Langbank
Renfrewshire

Policy/site ref Housing (land supply)

Summary Two additional sites should be included as housing allocation within Aviemore to ensure an effective land supply and integrate new housing with existing communities. The sites are accessible and whilst in the floodplain, development which would mitigate flood risk in accordance with SPP7. Details are provided on how this would be achieved.

CNPA analysis Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested.

Proposed Modification

No modifications proposed.

Objector Ref Name Mr & Mrs Ronald Dunn
388
Lower Dell Cottage
Nethybridge
PH25 3DJ

Agent Joyce Hartley
105 Kettilstoun Mains
Linlithgow
West Lothian
EH49 6SJ

Policy/site ref Settlements - Nethy Bridge Boundary

Summary The settlement of Nethy Bridge should be amended to include the whole of the garden area of Duack Lodge and the site to the west using the railway to the north as the logical settlement boundary.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the

settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Amend settlement boundary.

Objector Ref Name Alistair McLeod

389
McLeod Building Ltd.,
78 High Street,
GRANTOWN ON SPEY
PH26 3EL

Company McLeod Building Ltd.

Policy/site ref Housing (land supply)

Summary The proposals regarding house development would have an adverse impact on local small scale builders. The proposal sites should create opportunities for small scale developments to meet local needs.

CNPA analysis 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 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.

Objector Ref Name Roy Turnbull

390a
Torniscar
Nethy Bridge
Inverness-shire
PH25 3ED

Policy/site ref General

Summary The plan is a retreat from the high hopes that accompanied the establishment of the national park and seems to have focused on the needs of developers and landowners at the expense of the 1st aim of the Park.

CNPA analysis The comment is noted. Modifications will endeavour to ensure a balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park.

Proposed Modification

No further action required.

Objector Ref 390b

Policy/site ref Policy 01

Summary The policy is too pro development. Re-word first para to, "Development in the

Cairngorms National Park may only be permitted where it has been demonstrated that:"

Re-word para 3 to: ... "by the development's positive contribution to one or more aims, which must include the first aim, and the Park's special qualities, ..."

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The proposed wording will be assessed accordingly.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 390c

Policy/site ref Policy 02

Summary Clarify that significant effects on Natura 2000 sites can result from developments that occur out with the Natura sites, and any assessment of the likely effects of a proposed development must take such effects fully into account.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 390d

Policy/site ref Policy 04

Summary In the case of ancient woodlands or geological sites it is not possible to provide features of equal importance. These sites are finite and irreplaceable and it is impossible to provide further examples. The policy is therefore illogical. Since these sites are irreplaceable, and since significant adverse effects on these sites would inescapably be in conflict with the first aim of the Park, a far stronger policy for protection is required. The planning authority should not be the body responsible for determining which sites are nationally or locally important: this should be determined by appropriate governmental and non-governmental organisations.

It is not just the integrity of the sites that should be protected, which is in itself difficult to define, but also the whole of the site in its entirety. There should be no further loss of ancient woodland in the Cairngorms National Park. Supporting text is included from the Woodland Trust and Scottish Executive and requirements under the LBAP. .

Since it is impossible to create more ancient woodlands, there is only one way to "maintain the present area of ancient and semi-natural woodlands" and that is to stop destroying them. It is therefore a requirement of "Biodiversity, The UK Action Plan (1994)" to establish a policy that ensures that no further loss of areas of ancient and semi-natural woodlands occurs.

CNPA analysis 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 this policy will be clarified to ensure the

appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.23 define 'commensurate'.

Objector Ref 390e

Policy/site ref Policy 05

Summary Support this policy.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 390f

Policy/site ref Policy 07

Summary The Policy is illogical. If all developments ... make a positive contribution under the terms of the policy, there would be no developments having an adverse impact. The Policy should consist of the 1st para only

CNPA analysis The comment is noted. 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.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 390g

Policy/site ref Policy 13

Summary Support

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 390h

Policy/site ref Policy 16

Summary Small scale developments can have potential impacts as a result of

- access roads and tracks
- concrete bases and other infrastructure for wind turbines
- bird-strikes of wind turbines

- disturbance or pollution of watercourses by damming and diverting the flow, with consequent negative effects on wildlife.
- loss of wild land characteristics

The wording of the policy should address all these issues and ensure no such negative impacts occur.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Add phrase to the end of the policy 'or detrimental impact on the environment'. Add para 4.103 to clarify need for SPG on subject to add necessary level of detail.

Objector Ref 390i

Policy/site ref Policy 17

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

CNPA analysis 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 Modification

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

Objector Ref 390j

Policy/site ref Policy 18

Summary Support

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

no modification considered necessary as a result of this representation.

Objector Ref 390k

Policy/site ref Policy 19

Summary 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 I should also include:

- water supply

- sewage disposal and treatment
- road infrastructure (if not included in Transportation)
- road furniture (lighting etc.)

CNPA analysis 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 I 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 Modification

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

Objector Ref 390l

Policy/site ref Policy 20

Summary 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 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 Modification

No modification proposed.

Objector Ref 390m

Policy/site ref Policy 21

Summary 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 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 Modification

No modification proposed

Objector Ref 390n

Policy/site ref Settlements - Aviemore

Summary The development proposals in Aviemore are contrary to the 1st aim of the Park. However, support the OS designations which should be extended to include burn downstream from Milton Wood.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The allocations are in line with the need to provide housing land within the area, and the design of each site will need to comply with all relevant policies of the plan, and the 4 aims of the park to secure permission. The allocations are not therefore considered to conflict with the Park aims.

Confirm support for open space, and confirm OSI is intended to protect land used as open space rather than the line of the burn, which is within the 1:200 SEPA flood maps.

Proposed Modification

No modification proposed.

Objector Ref 390o

Policy/site ref Settlements - An Camas Mor

Summary An Camas Mor is contrary to the 1st aim of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The assessment of any proposal on the site will be balanced against all aims of the Park and development will only occur where it does not conflict with these or the policies of the Local Plan.

Proposed Modification

No modification proposed.

Objector Ref 390p

Policy/site ref Settlements - Grantown on Spey

Summary The housing proposals in Grantown on Spey are contrary to the 1st aim of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm application will now be determined under the Highland Council Plan. Confirm in future developments will have to comply with the relevant policies of the plan and the aims of the Park to gain consent.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref 390q

Policy/site ref Settlements - Boat of Garten

Summary Proposal H1 in Boat of Garten is contrary to the 1st aim of the Park and EU Habitats Directive.

CNPA analysis The proposal will be reviewed in line with the aims of the Park and international and national natural heritage legislation. Any conflict will be reflected in an appropriate modification.

Proposed Modification

Include reference to mitigation required by SNH as result of appropriate assessment of H1.

Objector Ref 390r

Policy/site ref Settlements - Carr-bridge

Summary This proposal is contrary to the 1st aim of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Proposed Modification

Include up to date info on extant permissions and outstanding applications.

Objector Ref 390s

Policy/site ref Settlements - Kincaig

Summary This proposal is contrary to the 1st aim of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Proposed Modification

No modification proposed.

Objector Ref 390t

Policy/site ref Settlements - Nethy Bridge

Summary Support proposals H1, OSI and CI as proposals which support the community and natural heritage. Object to proposals H2 and ED1 as they are contrary to Policy 4 and the 1st aim of the Park.

CNPA analysis The wording of these proposals and their delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm that all developments must be judged against aims, and also must comply with all relevant policies of the plan. Also clarify where permission has been granted the plan cannot allocate the land as open space.

Proposed Modification

Clarify wording in terms of extant permission on H2 and ED2 and what impact the plan can have on any future development.

Objector Ref 390u

Policy/site ref Housing

Summary The housing allocation for the Park is too high. The figures and the background documents do not refer to the natural and cultural heritage aspects of the Park's aims. The aims of the park must be considered collectively which cannot happen if the 1st aim is ignored. Has the 1st aim of the Park been taken into account by the background studies? Also the SEA summary states that "relatively few changes to the Local Plan have [been] made due to the SEA alone". This could only be justified where there is no conflict between the 1st aim of the Park and the proposals for development. This is not the case.

Even before the Park was established there were many cases where developments have been in conflict with the 1st aim of the park – a range of examples are listed regarding both natural and cultural heritage.

The allocations are not sustainable, indicating a sharp increase in build rates. Between 1976-2995 2931 houses were built in Badenoch and Strathspey, an average of just under 100 houses a year. The current plan proposes 888 houses in the next 5 years and 678 for 5-10 years, an average of 177 and 135 houses a year. In the long term a further 1426 are proposed, which would mean that by 2025 an average of 158 houses would be built, and a 60% increase in the rate of house building for the next 20 years. This is not sustainable for the natural and cultural heritage of the area and if this is projected over time the lowland areas would become significantly impacted by urban sprawl. The plan should instead be making provision for a small amount of houses for local people within the confines of the 1st aim of the Park.

Further, the most unacceptable feature of the housing allocation is the provision for second homes in table 2. Why is supply increased just because demand is increasing? This does not address local need or the local concerns regarding holiday and second homes. The previous policies in the consultative draft were a more fair way of managing the situation and meeting local need.

CNPA analysis Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available online. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 390v

Policy/site ref Policy 26

Summary 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 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 Modification

No modification proposed.

Objector Ref Name David Horsfall

391a
Homes for Scotland
5 New Mart Place
Edinburgh
EH14 1RW

Company Homes for Scotland

Policy/site ref Policy 24

Summary 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 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 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.

Objector Ref 391b

Policy/site ref Policy 24

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

Proposed Modification

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

Objector Ref 391c

Policy/site ref Policy 24

Summary 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 the needs of, and be affordable to, groups of householders identified through an up to date housing needs assessment. ‘

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

Proposed 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.

Objector Ref 391d

Policy/site ref Policy 24

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

Proposed Modification

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

Objector Ref 391e

Policy/site ref Housing (affordable)

Summary The affordable housing problem is a pre-existing issue that should not be the basis for a local plan policy that seeks unreasonable levels of affordable housing. The affordable housing policy must include a percentage figure that is appropriate to the area and is fully justified by an up to date housing needs assessment.

The policy should therefore consider the alternative means that the planning system can use to contribute to the delivery of Affordable Housing in line with PAN 74 para 21 which supports:

Making surplus local authority land available for affordable housing at less than full market value;

Working with 3rd parties to assemble sites for affordable housing, including other public agencies (such as the forestry commission)

Opting to increase council tax on second homes by 50% to 90%, raising revenue which can be used to increase the supply of affordable housing within the housing market area;

Using compulsory purchase powers.

CNPA analysis Amend policy to reflect findings of 3Dragons work on affordable housing provision. Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref Name George Alder

392a Laggan Community Association
Community Office
Laggan, Newtonmore
PH20 1AH

Company Laggan Community Association

Policy/site ref Policy 25

Summary Clarify what is meant by a 'small rural settlement' in terms of what impact this will have on development opportunities.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Objector Ref 392b

Policy/site ref Policy 26

Summary 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 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 Modification

No modification proposed.

Objector Ref 92c

Policy/site ref Housing (affordable)

Summary Clarity needed on how to protect affordable housing for the future, and how to make its provision a priority.

CNPA analysis Clarify the use of legal agreements in the text to the policy.

Proposed Modification

5.47 modifications to include clarity on the use of legal agreements.

Objector Ref 392d

Policy/site ref General - Links to Park Plan

Summary The local plan should re-state the planning references from the Park Plan for ease of understanding.

CNPA analysis The comment is noted. Modifications within the Context section will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the Park Plan

Proposed Modification

2.9 clarify role of National Park Plan

Objector Ref 392e

Policy/site ref General - procedures

Summary Planning hearings should automatically consult the local community association.

CNPA analysis This comment relates to the workings of The Directorate for Planning and Environmental Appeals within the Scottish Government. No modification considered necessary as a result of this representation.

Proposed Modification

No modifications proposed.

Objector Ref Name Angus Yarwood

Agent

393a
Woodland Trust Scotland
St Stephen's Centre
St Stephen's Street
Edinburgh, EH3 5AB

Company Woodland Trust Scotland

Policy/site ref Policy 04

Summary 2 of the strategic settlements identified in the Plan are sites of ancient and semi-natural woodland which is in conflict with the aims of the Park to protect such habitat.

Development of such land which has stood for hundreds of years is in conflict with the 1st aim of the Park. The CNP should be demonstrating to the rest of Scotland that ancient and semi ancient woodland is of high conservation value and will be protected from development. Once lost it cannot be replaced. There is no mitigation for loss of ancient woodland.

Ancient woodland is, by definition, an irreplaceable natural resource and takes centuries, even millennia to evolve. As the habitat most representative of original, natural, stable conditions, ancient woodland is home to more threatened species than any other habitat in the UK.

The Nature Conservation (Scotland) Act 2004 states, "It is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions."

The local plan should state clearly that any area of ancient woodland will be protected not only from development but from other threats such as grazing, invasive species, lack of management and buffered against the effects of climate change.

CNPA analysis The policies of the plan must all be read together and for development to proceed all must be complied with where appropriate. Confirm how to use the plan in introduction.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'

Para 4.20 confirm that datasets are flawed and to comply with the policy site inspections of the qualities of sites may be required.

Objector Ref 393b

Policy/site ref Policy 01

Summary Support Policy 1 where it states that development will only be permitted where, "a) the aims of the Park and overall integrity of the area would not be compromised". The final para is also important as it places precedence on the 1st aim of the Park in decision making. We regard ancient and semi-natural woodland as forming an integral part of the natural and cultural heritage of the Park. This view is supported by the Cairngorms Local Biodiversity Action Plan where it states :

The woodlands of the Cairngorms are of national and international importance because they contain the largest remaining areas of semi-natural woodland habitats in Britain. The Cairngorms area occupies just less than 10% of Scotland's land mass, yet contains 25% of the entire Scottish resource of native woodlands and its Caledonian pine woodlands are greater in total area and individual size than anywhere else in Scotland. The extent of native woodland is important for many specialist species of plant, animal and fungus that depend upon this habitat.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The proposed wording will be assessed accordingly.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 393c

Policy/site ref Policy 04

Summary The last para of policy 4 is not acceptable. WTS are adamant that there must be no further loss to ancient woodland at all and that with 25% of all of Scotland's native woodland resource, it should receive enhanced protection.

Whilst understanding that there must be a balance between the environmental, social and economic needs of the Park, WTS do not accept the loss of such habitat can be mitigated by the developer. In this instance there are no 'features of equal importance to those that are lost'.

The plan supports this in para 4.19. Ancient woodland sites are irreplaceable, developed over hundreds of years, and cannot be re-created.

It is therefore essential that this habitat be protected from development.

Paragraph 'b' should be amended to reflect the importance of this habitat and afford it further protection. Economic and social benefits are human constructions and can be relocated; ancient and semi-natural woodland cannot.

CNPA analysis The comment is noted. Modifications will endeavour to clarify an appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'

Para 4.20 confirm that datasets are flawed and to comply with the policy site inspections of the qualities of sites may be required.

Objector Ref 393d

Policy/site ref Settlements - Aviemore H2

Summary This site has identified woodland on it but is still identified for development. The site provides a valuable habitat buffering the ancient and semi-natural woodland to the north. The site should be used as a woodland regeneration site rather than for housing.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref 393e

Policy/site ref Settlements - Aviemore ED3

Summary The southern tip of this site has ancient and semi-native woodland on it and must be protected from development. Should development go ahead, there must be detailed assessments of the impact to the environment as a whole. The plans must also seek to protect, restore and enhance the environmental quality of the sites.

CNPA analysis The boundaries of this allocation will be reviewed to ensure that they do

include the land referred to in the supporting text, and also do not include land which may be particularly sensitive from a natural heritage point of view. The appropriate amendments will be made. Confirm position regarding ancient woodland inventory as in policy 4

Proposed Modification

No modifications proposed.

Objector Ref 393f

Policy/site ref Settlements - Carr-bridge

Summary C/H1- the southern section appears to directly border ancient semi-natural woodland and would be sandwiched between this and the C/OS2 area of bog woodland to the north. This is the kind of site that should be given over to buffering these two important habitats on either side of it and not be part of any development site. WTS are also concerned as to the effects on the hydrology of the bog woodland should the housing development go ahead. OS2 will effectively be surrounded by development on all sides which could result in the loss of what is important about this site. In line with 'Outcomes for 2012' (page 10 of the Local Plan) 'v' and 'vi', the site must be assessed in terms of these aims. CNPA should actively be discouraging fragmentation of these habitats.

CNPA analysis The site has outline permission granted and a detailed application has now been submitted which is being dealt with by CNPA. Due to the timescales the current application will be carefully monitored to ensure that the appropriate proposal or detailed information is included within the future plans for the Local Plan. However, as the application is currently registered, it will be determined in line with the policies in Highland Council Plan. In the event that the detailed application is refused, the situation will be revised. .

Proposed Modification

Include up to date info on extant permissions and outstanding applications.

Objector Ref 393g

Policy/site ref Settlements - Nethy Bridge

Summary NB/H2: This site sits in the middle of a larger area of ancient semi natural woodland and its lose and fragmentation is completely unacceptable. The allocation should therefore be removed. Instead the site should be under sustainable management to protect and restore it. Any development on the site would result in the removal of semi natural woodland and would be in contradiction of the UK Forest Standard, UK Woodland Assurance Standard and goes against the CL and UK BAP guidance.

Reference should also be made to

- UK Forest Standard and a suit of environmental and general Forest Practice Guidelines.
- Indicative Forestry Strategies and local forestry frameworks, such as the Cairngorms Forest and Woodland Framework.
- The Cairngorms Management Strategy identifies strategic issues and provides a vision for the sustainable management of woodlands in the Cairngorms.
- The Natura sites network and other designations.
- Individual Forest Management Plans, including widespread local consultation.
- Local authority development plans provide guidance on landuse/development issues.

CNPA analysis This site has outline permission granted and detailed application submitted and being dealt with by CNPA. Due to the timescales involved the current application will be carefully monitored to ensure that the appropriate proposal or detailed information is included

within the future plans for the Local Plan. However, as the application is currently registered, it will be determined in line with the policies in Highland Council Plan. In the event that the detailed application is refused, the situation will be revised. Confirm that all developments must be judged against aims, and also must comply with all relevant policies of the plan.

Proposed Modification

Clarify wording in terms of extant permission on H2 and what impact the plan can have on any future development.

Objector Ref 393h

Policy/site ref Policy 04

Summary The local plan contains clear deviations from Park, UK and national planning and conservation guidance in its approach to woodland protection. The plan should adhere to policies protecting, restoring and enhancing natural heritage and important habitats. Ancient and semi-natural woodland cannot be replaced and needs stronger protection.

UK and Scotland wide planning policies also highlight the importance of protecting ancient and native woodland. Please refer to

- “The UK Forestry Standard” - UK Government’s approach to sustainable forestry;
- NPPG 14 - Scottish Government’s policies for conservation and enhancement of Scotland’s natural heritage;
- Nature Conservation (Scotland) Act 2004 which requires every public body and office-holder to further the conservation of biodiversity.
- PAN 60 Scottish Executive advice on Planning for Natural Heritage.

CNPA analysis 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 this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. Confirm that we must act within the limitations of the designations, and policy 4 is intended to offer a degree of protection to those sites not considered of appropriate quality to be formally designated and so considered under policies 2 and 3. The CNPA duty to further biodiversity is also enshrined in policy 6 to add a further level of protection. However it would be unreasonable to offer the level of protection proposed to sites which are not designated nationally or internationally. We will of course work with partners to ensure the most appropriate level of designation is provided to sites within the NP.

Proposed Modification

No further action required.

Objector Ref Name The Proprietors of Mar Centre
394a

Agent Roddy d'Anyers Willis
Savills
12 Clerk Street
Brechin
DD9 6AE

Company The Proprietors of Mar Centre

Policy/site ref Settlements - Braemar

Summary The Estate has considered the scope for both short term and medium to long term

development and would welcome the opportunity to discuss in particular the scope for a 20-30 house development on land which currently lies outwith the village envelope but within the Conservation Area, to provide housing for local families largely at affordable costs, together with recreational facilities. The local plan should be amended accordingly to allow further development outwith the village envelope which would enhance Braemar. The village envelope boundary should therefore remain flexible.

Further development opportunities exist at Corriemulzie at the site of the old sawmill/estate workshop. There would be merit in relocating the estate workshop/sawmill buildings to Inverey allowing for the redevelopment of Corriemulzie. We believe that there would be merit in providing for some development in Inverey which is much favoured by visitors to Upper Deeside. Carefully planned small scale development could be carried out without detriment to the existing 'village'.

CNPA analysis The comments are noted, and the allocated sites within Braemar will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated within the plan, but also approach to affordable houses and other opportunities outwith settlement boundaries.

Proposed Modification

No modification proposed.

Objector Ref 394b

Policy/site ref Settlements - Braemar

Summary The amount of holiday accommodation should be reduced within the village, and to meet the continued demand there is opportunity to build holiday houses/chalets outwith the village on a site linked to the core path and the local plan should make provision for such development.

CNPA analysis The comments regarding holiday homes is noted. The allocations for housing have been calculated to take into account the fact that the purchase of open market houses as second or holiday homes cannot be controlled by the planning authority. The aim of the policies is therefore to focus development on those aspects which can be controlled and make an appropriate allowance for open market houses. Within the village any housing development will have to comply with the earlier policies in the plan regarding affordable housing provision. The wording in the plan, particularly in the housing section will be amended to reflect this. Confirm policies which support development of tourism accommodation.

Proposed Modification

No modification proposed.

Objector Ref Name M T Collings

395a
Birchfield
Nethybridge
PH25 3DD

Policy/site ref Policy 34

Summary Outdoor access can have a detrimental impact on the wild places of the Park, and such places should be protected from disruptive intrusion.

CNPA analysis The policy has been worded the underlying aims regarding access which are

to protect public access rights, the core path network and wider path network, and other rights of way. Connected with this is the need to protect natural heritage across the park, and in this regard any proposal must also take into account the other policies of the Plan. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development. Confirm policy supports access strategy which refers directly to impact of access on the landscape.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 395b

Policy/site ref Policy 13

Summary Policy 13 should not rely on SEPA but should be amended to reserve the right to challenge either SEPA or a developer in the light of global warming.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary

Proposed Modification

Include in b) 'suitably qualified'.

Objector Ref 395c

Policy/site ref Policy 11

Summary Conservation areas should be marked on the proposals maps, and should be extended to include groups of Groups of traditional stone built 1 and 1 1/2 storeys in the centres of smaller communities to protect their cultural heritage.

CNPA analysis Conservation Areas are marked on the Proposals Maps. In regard to suggesting areas warranting additional protection, the policies referred to in the representation together with the other policies of the plan which must be considered collectively for all development proposals provide an appropriate level of protection and promotion of good quality new design. Also of relevance is policy 12 regarding local cultural heritage. No modification considered necessary as a result of this representation. No modification considered necessary as a result of this representation.

Proposed Modification

Review colour of conservation areas on proposals maps for clarity.

Objector Ref 395d

Policy/site ref Housing Table 2

Summary The provision for holiday/second homes in table 2 is inconsistent with provisions of low cost housing for local residents and should be removed from the table. Also the provision for housing in strathspey is not met by an appropriate level of employment opportunities to encourage balanced communities.

The requirement for single house builders to make a contribution to affordable housing should also be removed as it removes the low cost of such a building option.

CNPA analysis Amend table 2 to reflect issue of sectors of the market not controlled by the planning system. The importance of affordable housing is maintained by the Authority and the

contribution made by all is therefore retained.

Proposed Modification

modify table 2 to reflect issue of open market houses not controlled by the planning system.

Objector Ref 395e

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to housing provision on CI should be removed.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref Name Philippa Ansell

396
Davan
Dinnet
Aboyne
AB34 5LU

Policy/site ref Settlements omissions Dinnet

Summary Dinnet should be included as a settlement and should have allocations for housing and local enterprise

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Forest Holidays LLP

397

Agent Steve Hearn

Tweedale
265 Tettenhall Road
Wolverhampton
WV6 0DE

Company Forest Holidays LLP

Policy/site ref Policy 33

Summary There should be greater emphasis and recognition on supporting good quality and varied tourist accommodation. The Plan should recognise the important role of such accommodation on the tourism industry as a whole. The Plan should also provide support to allow existing tourist accommodation providers to expand and diversify where appropriate. The policy

should be amended or an additional policy added to give clear support for the provision of tourist accommodation and to recognise its importance within the tourism industry and the economy as a whole. Support should be given to allow existing operators to expand and diversify the range of accommodation provided, to suit changes in market trends, in instances where such can be accommodated within detriment to the aims and objectives of the National Park.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm policy refers to all forms of development, not just new facilities.

Proposed Modification

Reword para 1 to be more supportive for developments.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref Name The Clouds Partnership
398a Kinakyle
Aviemore

Agent Sinead Lynch
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA

Company The Clouds Partnership

Policy/site ref Policy 01

Summary para b requires quantification of 'significant adverse effects'. The statement is open ended which could impact on every planning proposal made. Clarification is therefore required.

CNPA analysis The comments regarding the clarity of the wording are noted and the appropriate changes will be made to ensure policies and supporting text are clear, understandable and are not subjective in their implementation.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 398b

Policy/site ref Policy 13

Summary The revised Policy 13 is supported particularly section b. Also support policies 17, 18 and 19.

CNPA analysis The support is noted.

Proposed Modification

No modifications required in light of this comment.

Objector Ref 398c

Policy/site ref Housing Table 4

Summary Table 4 is not in accordance with the Park Plan which encourages the proactive growth of the main settlements including Aviemore, and for the provision of land for housing growth to meet the social and economic needs of other settlements and communities. The 0-5 year target for Aviemore is 250 and the indicative target for 5-10 year is 50. The long term numbers are 0. The Local Plan does not therefore comply with SPP1 which requires an ongoing 5 year land supply for Aviemore during the lifetime of the Plan.

CNPA analysis The details of Table 4 and the background to housing land requirement calculations and land supply requirements are based on work undertaken by consultants to support the local plan. The view is maintained that sufficient land is included to meet this need, and no additional land is therefore required.

Proposed Modification

No modification proposed.

Objector Ref 398d

Policy/site ref Policy 24

Summary 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 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 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.

Objector Ref 398e

Policy/site ref Settlements - Aviemore

Summary Object to the proposed alteration to the identified settlement boundary for Aviemore which moves the previously identified boundary northwards to the north of the B970 and the Speyside Leisure Park. The southern boundary of Aviemore had previously been identified as lying on the southern extremity of the Speyside Leisure Park and to the east of the B9152. The settlement boundary should be reinstated to that set out in the consultation version of the Cairngorm National Park Local Plan.

In regard to the proposed housing allocations in Aviemore

- Site AB/H1 site lies within the SEPA Flood Risk Area, and although the site already has Outline Planning Consent for 120 dwellings this housing allocation should not be considered wholly effective for the 5 year plan period.
- Site AB/H2 lies partially within the identified SEPA Flood Risk Area. It has an identified Local Plan capacity for approximately 10 dwellings, and cannot be considered wholly effective in the 5 year plan period.
- Site AV/H3 has an identified Local Plan capacity for approximately 70 dwellings. Part of the site lies within the SEPA Flood Risk Area, and therefore cannot be considered wholly effective during the plan period.

The Plan has identified a five year target of 250 housing units and Table 4 has identified approximately 220 units with consent but not yet built in Aviemore, and an indicative capacity of 80

units on sites identified giving a total capacity of 300 units in Aviemore. However, as each of the sites with either consent or indicative capacity is subject to Flood Risk Analysis, none of them can be considered wholly effective. As a result and to provide an effective 5 year supply the Plan should identify further housing sites should be identified in, or adjacent, to the strategic settlement of Aviemore. The land at Kinakyle is available and effective with a 0 to 5 year plan period requirement, and thus the subject site at Kinakyle could and should be identified as an effective housing site in the Deposit Local Plan. Although itself subject to the SEPA Indicative Flood Risk Area, there is approximately 20 hectares of flat accessible land available for residential and associated development. Land at Kinakyle is capable of being an integral part of the town of Aviemore as opposed to a separate village and is less sensitive in terms of visual impact. It immediately adjoins an existing built element of Aviemore town despite the proposed change to the settlement boundaries set out in the Deposit Local Plan and thus is a logical extension to the existing built form of the town of Aviemore.

CNPA analysis CNPA will work closely with SEPA to establish the effectiveness of all sites within the Local Plan which are within the 1-200 year flood risk maps, and ensure that following such discussions, appropriate levels of land are allocated and effective to comply with the relevant requirements of effective land supply. Confirm that the boundary has been moved to reflect land referred to included only land to be protected as environmentally significant and no development was envisaged here. This change clarifies the position. Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps. On going work with SEPA will ensure effectiveness of the land in question. Confirm that additional land is not considered necessary as there is adequate land allocated to meet the need within the 5 year period of the plan.

Proposed Modification

No modification proposed.

Objector Ref 398f

Policy/site ref Settlements - An Camas Mor

Summary The local plan makes an assumption that development at An Camas Mor will commence within the 0-5 period and assumes that 100 homes will be provided within this. Despite being allocated in the 1997 Highland Council Local Plan no houses have been provided in the past ten years. The necessary infrastructure required will require major research prior to the submission of a planning application. Therefore the objection questions the ability of the site to provide any effective housing land during the 0-5 year timeframe. The housing allocations are therefore questioned. Together with the Table 4 indicates that any development for Aviemore beyond the 10 year period will be accommodated in An Camas Mor. The site cannot accommodate all the housing options in the Aviemore housing market area. SPP3 clearly states that a choice of residential environment is desirable. The objection therefore states that there is an over-reliance on An Camas Mor for the provision of all housing numbers in the Aviemore area. The CNPA should therefore consider including alternative land at Kinakyle, Aviemore as an effective housing site in the emerging Local Plan.

CNPA analysis The development of the site will require many detailed assessments including the preparation of a masterplan to establish the break down of various land uses within the settlement, and a transport assessment to assess the impact on the surrounding area. The CNPA will continue to work closely with the developers of An Camas Mor to ensure realistic timeframes for delivery of the site. Confirm confidence in the effectiveness of An Camas Mor and therefore no need for additional land to be allocated.

Proposed Modification

No modifications proposed.

Objector Ref Name Nicola Abrams

399a SEPA
Greyhope House
Greyhope Road
Torry, Aberdeen

Company SEPA

Policy/site ref Policy 06

Summary Object to the wording of policy 6, since NPPG14 states that development plans should set out the locational policy framework for the protection and enhancement of natural heritage. SEPA objects to the omission of a statement specifically stating that developments which enhance or restore existing habitats will be encouraged. The policy should be amended to refer to the requirement to protect, create and enhance natural and semi-natural habitats for their ecological, recreational, landscape and natural heritage values; to protect, create and enhance open and natural water bodies, watercourses, wetlands and river corridor habitats including a presumption against excessive engineering and culverting of watercourses and a presumption for the creation of riparian buffer zones, and require the restoration of culverted or canalized watercourses. Reference should also be made to NPPG14.

CNPA analysis 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 important role of SEPA will be properly included. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Proposed Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 399b

Policy/site ref Policy 13

Summary The amalgamation of what was previously 5 policies relating to the water environment into 1 policy has resulted in a very complicated policy dealing with a number of complex issues. The policy does not provide clear guidance to both development management planners and the development industry on how issues relating to flood risk, foul drainage, surface water drainage, protection of the water environment and water supply should be dealt with. Protection of the water environment is of particular importance to the interests of the Park particularly given the location of the Rivers Spey and the Dee which are just two of the many designated aquatic sites within the Park.

SEPA therefore object on the grounds of flood risk as point b implies the onus to commission a flood risk assessment lies with the developer after site allocation and estimation of site units. Paragraph 4.65 in the supporting text states that "The Local Plan avoids allocating sites for development in areas at risk of flooding wherever possible", and that the Local Plan "highlights the need for developers to fund detailed flood risk assessments on these sites". The Plan has not done enough to avoid allocating sites for development in areas at risk of flooding and stresses the need for thorough vetting of sites before allocation in accordance with SPP7.

Areas of greenfield sites that lie within the functional flood plain should therefore be removed from

the allocations.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399c

Policy/site ref Policy 13

Summary This policy does not provide clear guidance on how surface water drainage should be dealt with in a sustainable way nor does it provide clear guidance to developers on what information should be submitted in support of a planning application. PAN 79 para 48 highlights that it is SEPA's policy to promote SuDS for all new development, provided that surface water drainage meets the requirements the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) General Binding Rule 10 (1) it would be authorised under CAR. "Drainage Assessment — A Guide for Scotland" produced by the SuDS Working Party recommends that a Drainage Assessment be produced for development of more than a few dwelling houses or non-householder extensions of 1 00m² or more.

The policy should be reworded to explicitly require the use of SuDS to deal with surface water run off from all new developments. It should also refer to the requirement to submit a Drainage Assessment with any planning application for developments of 5 houses or greater than 100 sq m floor space. SEPA requests that 4.62 include reference to the following relevant documents:

- The Water Environment (Controlled Activities) (Scotland) Regulations 2005;
- Scottish Planning Policy 7: Planning and Flooding;
- The SuDS Manual (CIRIA C697);
- Sewers for Scotland Manual Edition (draft);
- Drainage Assessment — A Guide for Scotland (SuDSWP)

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance and directives. The comment is therefore noted and the wording of the policy will be revised to ensure it is clear and the appropriate level of guidance is available for developers. Further supporting information may also be prepared in support of this policy in the form of SPG to ensure the policy is implemented in a consistent manner across the Park area.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399d

Policy/site ref Policy 13

Summary The policy does not provide clear guidance to a developer as to when it would be deemed reasonable to connect to the public sewer and the appropriate considerations that should be applied to foul drainage provision in a development. It does not comply with SEPA's policy WAT-PS-06-08 on the Provision of Wastewater Drainage in Settlements which PAN 19 highlights Planning Authorities should have regard to when preparing development plans.

An additional policy should be included to the following effect:-

All development within or adjacent to settlements (as identified in the Local Plan) will require to connect to the public sewerage network unless:

1. The development is in a small settlement where no collection exists or where the collection system serves a limited number of dwellings. If the public collection system cannot be developed due to technical constraints or the connection being unacceptable to Scottish Water, then a private system may be permitted provided it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the general area. Consultation with SEPA will be undertaken in these cases; or

2. The development is in an area where connection to the collection system is not permitted due to lack of capacity, but where Scottish Water has confirmed that investment has been allocated within its investment programme to address this constraint. In such cases:

- Systems must be designed and built to a standard to allow adoption by Scottish Water
- Systems must be designed so that in the future, they can be easily connected to the public sewer (drainage will require to be provided to a likely connection point). The developer will require funding Scottish Water's completion of the connection following upgrading of the sewerage system.

Where a private system is deemed to be acceptable (within settlements as above or small-scale development in the countryside) a discharge to land (either full soakaway or raised mound soakaway) compatible with the Technical Handbooks (which set out guidance on how proposals may meet the Building Standards set out in the Building (Scotland) Regulations 2004) should be explored prior to considering a discharge to surface waters.

Reference should also be included in 4.62 to SEPA Policy WAT-PS-06-08 on the Provision of Wastewater Drainage in Settlements.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance and directives. The comment is therefore noted and the wording of the policy will be revised to ensure it is clear and the appropriate level of guidance is available for developers. Further supporting information may also be prepared in support of this policy in the form of SPG to ensure the policy is implemented in a consistent manner across the Park area.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399e

Policy/site ref Policy 13

Summary

Greater clarity in the wording of this policy is required. The term the water environment is not clearly defined (although we recognise that further clarity is provided in 4.63). The Policy does not fully accord with the provision of NPPG 14, SPPI and other guidance. The Water Environment and Water Services (Scotland) (WEWS) Act 2003 implements the EC Water Framework Directive (2000/60/EC), which is aimed at maintaining and improving the quality of aquatic ecosystems and requires that any ecological risks associated with development (including engineering operations) in rivers, tidal and coastal waters be identified and controlled. One of the key tasks of the Water Framework Directive regime is the production of River Basin Management Plans and SEPA considers that the land use planning system has an important role to play in maintaining and enhancing the water environment, particularly prior to River Basin Management Plans being produced. Furthermore under the WEWS Act Local Authorities are Responsible Authorities and therefore must give consideration to the aims of the Directive when exercising their functions.

The policy should be amended to recognise the role of the land use planning system in delivering the objectives of the Water Framework Directive. The Policy should require that any development

which would result in deterioration in ecological status or ecological potential (as defined in terms of the Directive) or prejudice the ability to restore such water bodies to good ecological status be refused, unless a derogation in Water Framework Directive terms applies. It is important that the policy applies to water bodies and not just watercourses as the Directive applies to surface waters, groundwater and wetlands as defined in Section 3 of WEWS 2003.

The aim of the Policy would be to provide these water bodies with adequate protection against insensitive engineering works that could result in unacceptable ecological impacts, thus meeting the requirements of the Water Framework Directive, SPPI and NPPG 14.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance and directives. The comment is therefore noted. The wording of the policy will be revised to ensure it is clear and the appropriate level of guidance is available for developers.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399f

Policy/site ref Policy 14

Summary The wording appears to presume against minerals recycling developments, unless there are social and economic benefits and no reasonable alternatives. The “recycling” of aggregates would in principle normally be encouraged (e.g. crushing of used stone/demolition waste etc) in waste management terms as making a useful product out of waste and being a sustainable practice which minimises the use of raw materials in accordance with the principles of the National Waste Strategy. The supporting text appears to relate to extraction of new mineral resources therefore it is not clear why the term recycling is introduced. The policy should be reworded and the word recycling removed.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text including recycling. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users. However the policy does refer to new development rather than existing sites.

Proposed Modification

No modification proposed.

Objector Ref 399g

Policy/site ref Policy 15

Summary Object to the term “Investigations and assessments”. For clarity site specific risk assessments should be specifically referred to and point a) should be amended to refer to this.

Also the wording should clarify that SEPA’s role is to provide advice to Local Authorities primarily with respect to the water environment aspects of the identification and treatment of contaminated sites. Para 4.79 should be amended to more clearly reflect SEPA’s role in the contaminated land regime

CNPA analysis The comment is noted. In a) the wording will be revised accordingly. In para 4.79 the wording will also be amended to better reflect the role of SEPA in this regard.

Proposed Modification

a) will be amended to refer to site specific risk assessments.

4.94 will be amended to clarify the role of SEPA

Objector Ref 399h

Policy/site ref Policy 16

Summary The wording of the policy should ensure proposals are required to consider impacts on the environment and ensure no detrimental impact. Even small scale energy generation proposals (wind farms and micro-hydropower schemes) have the potential to have detrimental impacts on the environment. The policy should be reworded to include requirements for development not to result in detrimental impacts on the environment. Reference should also be made in the background and justification text to the need to comply with the requirements of the EC Water Framework Directive and the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR). Reference should also be made to energy from waste in this policy or supporting text.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly. 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. Confirm all policies must be read together.

Proposed Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref 399i

Policy/site ref Policy 17

Summary 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 SPPI0) 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 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 Modification

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

Objector Ref 399j

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref 399k

Policy/site ref Policy 20

Summary 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 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 Modification

Add reference to business waste into revised policy 33 waste management.

Objector Ref 399l

Policy/site ref Policy 30

Summary 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 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 Modification

Retain reference to government guidance regarding transport.

Objector Ref 399m

Policy/site ref Policy 32

Summary 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 all 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 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 Modification

Add para to clarify role of waste plan and strategies.

Include reference regarding waste management facilities in addition to area waste plans.

Objector Ref 399n

Policy/site ref Policy 32

Summary 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 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 Modification

include in policy "including local recycling centres'.

Objector Ref 399o

Policy/site ref Policy 32

Summary 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 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 Modification

Add additional detail in line with representation.

Objector Ref 399p

Policy/site ref Policy omission

Summary There is an omission of a policy which safeguards existing strategic waste management facilities and identifies and safeguards all sites required to fulfil the requirements of the Area Waste Plan. Key waste management sites to deliver the Area Waste Plan requirements and/or for the required move to sustainable waste management have not been identified within the plan in either text or proposals maps. The plan does not therefore accord with SPP10 which requires development plans to provide for the spatial dimension of the Area Waste Plans, to identify sites for community waste infrastructure and for larger installations and to protect existing waste management installations from inappropriate development. It also does not comply PAN 63 (paragraph 8) which requires Local Plans to provide for the waste management facilities required by the Area Waste Plans.

The aim of identification and safeguarding of such sites is to protect the functioning of existing waste management facilities by discouraging neighbouring development which could prejudice the continued operation or intensification of existing processes.

For example and specifically within the National Park, there may be a need for sites for composting facilities in Aviemore and potential industrial estates which could be highlighted. Please refer to research for the Office of the Depute Prime Minister on Planning for Waste Management Facilities, and SEPA info leaflets on major waste management facilities.

Existing strategic and proposed sites for waste management facilities should be identified on the proposals maps and policy wording included in order to safeguard them to fulfil the requirements of the Area Waste Plan.

CNPA analysis The reference to the scale and nature of development in the representation is noted, and consideration will be given to the inclusion of a policy regarding strategic forms of development which may occur within the Park to the benefit of the wider Highland region.

Proposed Modification

Amend policy 32 to include for such developments.

Objector Ref 399q

Policy/site ref Policy omission

Summary The local plan does not contain a policy providing locational and directional guidance for waste management facilities. SPP10 recognises that industrial and employment land is suitable for waste management uses and provides a model planning policy. PAN 63 also recognises that waste facilities can be readily accommodated on industrial land, degraded land, co-located with existing facilities etc with detailed advice provided. Policy 20 as currently written would exclude waste management proposals, as waste management does not fall within these use classes, being a “sui generis” land use. The policy could be amended to include waste management thus recognising the role of waste management as a business opportunity and waste as a potential “resource” - this would accord with SPP10. Alternatively, a Policy could be included to set out the potential criteria for the siting of waste management facilities. PAN 63 contains advice in this regard.

CNPA analysis The comments are noted and consideration will be given to the inclusion of a policy regarding strategic infrastructure provision across the Park to guide developers and promote a co-ordinated approach.

Proposed Modification

Amend policy 32 to include for such developments.

Objector Ref 399r

Policy/site ref Policy 13

Summary The local plan fails to demonstrate that all allocations have been appraised for flood risk in accordance with national planning policy and objection is maintained to any allocation where the position is unclear and adequate consideration of flood risk has not been undertaken. In terms of site specific comments:

The following appear to lie outwith areas of flood inundation. However SEPA’s Indicative River and Coastal Flood Map (Scotland) only estimates flood outlines on catchments greater than 3.0km². Sites adjacent to watercourses with catchment areas of less than 3.0km² may also be at risk of fluvial (or other) flooding but will not appear as such on the SEPA flood map, and anecdotal information regarding this exists in particular for Newtownmore.

Settlement Allocation

Aviemore H1, H2, C1, C2, ED1, ED2, ED3

Kingussie H1

Boat of Garten H1, C1

Braemar H1

Carrbridge H1, ED1

Cromdale H1, H2

Dalnain Bridge H1, H2
Kincraig H1, H2
Nethybridge H2, C1, ED1
Tomintoul H1, H2, H3, H4, C1, Ed1
Newtonmore H1, H2

Areas of these sites have been acknowledged as being at high risk of flooding within the site allocation plans but the plan goes on to specify housing totals for these sites. Eg H1 Ballater where the SEPA's Indicative River and Coastal Flood Map (Scotland) — 0.5% annual probability layer shows the site as being almost totally inundated by this flood event. H2 Braemar is shown as approximately 40% inundated. All sites should be the subject of flood risk assessment preallocation, and areas shown to be at flood risk should be removed from these allocations.

Aviemore H1
Ballater H1
Braemar H2
Dalwhinnie H1, H2, H3
Nethybridge H1

Additionally

Grantown H1 -Although not shown to be at risk on SEPA's flood map, a recent planning application to develop part of the site has highlighted a large area susceptible to flood inundation.

An Camas Mor -SEPA has received an initial request for information with regard to 'Phase 1' of a housing development on this site.

Although the site plans show the development as being situated outwith the indicative limits of flooding, there are issues with the alignment of access roads through the floodplain.

Paragraphs 42 and 43 of SPP1: Planning and Flooding provide an expectation from the The Scottish Executive that developers and planning authorities err on the side of caution in decision making whenever flooding is an issue.

Although recognising that some consideration has been given to flood risk, the plan does not clarify what information has been used to appraise the site information. The approach taken does not accord with the precautionary approach to flood risk promoted in the National Park Plan (Pg 52— objective d).

All allocations in the local plan should be appraised for flood risk using all appropriate available sources of information as set out in SPP7 and allocations shown to be at risk of flooding removed from the local plan. While recognising that some sites have potential risk of flooding, the requirement that detailed Flood Risk Assessment be undertaken by the applicant at the planning application stage does not provide sufficient clarity to the development industry at an early stage in the development process. Such assessments may show large portions of the sites are not suitable for development due to flood risk and the integrity of these allocations may in fact be brought into question, resulting

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received and the appropriate changes will be made both to the policy wording and settlement proposals where necessary to provide a clear direction to the development industry in line with both SPP7 and SPP1.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399SEA(a)

Policy/site ref General - SEA

Summary The overall document is of a very high standard, is thorough and well presented.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 399SEA(b)

Policy/site ref SEA Purpose

Summary While welcoming many aspects of the environmental report, specific links could also have been made to the National Waste Strategy, and relevant Local Authority Waste Plans or Strategies (rather than just in generic terms in 3.17 “waste management plans”)

CNPA analysis The comments are noted, and the links will be made more explicit in the wording of the text in the local plan.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 399SEA(c)

Policy/site ref SEA Scoping

Summary Welcome the ER taking on board the issues raised at scoping stage.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 399SEA(d)

Policy/site ref SEA Baseline Environment

Summary The baseline information presented is thorough and detailed, but Figure 5.2 does not include waste which is identified later as an SEA objective. In Table 5.1 the section on air could be refined with relevant data used to support the assertion of ‘relatively low atmospheric pollution’. Despite previous recommendations that additional datasets be used to inform the assessment, (including groundwater issues, flooding, contaminated land, waste management etc) these have not been incorporated into the Key Baseline Facts section of the ER, although flood management has been identified in the key trends and issues section (figure 5.2). Now that the State of the Park Report has been published will additional datasets and information included within it be incorporated into the assessment? Additional datasets should have been used and also it would be helpful to outline what the issues and trends are in relation to waste management in the Park, particularly as it is later outlined as an SEA objective (Figure 6.1 and 6.2)

CNPA analysis The omission of waste will be rectified in future amendments and will inform alterations to the local plan policy wording.

Proposed Modification

Comments noted and ongoing work progressing on this. Issue will be dealt with before Local plan

is adopted.

Objector Ref 399SEA(e)

Policy/site ref SEA Criteria

Summary While this section has been improved since the scoping stage, there is scope for further improvements particularly to targets and indicators set. Eg objective 4 is “to protect and where appropriate improve, waterbody statues with or related to the Cairngorms National Park area” - the lined targets and indicators should be more specific in order to be more effective, and while supporting the target of “all developments consented with SUDS” this is not the only way for water body status to be maintained or improved, and reference could also be made to the need to minimise impacts from, for example, foul drainage systems and engineering works in and around water bodies.

While noting that other targets and indicators will be identified in the CNPA Sustainable Design Guide, it is not clear when this guide will be developed (will it fall within the Local Plan timetable or will it be developed as Supplementary Planning Guidance and included as a Plan alteration at a later stage?) Any targets or indicators must be precise and measureable and have clear linkages to relevant plans and programmes; e.g. while welcoming the inclusion of targets and indicators relating to the reduction of waste, SEA objective 13 could have clearer links to targets and indicators in the National Waste Plan and relevant Area Waste Plans.

SEA Objective 9 – sustainable use of resources would benefit from criteria which relate to sustainable waste management.

How will the many targets and indicators be achieved. E.g. the target for SEA Objective 9 is that ‘all development heated without fossil fuels’.

How will all development be heated without fossil fuel. Will permissions include conditions that only biomass/wood (i.e. no coal) be burnt on open fires and that there is no oil storage containers? Reliance on electricity (of which much is from fossil fuels) may also result in problems with grid capacity. This issue should be further clarified.

CNPA analysis The comments are noted. The future work on SEA and its impact on the Local Plan development will be informed by these comments, and greater links will be included within the Local Plan to ensure proper links with the SEA and its findings.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(f)

Policy/site ref SEA Assessment Process

Summary The assessment process is clear and robust. The approach gives a clear indication of the reasoning behind the CNPA’s judgement as to whether something has a significant effect, and highlights particular areas of relevance.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 399SEA(g)

Policy/site ref Policy 13

Summary SEPA accepts the results of the assessment in regard to Policy 13.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Amend wording to reflect objection and subsequent meeting.

Objector Ref 399SEA(h)

Policy/site ref Policy 14

Summary How will policy 14 have a significant positive effect on objective 9 (sustainable use of resources) as the policy could be seen to discourage recycling.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text including recycling. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users. Issues picked up in policy 18 on design of development, and will be further developed in the sustainable design guide.

Proposed Modification

No modifications required.

Objector Ref 399SEA(i)

Policy/site ref Policy 15

Summary SEPA accepts the results of the assessment in regard to Policy 15.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 399SEA(j)

Policy/site ref Policy 16

Summary How is policy 16 considered to be 'not applicable' in terms of the assessment as it does not require to consider potential impacts on the environment, or require proposals to avoid or minimise impacts on the environment could have a (minor) detrimental impact on a number of SEA objectives including objectives 4, 5, and 13.

CNPA analysis The comment is noted and the SEA will be reviewed to ensure that the appropriate level of consideration is given to this policy.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(k)

Policy/site ref Policy 17

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

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 399SEA(l)

Policy/site ref Policy 18

Summary 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 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 Modification

No modifications needed at this stage.

Objector Ref 399SEA(m)

Policy/site ref Policy 30

Summary SEPA accepts the results of the assessment in regard to Policy 30.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications needed at this stage.

Objector Ref 399SEA(n)

Policy/site ref Policy 32

Summary SEPA accepts the results of the assessment in regard to Policy 32.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications needed at this stage.

Objector Ref 399SEA(o)

Policy/site ref SEA Omissions

Summary A number of other issues are not addressed in the plan, including air quality which is not considered to be a major issue in the Cairngorms National Park. Given the nature of the area, it is recognised that the SEA is the most appropriate forum for consideration of air quality as it should be inherent in the commitment to sustainability in all development decisions. However there is minimal recognition of air quality in wider context of the Policies considered in the SEA. It is noted however that consideration has been given to the contribution made by car travel and by emissions from domestic and commercial premises. Local air quality will also be affected by transboundary pollutants such as ground level ozone and acidifying gases.

CNPA analysis The comment regarding air quality is noted, and future work on the SEA and local plan development will be informed by this comment.

Proposed Modification

Comments noted and will feed into future SEA work

Objector Ref 399SEA(p)

Policy/site ref SEA Allocations

Summary The assessment matrices and supporting tables are clear and useful.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 399SEA(q)

Policy/site ref SEA An Camas Mor

Summary An Camas Mor – although outwith the indicative limits of the floodplain, SEPA has concerns about the alignment of the access roads through the flood plain. The recognition in the ER of the issue and need for a FRA to be produced to support any proposals is welcomed, but the requirement of a FRA is not included in the Local Plan.

CNPA analysis The comment regarding An Camas Mor is noted, and the wording of the proposal will be amended to clarify the position on the comments made and the impact any FRA might have.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(r)

Policy/site ref SEA Aviemore H3

Summary H3 – the ER recognises that the sites are potentially affected by flooding and a FRA is required, however it is not clear how the allocation of a site which is potentially at risk of flooding can have an unknown or neutral effect on catchment processes and hydrological systems. The consideration the potential for persons and property to be at risk from flooding to be a minor negative environmental effect as set out in the detailed assessment form does not seem correct. Flood risk should be raised as an issue in the text in the ER (9.14-9.16) for Aviemore housing.

CNPA analysis The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA. The issue of FRA assessments will also be more clearly highlighted in the wording of the proposals relating to development sites.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(s)

Policy/site ref SEA Ballater HI

Summary The allocation of sites known to be at risk of flooding would have a negative affect on catchment processes and hydrological systems rather than unknown.

CNPA analysis The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA. The issue of FRA assessments will also be more clearly highlighted in the wording of the proposals relating to development sites.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(t)

Policy/site ref SEA Braemar H2

Summary The allocation of sites known to be at risk of flooding would have a negative affect on catchment processes and hydrological systems rather than unknown or neutral.

CNPA analysis The comments are noted, and a review of the assessment will be revisited as work on the SEA continues to inform the development of local plan sites.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(u)

Policy/site ref SEA Dalwhinnie

Summary The allocation of sites known to be at risk of flooding would have a negative affect on catchment processes and hydrological systems rather than unknown or neutral.

CNPA analysis The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(v)

Policy/site ref SEA Nethybridge H1

Summary The allocation of sites known to be at risk of flooding would have a negative affect on catchment processes and hydrological systems rather than unknown or neutral.

CNPA analysis The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(w)

Policy/site ref SEA Monitoring

Summary While the monitoring aspects of the ER are supported, there is scope for the indicators to be made more specific to be more effective

CNPA analysis The indicators will be reviewed and any changes necessary will be included in ongoing work on the SEA and the development of the Local Plan.

Proposed Modification Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 399SEA(x)

Policy/site ref SEA Mitigation

Summary No mitigation is considered necessary for policies and proposals at this stage although further mitigation may be identified as part of the appropriate assessment. However, consideration needs to be given to mitigation in relation to flood risk (such as complete avoidance of allocation at risk of flooding or as an alternative a clearer indication of the extent of flood risk based on all available information including in some cases specific pieces of work).

CNPA analysis The comments regarding mitigation are noted and links and cross referencing will be included in the appropriate assessment. Further work will also be carried out to ensure the appropriate account is taken of flood risk and amendments to the plan made accordingly.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref Name Dr A M Jones

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

Company Badenoch and Strathspey Conservation Group

Policy/site ref General - Links to other plans

Summary Para 2.4 - The Park Plan provides only one overarching context for planning policy. Others include international commitments and international standards for Protected Areas.

Para 2.5 - there is a lack of direct reference to compliance with the NP Act.

CNPA analysis The comment is noted. The context sections endeavours to set out all the context documents and obligations and should therefore be read in total.

Proposed Modification

Amend context section to clarify the role of the various documents and obligations that influence the Plan.

Objector Ref 400b

Policy/site ref General - Links to Park Plan

Summary Para 2.6 - Over emphasis on 'partnership' working, and lack of regard to working in accordance with good governance. The wording should be revised to be more readily intelligible.

Para 2.7 - Concerned at the approach to management that views 'long term' as 25 years. 'Long term' should be omitted from 1st sentence. Concerned that all outcomes should be viewed as 'intended' outcomes. 'Intended' should be added before 'outcomes' in 1st bullet point.

CNPA analysis The comment is noted. However the National Park Authority is fully committed to partnership working as the best way of taking forward the delivery of both the National Park Plan and the Local Plan.

Proposed Modification

2.8 add reference to working in line with standards of good governance as well as partnership working.

2.10 include 'aspirational'.

Objector Ref 400c

Policy/site ref General - Links to other plans

Summary Para 2.10 - The delivery of the Park Plan objectives also relies on securing better information on the natural heritage resource. (Refer to 'Towards a Strategy for Scotland's Biodiversity: BiodiversityMatters!')

CNPA analysis The comment is noted. Reference to other plans and strategies will be expanded to clarify the position.

Proposed Modification

2.11 include need to support and encourage research and information.

Objector Ref 400d

Policy/site ref General - Vision

Summary Para 2.13 - give examples of other delivery tools

CNPA analysis The comment relates to the delivery of the National Park Plan, of which the Local Plan plays an important part. However the delivery of the Park Plan is not a matter for debate at this stage as it has already been adopted. Direct reference should be made to the National Park Plan. No modification considered necessary as a result of this representation.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 400e

Policy/site ref Policy 01

Summary Policy 1 - The phrases "development.....will be permitted.." (1st sentences) and "Development .. will be supported" (4th para) indicate a bias in favour of development. There should be greater focus on the 1st aim of the Park.

Para 3.6 - contradicts Policy 1. The primacy of the 1st aim should be stated again in 3.6 to clarify the 1st aim takes precedence where there is a conflict,

Para 3.7 - There is an absence of even basic baseline information on natural heritage against which the policy can be realistically monitored. Presently and for the foreseeable future, the CNPA has virtually no idea of what natural heritage is being lost beneath development, what the direct and indirect impacts on natural heritage are, nor virtually any measure of the cumulative impacts of developments proposed in the DLP. This shortfall urgently needs to be rectified if meaningful monitoring is to be possible. The need for baseline surveys of natural heritage capital within potential settlement areas should be explicitly noted in the DLP.

Page 13- The Facts and Figures should give data for the Cairngorms (Partnership) area. The parts included fail to mention NNRS the wetlands of Insh marshes

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The proposed wording will be assessed accordingly.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of

the Park.

Objector Ref 400f(a)

Policy/site ref Policy 02

Summary Para 4.1 - Short, and medium should be noted before “long-term management”.

Para 4.2 - Should substitute 'encourage' with 'reconcile' as encouraging could be seen to be at the expense of delivering the 1st aim of the NP.

Para 4.3 - Support the words 'must', 'any', 'will', 'any', 'might' (lines 5-end).

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 400f(b)

Policy/site ref Policy 02

Summary The policy should clarify that this is an existing legal obligation which extends to developments outwith Natura 2000 areas where the development could negatively impact in any way on Natura interests.

Para 4.5 - There is no reference to the Habitats Directive, or its associated regulations or guidance.

Para 4.7, 4.15, 4.42 etc. – Concern has been expressed regarding the transparency of the local planning process, and this continues with the scale of the maps used which make it impossible to accurately identify the boundary of designated sites. The maps should be displayed on the CNPA website at a resolution and scale that enable exact boundaries to be zoomed in on and identified; and this info should be regularly updated. This should be stated in the local plan.

Para 4.8 – Replace “in practice it is possible” with “it may in certain circumstances be possible”; Replace “to avoid or mitigate the potential adverse effects” with “some of the potential adverse effects”; Replace “most” developments with “some” developments.

Para 4.9 - could be interpreted as meaning the CNPA does not determine for itself the need for, and specific requirements of, individual assessments. However it is appropriate for the CNPA to consult with SNH, and this should be clarified so that CNPA takes full responsibility for the standards of assessment they require, and does not in any sense abdicate these responsibilities to SNH.

Para 4.10 – No definition of how to keep development requirements up to date. Insert after 'pre-application discussions' “or when the need for such requirements are recognized by the authorities”.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 400f(c)

Policy/site ref Policy 03

Summary Change “will only be permitted” to ‘may’ only be permitted.

Change “significant” and “clearly” with “possible” and “certainly”.

There is a lack adequate reference to additional aspects of the Nature Conservation (Scotland) Act 2004. The plan should include an outline of the responsibilities of planning officials with respect to biodiversity (the biodiversity duty of the NCA). The scope of the Act in relation to habitats and species should also be outlined. The Plan should also include a list of SBL species, species of conservation concern, and habitats relevant to the Act, that are known to occur or likely to occur within the area covered by the DLP.

CNPA analysis The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPPI. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 400f(d)

Policy/site ref Policy 04

Summary Replace “Development will only be permitted” with “may” only be permitted, since this may be interpreted as pre-judging the planning process. The policy is trying to cover too many aspects under one heading. Are Geological conservation review sites best safeguarded by the same policy as eg native woodlands or second tier sites identified for different interest (eg for high biodiversity value). Object to “planning authority” as there is not one (competent) planning authority. Object further to the principle and suggest a statement along the lines “recognised by standards accepted by those with relevant knowledge and competence in the appropriate field such as SNH, JNCC or relevant eNGO’s” would be more appropriate. Second tier sites need to be extended across the Park as a matter of urgency and within the lifetime of the Plan and BSCG is keen to assist the CNPA or others in this.

As further good practise it is desirable to involve eNGO’s. For example we would consider the WT has access to information on high quality woodland sites including the AWI, the BMS has expertise on identifying PERL fungi. Object to “providing features of equal importance” as in many cases this is impossible (e.g. ancient and semi-natural ancient woodland sites; landscapes that bear witness to the activities of our forebears). Supporting info regarding this is detailed. It cannot be considered intelligent planning to offer to do the impossible.

Include sentence to effect “In all circumstances there will be a strong presumption against development that affects an ancient woodland site ...or locally important site”.

A) Demonstrates a lack of ecological understanding and affords inadequate respect for the precautionary principle, and there is therefore a need for more precision and clarity. Need to include definition of ‘integrity’ and what natural/ ecological communities are being considered. The wording implies that current knowledge and ecological understanding is sufficient to fairly assess whether the “overall integrity of the identified area would not be compromised”.

b) conflicts with the 1st aim of the Park. Delete “significant” and replace with “possible”. We suggest insert overriding before importance. Clarity and consistency is needed. Object to emphasis on mitigation. Which may have knock on effects that may be impossible or impractical to properly evaluate (e.g. due to timescale, seasonality or resource issues).

para 4.23 – Replace “many of these identified areas” with “some of these”. The Plan makes no reference to using specialist professional advice to inform the decision-making process, although this is stated in 4.37, an equivalent paragraph on landscape.

Para 4.24 – wording is incomplete and inconsistent. It makes no reference to cumulative impacts, which should be included although this is included in 4.40 regarding landscape.

CNPA analysis 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 this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.23 define 'commensurate'.

Delete section of b) 'outweighed by social or economic benefit of importance to the aims of the CNP and are'.

4.20 add clarification that datasets are flawed and site inspections will be needed. CNP will seek specialist advice on such assessments where necessary.

4.23 change 'many' to 'some'

Objector Ref 400f(e)

Policy/site ref Policy 05

Summary The policy should incorporate after “Species” the statement “wherever they occur” (Part 3 of the 1994 regulations are not limited in effect merely to specific, designated areas.) There should also be greater reference to “breeding sites and resting places” (that enjoy a particularly high degree of protection under Regulation 39 (1) (d) such that at its simplest level even unintentional destructive acts at for example a bat roost could potentially be grounds for criminal prosecution.)

In a) inclusion of “including those of a social or economic nature” is unnecessary and is covered by the catchall phrase in “or other imperative reasons”.

In b) “no satisfactory alternative” is too weak; this should be in line with the weight given to the 1st aim of park.

In c) wording reflects a lack of ecological understanding. The loss of a “population... at a favourable conservation status..in their natural range” is likely to occur by cumulative small minor losses, and only more rarely by a single devastating development. There should be a presumption in favour of planning that aims to deliver for SOCC and for example to ensure that populations of protected species are not bucking national trends of recovery as has been recently reported for some better studied groups, (see Birds Chapter in Nature of the Cairngorms).

CNPA analysis 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 Modification

1st sentence change to 'development should avoid causing any harm to any European Protected Species wherever they occur...'

In a) wording is reflecting the regulations and will be changed to remove the comma after 'nature.'

in b) change to 'there is no alternative solution'

in 4.27 add clarification that policy will also include consideration of cumulative impact.

Objector Ref 400f(f)

Policy/site ref Policy 06

Summary Substitute “will only be permitted” with “may” to retain open consideration of proposals. The wording is too open ended and non specific. The policy should include examples of the kinds of “need and justification” that the CNPA has in mind that the developer could demonstrate.

Object to b) on grounds of lack of credible ecological understanding.

The policy should acknowledge the responsibility of the planning authority to take account of SBL species when considering development proposals, in the context of the biodiversity duty contained in the NCA. The plan should include a list of SBL species known to occur or likely to occur in the plan area. The plan should also state that circumstances can arise when the CNPA can recoup costs of survey work from the developer.

Object to the ambiguity of “just as important”. It gives a development orientated emphasis to designated sites which conflicts with the 1st aim of the Park.

Support Para 4.28 and 4.29.

Para 4.30 - Object to “This will reduce the likelihood of delays in obtaining planning permission” because it implies a presumption in favour of granting permission.

Para 4.31 – Methods for review rely on inadequate baseline information available to CNPA. There is therefore a need for high standard independent review to update natural heritage data.

CNPA analysis 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. Within this review the proposed wording will be assessed.

Proposed Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 400f(g)

Policy/site ref Policy 07

Summary Statements within the policy are contradictory and to “will” as it implies permission is already granted.

a) and b) need additional clarity as the policy should indicate what type of social or economic benefit could outweigh adverse impact on such features as special landscape qualities.

In b) the list of “siting, layout, design and construction” is incomplete as these should be used as examples, not a definitive list. The Policy should be reviewed in the light of the new report by Scottish Landscape Forum.

Para 4.32 - “most of the ..vegetation” is “the result of human activity” is misleading, and could be construed as indicating that such vegetation could be recreated by further human activity.

Para 4.35 and 4.39 – support efforts to minimise light pollution.

Para 4.35, 4.36 – Support the reference to wildness and urge the recognition of areas close to communities where elements of wildness provide inspiration and other benefits to many people.

Para 4.37 – Support reference to the use of specialist professional advice to inform decision-making.

Para 4.40 – Support the assessment of cumulative impacts and would support the expansion of planning control in regard to the impact development has on landscape.

CNPA analysis 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. In this review the proposed rewording will be assessed and the appropriate amendments made.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 400f(h)

Policy/site ref Policy 14

Summary

Replace “Proposals ...will only be permitted” (para. 1) to “may only be permitted”.

Replace “Development ..will only be permitted” (para. 5) to “may only be permitted”.

Support restrictions on peat extraction and soil management.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users. Confirm that the wording is clear is presented, and the use of 'may' would create ambiguity. The term 'will' does not imply that permission will be granted as any development will have to comply with all the policies in the plan as explained in the Introduction.

Proposed Modification

No further action required.

Objector Ref 400f(i)

Policy/site ref Policy 16

Summary Generally support small scale renewable energy schemes. However the policy should also ensure no significant adverse effects in regard to:

- Impacts on birds and bats, for example of turbines, transmission lines and masts;
- Impacts of access roads, including on vegetation, soils and watercourses as well as on access;
- Disturbance or pollution of watercourses;
- Loss of wild land characteristics;
- Noise and light pollution;
- Decommissioning issues.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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. Confirm all policies must be read together and issues affecting those listed will be considered under those policies.

Proposed Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref 400g

Policy/site ref Policy 17

Summary 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 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 Modification

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

Objector Ref 400g(4)

Policy/site ref Policy 22

Summary 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 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 Modification

In revised policy 17 remove 'encourage housing provision'.

Redraft supporting text to clarify reasoning for policy.

Objector Ref 400g(a)

Policy/site ref Policy 19

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

CNPA analysis 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 Modification

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

Objector Ref 400g(b)

Policy/site ref Policy 20

Summary 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 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 Modification

No modification proposed.

Objector Ref 400g(c)

Policy/site ref Policy 21

Summary Wording should be changed to 'may' rather than 'will'.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 400g(e)

Policy/site ref Housing (need)

Summary Para 5.28 Sweeping statements regarding need should be fully substantiated.

Para 5.30 B&S has seen the highest growth rate of any rural district in Scotland over recent decades and the text is therefore misleading. What were the figures used by the CNPA to arrive at their statement?

Para 5.34 - Sweeping statements regarding need should be fully substantiated.

Para 5.35 The statement is misleading as there is no means of controlling who gets a house, either social or open market. Who is referred to in provide housing to meet everyone’s needs? Again this is misleading.

Para 5.37 There should be reference to any serious study to assess the carrying capacity of things like existing infrastructure, basic info that would inform the delivery of the aims of the park plan.

Para 5.38 - improved is too subjective. An improved housing supply may be at the expense of other aspects of the Park such as landscape and recreational opportunities. Communities of the Park is

unclear. Development is by no means a clear improvement for communities of the Park.

Tables 2, 3 and 4 and 5.39 - Object to figure as there is no rigorous explanation as to how this figure is derived, and no reasoned justification is provided for taking a higher rather than a mid way or lower estimate. Throughout the arguments are not coherently explained.

Statements are included without any supporting justification and are misleading and information is included in part without full explanation of where the data is sourced.

The allocation for affordable houses is inconsistent in significant respects with the aims of the NP. The Plan should not be seeking to meet 'demand'. Also figures calculated have not taken into account natural and cultural heritage requirements of the 1st aim of the Park.

CNPA analysis The comments regarding unsupported statements throughout the text are noted. In the modifications it is hoped to address such situations. 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.

The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims.

Modifications will also 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 Modification

Amend text in support of housing to reflect comments made.

Objector Ref 400g(f)

Policy/site ref Policy 24

Summary 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 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 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).

Objector Ref 400g(g)

Policy/site ref Policy 25

Summary 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 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 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'

Objector Ref 400g(h)

Policy/site ref Policy 26

Summary 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 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 SPPI.

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 SPPI5 to provide options for housing both within settlements and in the countryside. The occupancy conditions are restricted by use of planning condition.

Proposed Modification

No modification proposed.

Objector Ref 400g(i)

Policy/site ref Policy 32

Summary 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 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 Modification

No modification proposed.

Objector Ref 400h(a)

Policy/site ref Policy 33

Summary Para 6.0 and 6.4 – wording is too loose. There is over emphasis on ‘need’ and the requirement that such development “must also take into account” the impact of the development on the environment.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Revise 6.4 to provide better support for sustainable tourism.

Objector Ref 400h(b)

Policy/site ref Policy 33-35

Summary Some of these policies is too permissive and implies bypassing the planning process in parts. Object to the absence of reference to impact on natural and cultural heritage in these policies.

CNPA analysis The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. The policy should be read in conjunction with the other policies in the plan, in particular those regarding cultural and natural heritage. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development. Confirm the term does not imply permission as all policies of the plan where relevant must be complied with. The impact on natural and cultural heritage would be covered under policies in 'conserving and enhancing' section.

Proposed Modification

No modification proposed.

Objector Ref 400i(a)

Policy/site ref Maps

Summary Some of the maps may be inaccurate in regard to the core paths. The settlement maps should be more clear providing up to date development information, and complete information on the conservation status of land proposed for development.

CNPA analysis The presentation of the maps will be reviewed and modified to ensure correctness of information and ease of understanding.

Proposed Modification

Include up to date conservation designations and up to date bases. Remove core paths to avoid confusion as these are available elsewhere from CNPA.

Objector Ref 400i(b)

Policy/site ref Settlements - Aviemore

Summary Settlement boundary should be amended to account for SAC near sewage works.

CNPA analysis The comment is noted and a site visit will assess the boundary as drawn, and the contribution the land referred to makes to the settlement as a whole. Where appropriate amendments to the boundary will be made.

Proposed Modification

Amend boundary to take account of SAC.

Objector Ref 400i(c)

Policy/site ref Settlements - Aviemore ED1

Summary This site contains a wide and excellent variety of habitats and species, and is also a high quality landscape and should not therefore be allocated for development. Its allocation would conflict with 3rd and 4th aims of the Park.

CNPA analysis The comment is noted and a site visit will be undertaken to assess the qualities of the site, and compare this with the contribution it could make to employment within the village. Alternative sites for such provision will also be considered. The potential development will also be considered against the aims of the Park. .Confirm land would require appropriate natural heritage surveys if demand for the site came forward. Further work with Natural Heritage staff required to clarify the position.

Proposed Modification

No modifications proposed.

Objector Ref 400i(d)

Policy/site ref Settlements - Aviemore ED2

Summary The site is an important semi natural habitat and demonstrates a degree of wildness important to the settlement and its residents. Also the cumulative impact of land changes in Aviemore should be carefully considered in the Plan and this site in particular should be protected from development.

CNPA analysis The comment is noted and a site visit will be undertaken to assess the qualities of the site, and compare this with the contribution it could make to employment within the village. Alternative sites for such provision will also be considered. The potential development will also be considered against the aims of the Park. The allocation endeavours to provide for new development opportunities in support of the community, while preventing the further expansion of the village into the open countryside. The site, within the current built up area is therefore considered appropriate for the proposed use.

Proposed Modification

No modifications proposed.

Objector Ref 400i(e)

Policy/site ref Settlements - Aviemore

Summary Development of these sites in Aviemore is contrary to the 1st, 3rd and 4th aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The allocations are in line with the need to provide housing land within the area, and the design of each site will need to comply with all relevant policies of the plan, and the 4 aims of the park to secure permission. The allocations are not therefore considered to conflict with the Park aims.

Proposed Modification

No modification proposed.

Objector Ref 400i(f)

Policy/site ref Settlements - Aviemore OSI

Summary The burn side area between garden boundaries and settlement boundary in north east should be included as open space. Also the areas to the west and east of the sewage works should be included as Open Space.

CNPA analysis The comments are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. Confirm land to east is completely within 1:200 flood maps and would not therefore be appropriate for development.

Proposed Modification

Extend OS to west of sewage works.

Objector Ref 400i(g)

Policy/site ref Settlements - An Camas Mor

Summary A new town in the Park is inappropriate and contrary to the 1st aim of the Park.

CNPA analysis This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The assessment of any proposal on the site will be balanced against all aims of the Park and development will only occur where it does not conflict with these or the policies of the Local Plan.

Proposed Modification

No modification proposed.

Objector Ref 400i(h)

Policy/site ref Settlements - Grantown on Spey H1

Summary This site has a varied and excellent range of species and contributes positively to the landscape setting of Grantown and to public amenity. Development of this site would be contrary to the 1st and 3rd aims of the Park, and arguably with all 4 aims.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref 400i(i)

Policy/site ref Settlements - Grantown on Spey H2

Summary The proposal is excessive and contrary to the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Proposed Modification

No modification proposed.

Objector Ref 400i(j)

Policy/site ref Settlements - Grantown on Spey

Summary The fields around Renoan should be included as open space.

CNPA analysis The comments regarding open space are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. Confirm allocation is to provide for local housing, and land is not open space.

Proposed Modification

No modification proposed.

Objector Ref 400i(k)

Policy/site ref Settlements - Kingussie

Summary The proposal is excessive and conflicts with the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Clarify allocations are based on analysis of housing need etc, and work of consultants, and that all developments must be judged against aims, and also must comply with all relevant policies of the

plan.

Proposed Modification

No modification proposed.

Objector Ref 400i(l)

Policy/site ref Settlements - Newtonmore

Summary The proposals are excessive and conflict with the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm housing allocations are based on need etc, and based on the work of the various studies. The impact of development, as in all cases will be judged against the aims of the Park. Any proposal will have to comply with all relevant policies of the plan.

Proposed Modification

No modification proposed.

Objector Ref 400i(m)

Policy/site ref Settlements - Boat of Garten

Summary The proposal is excessive in scale and conflicts with the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Proposed Modification

Include reference to mitigation required by SNH as result of appropriate assessment of HI.

Objector Ref 400i(n)

Policy/site ref Settlements - Carr-bridge

Summary Object to this proposal

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Proposed Modification

Include up to date info on extant permissions and outstanding applications.

Objector Ref 400i(o)

Policy/site ref Settlements - Cromdale

Summary The proposal is excessive and conflicts with the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm that housing allocations are based on work of consultants, waiting lists, etc and that all developments are judged against the aims of the park, and all relevant policies in the local plan to ensure appropriate

design, landscape impact etc.

Proposed Modification

No modifications

Objector Ref 400i(p)

Policy/site ref Settlements - Dulnain Bridge

Summary The boundary of H1 should exclude the south east of the site to retain a woodland corridor to connect woodland outwith the settlement boundary with the woodland within H1, which is presently used by red squirrels. Within H2 the area of alder and the wet marsh areas associated with the drain should be retained and properly safeguarded.

CNPA analysis In light of the comments received, a review of the boundary will be undertaken to assess the issue raised. Confirm issues of habitat networks etc are considered in detail through the policies relating to natural heritage. The comments regarding H2 are noted. This site has an extant planning permission which will be reviewed to consider the nature of the permission. Any influence that can be made on any future applications for the site will be included within the text for the site.

Proposed Modification

H2 Include reference to marsh area to be protected in any development.

Objector Ref 400i(q)

Policy/site ref Settlements - Kincaig

Summary The scale of development is excessive scale and conflicts with the 1st and 3rd aims of the Park. Both sites are rich in species and habitats and the proposals maps should provide more up to date information regarding recent new developments to better inform the debate.

CNPA analysis H1 has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

H2 will be assessed against the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The review will also look at the need for additional information to ensure there is adequate information on which to make comment. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Proposed Modification

Remove H2.

Objector Ref 400i(r)

Policy/site ref Settlements - Nethy Bridge

Summary The proposals are excessive and contrary to the 1st and 3rd aims of the Park.

CNPA analysis The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm that all developments must be judged against aims, and also must comply with all relevant policies of the plan.

Proposed Modification

Clarify wording in terms of extant permission on H2 and what impact the plan can have on any future development.

Objector Ref 400i(s)

Policy/site ref Settlements - Nethy Bridge

Summary The settlement boundary should continue around the garden boundaries up to the development currently under construction between the Nethy Bridge and Mountview Hotels to exclude from the settlement an area of high quality woodland with for example granny pines, juniper and red squirrels. Land on both sides of the River Nethy, between the garden/road boundaries and the river in the east (beside Nether Dell, Dell Cottage etc) should be designated as open space, to complete the protection of land beside the river and the habitat corridor this provides. The plan should indicate the nature of the land that is proposed for development to better inform the debate.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion within the settlement boundary. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Include text to explain most up to date info on extant permissions.

Include land adjacent to hotel as open space.

Include additional land adjacent to river as open space.

Objector Ref 400i(t)

Policy/site ref Settlements omissions Laggan/Glenmore/Coylumbridge

Summary The plan should include Laggan, Glenmore and Coylumbridge as settlements and indicate open spaces and the settlement boundaries.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 opportunities for growth outwith settlement boundaries provided by policies and protection afforded which all applications will have to comply with.

Proposed Modification

No modification proposed.

Objector Ref Name Harry Wright

401

Ballaghdee

Pannanich Road

Ballater
AB35 5PA

Policy/site ref Settlements - Ballater HI

Summary The allocation of land at HI will destroy the character of Ballater and is at a level unacceptable to the residents. Whilst recognising a need for some housing the levels proposed are excessive, particularly since no additional employment opportunities are proposed. Such opportunities exist within the village to meet local need and encourage opportunities within the village, particularly in regard to the Old School.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm allocation is phased for the long term growth of the village. Confirm where the housing figures come from, and the demand for affordable homes in Ballater.

Proposed Modification

Amend boundary on plan to account for Games Park and Princes Foundation proposals. Include employment land within village boundary.

Objector Ref Name Mrs Beryl MacRae
402 Craig Revack
Woodside Avenue
Grantown on Spey
PH26 3JR

Policy/site ref Settlements - Grantown on Spey HI

Summary Is there a need for such a large housing allocation within Grantown-on-Spey which is of a scale to destroy the character of this settlement? Such housing will not be for local people. The style of any development will be in contrast to the existing bungalow styles, and will add more housing to be sold as second homes (table 2). The allocation targets also preclude development by local builders, as they would not be able to deliver the volume of houses within the time scales stated. The references on page 66 and table 4 are contradictory. Consistency is surely important in a local plan.

CNPA analysis This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name Mr Michael Bruce
403a Glen Tanar Estate

Agent Sinead Lynch
Strutt and Parker
28 Melville Street
Edinburgh

Company Glen Tanar Estate

Policy/site ref Settlements omissions Glen Tanar

Summary The estate has provided interesting and detailed background information regarding the estate, its history and its operations by way of scene setting for their representations.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 some settlements will be identified, but outwith these opportunities still exist in a much less structured way for housing and employment - the way the plan is formed therefore allows small communities a much greater degree of flexibility than if a line is drawn on proposals maps as there is no issue of land being within or outwith a settlement boundary. This is particularly true for dispersed settlements such as Glen Tanar.

Proposed Modification

Add some rural settlements to proposals section.

Objector Ref 403b

Policy/site ref Policy 07

Summary The estate generally support the approach taken to general policies in the deposit local plan. In regard to landscape, while supporting the policy, forestry proposals should be regulated by the Forestry Commission within the context of the Cairngorms Forestry Framework. This would allow for a proportion of non-native trees.

CNPA analysis The comment is noted. The local plan is in place only to guide those developments which fall under normal planning regulations. No modification considered necessary as a result of this representation.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wilderness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 403c

Policy/site ref Policy 08

Summary The designation for the designed landscape within Glen Tanar estate should be amended in line with the map provided.

CNPA analysis The designation of designed landscapes is undertaken by Historic Scotland. The proposal will be forwarded to the relevant Historic Scotland for their consideration, and if they are of the view that the site should be designated, the boundary will be added to the Local Plan maps.

Proposed Modification

No further action required.

Objector Ref 403e

Policy/site ref Policy 17,18,19

Summary Support the policies regarding sustainable design and development, and developer contributions.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications required.

Objector Ref 403f

Policy/site ref Policy 20

Summary 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 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 Modification

Add economic development sites into settlements identified in the proposals section.

Objector Ref 403g

Policy/site ref Policy 22

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

No modification proposed.

Objector Ref 403h

Policy/site ref Housing (general)

Summary Support the housing policies contained within the deposit plan.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications proposed

Objector Ref 403i

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 403j

Policy/site ref Policy 25

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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. 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 Modification

Add additional policy 23 regarding building groups of 3 or more houses and identify additional rural settlements in proposals map.

Objector Ref 403k

Policy/site ref Policy 26

Summary Support the policy regarding housing outside settlements.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications required.

Objector Ref 403l

Policy/site ref Policy 27

Summary Support the policy 27

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 403m

Policy/site ref Policy 33

Summary Glen Tanar should be identified as a settlement to allow any significant tourist development to take place within or adjacent to the settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 the policy refers to all development whether within or outwith a settlement.

Proposed Modification

No modification proposed.

Objector Ref 403n

Policy/site ref Settlements omissions Glen Tanar

Summary Glen Tanar should be identified as a settlement as it is comparable to other settlements identified in the Plan. A detailed settlement statement is suggested in support of this designation which highlights housing, tourism, community and environmental proposals for the settlement.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 some settlements will be identified, but outwith these opportunities still exist in a much less structured way for housing and employment - the way the plan is formed therefore allows small communities a much greater degree of flexibility than if a line is drawn on proposals maps as there is no issue of land being within or outwith a settlement boundary. This is particularly true for dispersed settlements such as Glen Tanar.

Proposed Modification

Add some rural settlements to proposals section.

Objector Ref Name Scott Fraser

404

Ardmeanach

Birkhall
Ballater
AB35 5ST

Policy/site ref Settlements - Ballater H1

Summary Any allocation on this site must retain sufficient space for parking for the games and other social activities.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site.

Proposed Modification

Amend H1 to better reflect the needs of the games parking area.

Objector Ref Name Mr M Pietranek
405 Monaltrie House
Ballater
AB35 5NX

Policy/site ref Settlements - Ballater H1

Summary The housing allocation will adversely affect the setting of an important listed building and any allocation should be kept to the two lower fields, and include appropriate landscaping to screen it from the listed building.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm policies in plan would protect the setting of any listed building.

Proposed Modification

Amend H1 to refer to the listed building and its setting.

Objector Ref Name Mr J Partridge
406 Elsfleth
Kincaig
Kingussie
PH21 1QA

Policy/site ref Settlements - Kincaig H2

Summary H2 is outwith the visual envelope of the village and would detract from its character. Time should be set aside to allow recent developments to become part of the village, and as a result the allocation should be removed.

CNPA analysis The site has been allocated to provide adequate housing land to meet the local demand, as found in work undertaken to assess the need for housing supply and land

requirements across the Park. However the comments are noted, and the site will then be reviewed to ensure that the appropriate amount of land is included to meet this demand. It will also be reconsidered to assess its role as part of the village, and the impact development would have on Kincaig.

Proposed Modification

Remove H2.

Objector Ref Name William G Templeton

407a

Coire Cas

Tulloch Road

Nethy Bridge

PH25 3DE

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing on this site should be removed.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref 407b

Policy/site ref Settlements - Nethy Bridge

Summary Mention should be made in the Plan for Nethy Bridge to the new development at Balnagowan Brae.

CNPA analysis The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions and recent developments to increase clarity including the nature of the development which may occur in the future, and any influence that this proposal can still make.

Proposed Modification

Ensure use of most accurate OS bases

Objector Ref 407c

Policy/site ref Settlements - Nethy Bridge Boundary

Summary The boundary should be amended to include the fields marked as Duackbridge (west of the road to Tulloch), the fields opposite alongside the B970 to Boat of Garten the fields bordering the old railway line bordering Abernethy Golf Course, fields on either side of the road to Grantown in the vicinity of Castle Roy. This change should be to protect this additional land from development.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the

contribution the land makes to the character of the settlement.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref Name Inverburn Ltd
408a

Agent Mark Myles
MBM Planning and Development
Algo Business Centre
Glenearn Road
Perth, PH2 0NJ

Company Inverburn Ltd

Policy/site ref Settlements - Nethy Bridge

Summary Additional land should be included within the settlement boundary and allocated for housing. This land currently forms good amenity woodland for the village should form part of the settlement boundary along with the golf course that lies to the north. The revised boundary would therefore also encompass the school and housing that lie to the north east which are already included within the settlement boundary. The housing, school, golf course and this amenity woodland all provide an important function for the village. The land should then be allocated as having potential for low density development and/or high quality affordable housing in the long term.

CNPA analysis The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Proposed Modification

No modification proposed.

Objector Ref 408b

Policy/site ref Housing (affordable)

Summary There needs to be a degree of flexibility in land use allocations within existing community areas and adjacent hinterland in order to meet the affordable housing aspirations for the area. Emphasis should be placed on highly sustainable, environmentally friendly developments complimenting the community and meeting local need. Such flexibility should be afforded only to schemes which provide circa 75% social housing.

CNPA analysis Review the approach in line with the findings of the 3Dragons report. The model used in this report will then underpin the delivery of the local plan. Further work will also continue with the local authorities on the role of waiting lists and the provision for local people.

Proposed Modification

Policy 21 modified to reflect work of 3Dragons report and findings.

Objector Ref Name William Stuart Paterson

409a 3 Lynstock Park
 Nethy Bridge
 PH25 3EL

Policy/site ref General - Consultation

Summary The views of the local community council are not necessarily representative.

CNPA analysis The comment is noted. The consultation process is designed to gain a full understanding of all views within the Park and does not place additional emphasis made by any particular individual or group. All representations are considered of equal importance. No modification considered necessary as a result of this representation.

Proposed Modification

No modification needed

Objector Ref 409b

Policy/site ref Policy 24

Summary 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 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 Modification

Add windfall to glossary. Add forms of affordable provision to housing appendix.

Objector Ref 409c

Policy/site ref Policy 24

Summary 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 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 Modification

No modification required as result of this objection.

Objector Ref 409d

Policy/site ref Settlements - Nethy Bridge Boundary

Summary Recent new developments should be allowed to integrate into the village before more development goes forward. Also in HI the reference to 'affordable' houses should be removed.

CNPA analysis The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

HI amend text to reflect planning permission granted.

Objector Ref 409e

Policy/site ref Settlements - Nethy Bridge Boundary

Summary The village boundary should be retained and outwith the boundary no development should be permitted.

CNPA analysis The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

Objector Ref 409f

Policy/site ref Settlements - Nethy Bridge OSI

Summary OSI to be extended at the southern end of the village to include the area between Dell Road and Lynstock House and Lynstock Park.

CNPA analysis The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement.

Proposed Modification

OSI extend boundary at Dell Road on west side of river

Objector Ref 409g

Policy/site ref Settlements - Nethy Bridge

Summary Land between Mountview Hotel and Nethy Bridge Hotel below the new development of Wilburn homes should be protected as open space.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

Identify land to be protected (in line with previous planning permission)

Objector Ref 409h

Policy/site ref Settlements - Nethy Bridge CI

Summary The reference to affordable housing should be removed from CI.

CNPA analysis The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Proposed Modification

Remove reference to housing in the text to CI

Objector Ref 409i

Policy/site ref Policy 27

Summary 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 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 Modification

No modification proposed.

Objector Ref 409j

Policy/site ref Housing (affordable)

Summary Affordable houses in the area should be for local people who do not have to travel long distances to work.

CNPA analysis Review the approach in line with the findings of the 3Dragons report. The model used in this report will then underpin the delivery of the local plan. Further work will also continue with the local authorities on the role of waiting lists and the provision for local people.

Proposed Modification

Policy 21 modified to reflect work of 3Dragons report and findings.

Objector Ref 409k

Policy/site ref Policy 18

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

CNPA analysis 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 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.

Objector Ref Name AW Laing Ltd
410 110 High Street
Grantown-on-Spey
PH26 3EL

Company AW Laing Ltd

Policy/site ref Housing (allocations)

Summary

The policies relating to housing will have a major negative impact on future business opportunities and sustainability of local building firms. 29 building firms have subscribed to the representation.

The consultation period coincided with a holiday period in the building industry which made responding difficult, and also with a busy period when there is a shortage of building standards staff.

- the plan is unclear in terms of understanding what developments might be allowed. The only exception is housing allocations on land owned by volume house builders. The approach seems to therefore promote large scale development.
- other than the land allocated in settlement boundaries no other land is identified for development which is unhelpful.
- the housing outwith settlements policy is non-specific and very restrictive which is unhelpful to local builders
- the proposals maps are not clear in how the policies are applied, which makes the plan difficult to understand.
- while recognising that the policies apply across the Park and potential developers must look at their proposal in light of the policies, this approach is complicated and unusable.
- the wording of the policies is ambiguous and words which carry value judgements and are open to interpretation, which leaves it unclear to developers what will be appropriate and on what approach individual planners will take.
- the sites allocated most are already in the control of volume builders. There should also be a supply of small building sites to sustain local builders who employ local employees and contribute to the local economy.

CNPA analysis 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 Modification

Confirm the changes to policies 25, 26 and 28 to create some more opportunities for housing outwith allocations, and confirm that the plan does not limit housing purely to allocated sites.

Objector Ref Name Iain Michie
411 1 Curr Road
Dulnain Bridge
PH26 3NY

Policy/site ref Housing (allocations)

Summary The approach to housing allocations supports larger housing developments, without due regard to local small firms who employ local people.

CNPA analysis 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 Modification

Confirm the changes to policies 25, 26 and 28 to create some more opportunities for housing outwith allocations, and confirm that the plan does not limit housing purely to allocated sites.

Objector Ref Name Ingram Builders Ltd

412 Quarrybridge
Dallas
Moray
IV36 2RW

Company Ingram Builders Ltd

Policy/site ref Housing (allocations)

Summary The approach to housing allocations supports larger housing developments, without due regard to local small firms who employ local people.

CNPA analysis 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 Modification

Confirm the changes to policies 25, 26 and 28 to create some more opportunities for housing outwith allocations, and confirm that the plan does not limit housing purely to allocated sites.

Objector Ref Name J S Grant Washington

413 Cawdor House
Kingussie
PH21 1HB

Policy/site ref Settlements - Kingussie

Summary Any additional provision for open space should be focused around housing development site H1 and should not be created within the existing settlement. The housing allocation is however flawed. Previous comments on the draft plan still stand. The dualling of the A9 should also be considered a priority.

CNPA analysis The comments regarding open space are noted. The allocations are aimed at protecting certain areas within the settlement, and ensuring the character of those areas is protected. Within H1 further areas will also be included, and these will form part of the masterplan for the site, prior to the consideration of an application for development. In terms of the allocation of H1 the site contributes to the provision of land for housing to meet local demand. Further information will be provided to explain the calculations for housing demand and land supply to clarify the background. The issue of the A9 is also noted, and an additional policy may be included which looks specifically at the issue of strategic infrastructure within the Park. Confirm open space allocations are to protect the character and amenity of the settlement as well as protect areas of public open space. The new housing proposals are based on housing need and effectiveness of land,

and confirm policies regarding design, sustainable development and affordable housing which will apply. Open space will also be included as appropriate for this site.

Proposed Modification

No modification proposed.

Objector Ref Name Amanda Howard

414a Development Services
The Moray Council
High Street
Elgin, IV30 1BX

Company The Moray Council

Policy/site ref General - wording

Summary 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 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 Modification

Throughout ensure that wording is clear and useable for Development management officers as well as others.

Objector Ref 414b

Policy/site ref General - policy implications

Summary The wording of some policies required additional information to be sought by development control staff, but it is unclear when such information should be asked for. On what basis would planners question any evidence submitted? Examples include policies 14 and 26

CNPA analysis 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 Modification

No modifications proposed.

Objector Ref 414c

Policy/site ref General - layout

Summary The layout should use clearer sub-headings and topics began on new pages.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used, and ensure the layout is clear and easy to follow.

Proposed Modification

Modifications throughout to retain consistent layout.

Objector Ref 414d

Policy/site ref Policy 26

Summary 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 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 Modification

No modification proposed.

Objector Ref Name Ronnie Rickard

415 Strathmore Hotels
116 Strathmore House
East Kilbride
G74 1LF

Company Strathmore Hotels

Policy/site ref Settlements - Nethy Bridge

Summary Land adjacent to the Nethy Bridge Hotel should be allocated as open space to provide clarity to the business, and ensure that future developments do not adversely impact on the operations of the hotel.

CNPA analysis The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Proposed Modification

Identify land to be protected (in line with previous planning permission)

Objector Ref Name Mrs Audrey MacKenzie

416a Aviemore and vicinity Community Council
Tamsdunchus
10 Dalfaber Road
Aviemore,PH22 1PU

Company Aviemore and vicinity Community Council

Policy/site ref General - implementation

Summary The wording should be clear and indicate that developers must always speak with planning officials before submitting an application.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. Further clarity will also be included in the Introduction on how to use the Plan and the importance of pre application discussions.

Proposed Modification

Amend revised para 1.21 to highlight need for preapplication discussions.

Objector Ref 416b

Policy/site ref General - Links to Park Plan

Summary The costs incurred in affordable housing provision are passed on to other housing provision. Also how is the affordable unit retained for future occupants.

CNPA analysis 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.

Proposed Modification

Amendments added to housing introduction to clarify position regarding costs.

Objector Ref 416c

Policy/site ref Policy 01

Summary Development in the park 'should' be permitted - amendment to wording.

CNPA analysis The comment is noted. The wording of the policy will be amended to clarify the position regarding the approach to all development considered under this policy.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 416d

Policy/site ref Policy 13

Summary The 1 in 200 year flood risk maps should be used to ensure that developments do not affect flood risk.

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary. Confirm policy does not discount sites but required that if they fall within the areas mentioned an assessment is required which can justify proceeding with the development.

Proposed Modification

No further action required.

Objector Ref 416e

Policy/site ref Settlements - Aviemore

Summary Will the Plan be using the Aviemore Masterplan to guide development?

CNPA analysis The Aviemore Masterplan will ultimately be adopted as supplementary guidance to support the policies of the Local Plan. No modification considered necessary as a result of this representation.

Proposed Modification

Add para to confirm new masterplan and its status as material and adopted SPG

Objector Ref 416f

Policy/site ref Policy 19

Summary 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 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 Modification

No modification proposed.

Objector Ref 416g

Policy/site ref Policy 22

Summary The list provided will not improve settlements.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 416h

Policy/site ref Housing (need)

Summary How is demand calculated and how are current stock houses factored into this. Within B&S there is plenty of land allocated for development and demand is rising but the population changes indicate that more small houses should be provided. In the case of affordable houses who is going to build them.

CNPA analysis The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims. The provision of affordable houses will be undertaken in part by everyone wanting to build houses within the Park - by way of a financial contribution or on site provision. The houses will be built by developers or other housing providers such as RSLs.

Proposed Modification

5.27 include clarity on the impact 2nd homes have on the open market supply.

5.30 confirm the lack of land is in effective supply.

5.32 include clarity that the supply of smaller households will be an aspiration of the plan.

5.35 remove unsubstantiated comments regarding funding.

Objector Ref 416i

Policy/site ref Housing Table 4

Summary How were the figures calculated. The sources should be included so that they can be checked.

CNPA analysis The figures are based on work commissioned and this is available on line for information.

Proposed Modification

No modification proposed.

Objector Ref 416j

Policy/site ref Policy 23

Summary How is the balance of sizes justified.

CNPA analysis 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 416k

Policy/site ref Policy 24

Summary 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 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 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.

Objector Ref 416l

Policy/site ref Policy 26

Summary 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 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 Modification

Check settlement boundaries to include the appropriate areas.

Objector Ref 416m

Policy/site ref Policy 27,28

Summary The policies are too restrictive.

CNPA analysis 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 Modification

No modifications proposed.

Objector Ref 416n

Policy/site ref Settlements - Aviemore

Summary The housing allocations are in the flood risk area. More accurate information on the flood plain is needed to ensure appropriate allocations.

CNPA analysis The comments are noted and current applications for housing on these sites have attracted similar comment from SEPA. The developers will have to produce flood risk assessments to ensure that developments do not affect the operation of the flood plain or create new developments within the flood plain area. SEPA will also assist in the development of the local plan policies to ensure that sites are appropriate, effective and achievable. Confirm ongoing working with SEPA on the use of the 1:200 flood maps and the approach being taken to assess impact on effectiveness.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps.

Objector Ref Name Jenny Smith

417a
Dellachupe
Corgarff
Strathdon
AB36 8YP

Policy/site ref Policy 26

Summary The policy is too rigid for dispersed communities and does not encourage development in support of sustainable communities.

CNPA analysis 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 SPPI.

Proposed 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.

Objector Ref 417b

Policy/site ref Policy 25

Summary There should be greater flexibility on what development is permitted outwith settlements to meet local need.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 417c

Policy/site ref Policy 24

Summary 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 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 Modification

No modifications required as a result of this objection.

Objector Ref 417d

Policy/site ref Policy 33

Summary The policy may stifle business development and increase house prices even further.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Reword para 1 of the policy to better reflect the economic pressures faced, and the reality of investors, and the economy.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref 417e

Policy/site ref Policy 24

Summary 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 made for second homes.

CNPA analysis 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 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.

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

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

Company Dunachton Estate

Policy/site ref Policy 01

Summary The policy should also include social or economic of local importance in line with the 4th aim of the Park. The wording should be amended to "...outweighed by social or economic benefits of local and/or national importance..."

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other

documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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 proposed wording will be assessed accordingly.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 18b

Policy/site ref Policy 12

Summary The wording is too vague and will create uncertainty. The wording should be clarified as to the type of feature and how the relative importance of such features is to be assessed in the planning process.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 18c

Policy/site ref Policy 14

Summary The policy is too restrictive and contradictory. The wording should be refined to allow for forms of mineral extraction which do not cause significant damage for wider usage.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users.

Proposed Modification

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 418d

Policy/site ref Policy 16

Summary The policy should not exclude larger schemes which can be important economically for communities. 'Small scale' and 'micro' should be removed from the wording.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove 'small scale' and 'micro' in line with comment.

Objector Ref 418e

Policy/site ref Policy 17

Summary 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 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 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.

Objector Ref 418f

Policy/site ref Policy 18

Summary 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 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 SPPI. 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 Modification

Amend to read 'where appropriate'.

Objector Ref 418g

Policy/site ref Policy 19

Summary 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 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 Modification

No modification proposed

Objector Ref 418h

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref 418i

Policy/site ref Policy 20

Summary 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 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 Modification

Reword 1st line to be more supportive.

Objector Ref 418j

Policy/site ref Policy 22

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

CNPA analysis 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 Modification

Redraft supporting text to clarify reasoning for policy.

Objector Ref 418k

Policy/site ref Policy 23

Summary 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 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 418l

Policy/site ref Policy 24

Summary 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 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 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.

Objector Ref 418m

Policy/site ref Policy 25

Summary 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 SPPI5 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 418n

Policy/site ref Policy 26

Summary The policy is too prescriptive and does not embrace SPPI5 and SPP3 regarding rural development opportunities. The policy does not allow for enabling housing (para 16 SPPI5) 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

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 SPPI.

Proposed 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.

Objector Ref 418o

Policy/site ref Policy 27

Summary The policy should reflect SPPI5 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 SPPI5, 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 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 Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Objector Ref 418p

Policy/site ref Policy 28

Summary 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 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 Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Objector Ref 418q

Policy/site ref Policy 32

Summary 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 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 Modification

No modification proposed.

Objector Ref 418r

Policy/site ref Policy 33

Summary The wording should be more supportive of tourism development and amended to include 'significantly' before 'adverse environmental or landscape impacts'.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Reword para 1 to be more supportive for developments.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref 418s

Policy/site ref Policy 25

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 418t

Policy/site ref Housing (additional land suggestion)

Summary The sites H1 and H2 in Kincaig should not be allocated for housing, but provision should instead be allocated on land NW of the main road. H1 allocation is too dense and would be out of character with the settlement. The site is low lying, the centre of the site being wet, indicating problems for drainage. The allocation could therefore be at variance with SPP7. Site H2 has poor visibility splays creating access problems. The site is removed from the village core and other facilities.

Table 4 indicates no medium or long term growth allocation within Kincaig whereas it is argued that there are suitable sites to allow for such growth. The alternative sites will consolidate the village core creating a more nucleated settlement. The sites have no access or drainage issues and will open opportunities for the future provision of community facilities on the west side of the road. The sites are a logical infill development between the A9 and the B9152. The inclusion of a buffer zone will enhance the amenity of the village as a whole by blocking views and noise from the A9. These should be in line with the sites previously identified in the draft plan with a density allocation in keeping with the surrounding area. Table 4 should also be amended to indicate significant current and future capacity for growth.

CNPA analysis The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested.

Proposed Modification

no modifications proposed.

Objector Ref Name The Crown Estate
419a

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

Company The Crown Estate

Policy/site ref Policy 01

Summary The policy should also include social or economic of local importance in line with

the 4th aim of the Park. The wording should be amended to "...outweighed by social or economic benefits of local and/or national importance..."

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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 proposed wording will be assessed accordingly.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 419b

Policy/site ref Policy 12

Summary The wording is too vague and will create uncertainty. The wording should be clarified as to the type of feature and how the relative importance of such features is to be assessed in the planning process.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 419c

Policy/site ref Policy 14

Summary The policy is too restrictive and contradictory. The wording should be refined to allow for forms of mineral extraction which do not cause significant damage for wider usage.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text.

Proposed Modification

Clarify in b) when mineral extraction may be considered.

Objector Ref 419d

Policy/site ref Policy 16

Summary The policy should not exclude larger schemes which can be important economically for communities. 'Small scale' and 'micro' should be removed from the wording.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref 419e

Policy/site ref Policy 17

Summary 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 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 Modification

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

Objector Ref 419f

Policy/site ref Policy 18

Summary 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 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 Modification

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

Objector Ref 419g

Policy/site ref Policy 19

Summary 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 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 protocol note.

Proposed Modification

No modification proposed.

Objector Ref 419h

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref 419i

Policy/site ref Policy 20

Summary 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 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 Modification

Reword 1st line to be more supportive.

Objector Ref 419j

Policy/site ref Policy 22

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

CNPA analysis 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 Modification

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

Objector Ref 419k

Policy/site ref Policy 23

Summary 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 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 419l

Policy/site ref Policy 24

Summary 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 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 Modification

Amend % requirements to 25 and 40% in line with study.

Objector Ref 419m

Policy/site ref Policy 25

Summary 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 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 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'

Objector Ref 419n

Policy/site ref Policy 26

Summary 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 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 SPPI.

Proposed 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.

Objector Ref 419o

Policy/site ref Policy 27

Summary The policy should reflect SPPI5 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 steadying 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 SPPI5, 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 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 Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Objector Ref 419p

Policy/site ref Policy 28

Summary 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 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 Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Objector Ref 419q

Policy/site ref Policy 32

Summary 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 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 Modification

Add para to clarify role of waste plan and strategies.

Objector Ref 419r

Policy/site ref Policy 33

Summary The wording should be more supportive of tourism development and amended to include 'significantly' before 'adverse environmental or landscape impacts'.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Reword para 1 to be more supportive for developments.

Amend introduction to section 6 to give greater support and understanding to the tourism sector and the part it plays in the economy of the Park.

Objector Ref 419s

Policy/site ref Policy 25

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 419t

Policy/site ref Settlements - Tomintoul

Summary The allocation provided in Table 2 gives indicative capacity for growth in Tomintoul in the future. However the proposals for Tomintoul do not match these figures. These two should be reconciled. There is no need to phase development so that a critical mass of development can be achieved to meet funding constraints and justify the wider masterplanning of the village. Without adequate investment current problems faced by the village in terms of economic and social problems will continue. The plan should therefore be bolder in drawing the settlement boundary to allow greater expansion potential of the village. Also the previous allocations for business development and tourism development have been removed. It is therefore important to protect the business allocation previously made.

The plan should therefore be amended to reconcile the figures for growth between table 4 and the proposals section. The previous business allocation should be restored and other support should be included to resolve problems faced socially and economically. There should also be a statement to the effect - "The Park Authority will support further expansion to the settlement boundary of Tomintoul as arising from any masterplanning for the longer term development of the village."

CNPA analysis The comments regarding the indicative figures given in Table 2 and the proposals section are noted and the appropriate changes will be made to ensure they correlate. The issue of phasing is also noted. In considering the appropriate level of development for the village the CNPA will work closely with the estate, the community and Moray Council to ensure an appropriate level of development is possible and the appropriate amount of land allocated to meet this demand. This will include a review of land allocated for employment uses and the future need for a masterplan for the village.

Proposed Modification

Include previous B2 and T1 within proposals maps.

Text to housing allocations - amend to reflect the allocations for the 0-5 year period and future allocations.

Include reference to the future masterplanning aspirations of the Crown Estate in line with suggested wording.

Objector Ref Name Pauline Thompson

420 Project and Development Officer

Northern Constabulary, Police Headquarters
Old Perth Road
Inverness, IV2 3SY

Company Northern Constabulary

Policy/site ref Policy 19

Summary 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 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 Modification

No modification proposed.

Objector Ref Name James Gibbs

421a HIE Inverness and East Highland
The Green House
Beechwood Business Park North
Inverness, IV2 3BL

Company HIE Inverness and East Highland

Policy/site ref Housing (land supply)

Summary Support the housing provision but feel additional capacity should be provided in Moray.

CNPA analysis The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing.

Proposed Modification

No modifications proposed.

Objector Ref 421b

Policy/site ref Policy 20

Summary 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 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 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.

Objector Ref 421c

Policy/site ref Settlements - Aviemore ED2

Summary Additional provision should be made for business use with a suggested site at ED1. ED2 may be problematic for development.

CNPA analysis The policies and proposals in the plan endeavour to provide a balanced approach to land allocation and services to support this, including creating the correct level of opportunities for employment. 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. In particular within Aviemore site visits will allow a full assessment of the sites already included and consider alternatives which may be more effective.

Proposed Modification

Amend proposals to include existing business land as allocated for economic development.

Objector Ref 421d

Policy/site ref Settlements - An Camas Mor

Summary This proposal is supported and could provide an exciting new development opportunity within the Park. Appropriate space must be included for business and commercial development.

CNPA analysis A masterplan will be required to establish the break down of various land uses within the settlement, including land for economic development. The wording of the settlement proposal will be amended to reflect this.

Proposed Modification

Add expanded section on masterplan to ensure it contains appropriate level of detail for business and commercial development.

Objector Ref 421e

Policy/site ref Settlements - Grantown on Spey

Summary Additional capacity should be included for commercial and business use in Grantown on Spey, either beside Achnagonalin or other areas nearby.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. Further work will therefore be undertaken to ensure an appropriate level of guidance is included, and where appropriate sites will be identified on the proposals maps to meet the growth aspirations of the community.

Proposed Modification

Include additional land for economic growth in settlement.

Objector Ref 421f

Policy/site ref Settlements - Kingussie/Newtonmore

Summary Additional sites should be designated for business and commercial use in both settlements perhaps in the form of a business park.

CNPA analysis 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 this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Proposed Modification

Include additional land for economic growth in Kingussie and Newtonmore.

Objector Ref 421g

Policy/site ref Settlements - Carr-bridge

Summary Some additional land should be included for business uses within the village.

CNPA analysis 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 Modification

Identify additional land for economic development in settlement.

Objector Ref 421h

Policy/site ref Policy 20

Summary Designated space on an appropriate scale should be identified to encourage more local working and strengthen the local economy.

CNPA analysis 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 Modification

Add economic development sites into settlements identified in the proposals section.

Objector Ref 421i

Policy/site ref Settlements - Nethy Bridge/Tomintoul

Summary Both settlements could benefit from additional business and commercial land being allocated.

CNPA analysis The comments are noted, and a comprehensive review will be undertaken in

Newtonmore and Tomintoul to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made.

Proposed Modification

Include employment land in both settlements.

Objector Ref **Name** Anne MacNamara, Planning Directorate

422a Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Company Scottish Government

Policy/site ref General - layout

Summary Care should be taken in the presentation of the document to ensure it is easy to read. A consistent approach should be taken when referring to government advice and guidance.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. A review of the Introduction and Context sections are necessary to clarify the context for the Local Plan and its relationship with other documents, including local, regional and national, and also to expand on the thinking behind the policies as drafted.

Proposed Modification

Throughout the document include consistent approach to referencing other documents, including govt advice and guidance - name and no. of document

Objector Ref 422b

Policy/site ref General - wording

Summary The plan period should be more clearly expressed.

CNPA analysis Para 1.6 will be amended to clarify the timescales referred to.

Proposed Modification

In 1.16 clarify the plan period

2.1 clarify impact of new Planning Act and Regs

Objector Ref 422c

Policy/site ref General - wording

Summary The wording within policies should be clear and should not be written in a way which confuses interpretation eg too many clauses.

CNPA analysis 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 Modification

Throughout make sure wording is clear, phrases not too long, and structure of policies logical and easy to follow.

Objector Ref 422d

Policy/site ref Maps

Summary An overall proposals map showing the location of settlements and neighbouring authorities would be helpful. Those settlements with proposals should be clearly identified in either a map, or at least with grid references (in line with the requirements of the 1983 Structure and Local Plan Regulations).

CNPA analysis The comment is noted and an overarching proposals map will be included as a modification showing the boundaries of the four local authorities and the location of key settlements.

Proposed Modification

Include overarching proposals map showing all settlements and 4 LA boundaries.

Objector Ref 422e

Policy/site ref General - Monitoring

Summary The approach to monitoring may need more robust consideration and how the results will be used explained.

CNPA analysis The comment is noted. A review of the methods of monitoring the success of the Plan will be undertaken to ensure it is deliverable, meaningful and robust.

Proposed Modification

Throughout ensure that paras on implementation and monitoring are deliverable, measurable and meaningful

Objector Ref 422f

Policy/site ref General - Links to other plans

Summary para 2.4,2.5 - the link to structure plans should be clarified.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. A review of the Introduction and Context sections is necessary to clarify the context for the Local Plan and its relationship with other documents including Structure Plans

Proposed Modification

2.7 include ref to the 4 LAs and their dates for clarity, and their role in light of the new planning act.

Objector Ref 422g

Policy/site ref Policy 02

Summary The approach taken for ramsar sites is vague. Scottish Ministers' policy is that they should receive the same level of policy protection as Natura sites which is acknowledged in the background information, but is not explicitly stated in the Policy. Text should be added at the end of 4.4: "This policy will apply to development likely to have a significant effect on Ramsar sites. Although such developments will not require an appropriate assessment (unless also likely to have a significant effect on a Natura 2000 site), sufficient information will be required to enable the planning authority to properly consider the likely effects of the proposal on the integrity of the Ramsar site". Insert "policy" before protection in the last sentence of paragraph 4.4.

Para 4.6 - is superfluous and misleading as it is up to the planning authority to consult the European Commission. This should either be clarified or the paragraph deleted.

Para 4.9 - Consideration should be given to all potential plans and projects when considering the cumulative impact on a site. Suggest adding “and other” after ‘development’ in the last sentence.

Para 4.10 - refers to “sites that are not zoned”; for clarity amended to “identified in the Plan” or “allocated”.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 422h

Policy/site ref Policy 03

Summary The policy is supported particularly regarding mitigation, which is more exacting but appropriate in the context of the National Park. An additional para should be inserted at 4.14 to clarify the special attention that should be paid to safeguarding the character or appearance of NSAs as highlighted in Sec 50 of the 2006 Planning etc. (Scotland) Act 2006. Amend the 2nd sentence from “have been selected” to better reflect the Act as “... considered of outstanding scenic value in a national context and for which special protection measures are appropriate”.

CNPA analysis The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPP1. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 422i

Policy/site ref Policy 04

Summary The wording suggests a list of sites that would be marked on the proposals map(s). A list of all relevant designations would clarify this. Clause b) amend “the developer providing” to “the provision of”. The 2nd part of b) is quite demanding and this doesn’t seem quite consistent with the downplaying of the importance of these sites in paragraph 4.23.

CNPA analysis The comment is noted and the policy will be reworded to clarify the sites referred to are available from within the CNPA, its partners, and from others. Add definitions into glossary where appropriate.

Proposed Modification

Add to glossary where appropriate.

Objector Ref 422j

Policy/site ref Policy 05

Summary The comma after “nature” in a) is not in the regulations, and it makes a subtle

change by perhaps suggesting that the “beneficial consequences...” are required in addition to one of the circumstances listed. Para 4.26 - amend to reflect the difficulties which have occurred where planning authorities have issued permissions with suspensive conditions requiring species surveys to be carried out. Amend the 2nd sentence to “If the planning authority suspects that a European Protected Species may be present on a site, any such presence and any likely effects on the species shall be fully ascertained prior to the determination of the planning application”.

CNPA analysis The comment regarding the punctuation is noted and the appropriate change will be made. Also the comment regarding para 4.26 is noted and the wording suggested will be assessed in future modifications to clarify the point.

Proposed Modification

Delete comma.

4.26 add new sentence after 2nd to reflect issue raised.

Objector Ref 422k

Policy/site ref Policy 06

Summary Given the number of species on the Scottish Biodiversity List, will the Park Authority have the resources to properly consider whether any such species exist for all planning applications?

CNPA analysis The CNPA will work closely with its partners to implement this policy, and in particular will endeavour to support the 4 local authorities in using this policy. No modification considered necessary as a result of this representation.

Proposed Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 422l

Policy/site ref Policy 07

Summary The wording does not clarify if the social and economic benefits mentioned at a) are detailed in the Local Plan or elsewhere. Para 4.39 reads more as additional policy guidance than background to the policy on landscape – is this appropriate. Para 4.60 who will carry out the future recording of cultural heritage sites or features?

CNPA analysis The comments are noted and the policy will be revised to clarify the position and ensure that it is easy to understand and implement, and contains sufficient detail to guide developers and interested parties in line with SPPI.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 422m

Policy/site ref Policy 16

Summary Is the reference to “sustainability credentials” of proposals a reference to the Sustainable Design Guide as mentioned in paragraph 85.

CNPA analysis The comment is noted and additional information to clarify will be added to the detail contained within the Sustainable Design Guide and the supporting text to policy 17.

Proposed Modification

4.98 clarify link to sustainable design guide.

Objector Ref 422n

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref 422o

Policy/site ref Housing - crofting

Summary Additional clarity should be provided to the options to create additional crofts in introduced in the Crofting Reform etc. Act 2007.

CNPA analysis Ensure policies regarding housing and economic growth adequately make provision for croft development. However it is not the intention to include a separate policy relating only to croft development.

Proposed Modification

Modify policies 24 and 27 to allow for croft development.

Objector Ref 422p

Policy/site ref Housing (general)

Summary There should be a clear distinction between the established land supply and the effective supply, together with evidence of how these sites contributed to meeting a 5 year land supply for the Park. The housing land allocations are confusing and the lack of a clear base year for

the Plan adds to this. Why do the housing tables only look to 2016. Does this relate to the GRO figures? The reference in Tables 3 & 4 to 5 years and 10 years would be better set out in actual years, e.g. 2006-2011 (5 years) or 2006-2016 (10 years).

The footnote to Table 3 should be amended to explain why this assumption is made.

Within the tables each site allocated within each settlement should be displayed along side the totals for that settlement and how that contributes to the overall housing land requirement. This would also be useful in relation to economic development sites and could be included as an appendix.

There is a need for an overarching policy which allocates land, makes provision for review of the land supply and for replacement where sites may no longer be effective, and also for the consideration of windfall or redevelopment sites within the main settlements. A definition of windfall sites should be included in the glossary.

Para 5.31 refers to Cairngorms Housing System Analysis, but it is not clear the extent to which the housing land requirement set out in the plan relates to the findings of the study.

CNPA analysis Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

The tables will be revised to clarify.

The supply of an effective supply will be considered through amendment in light of needs assessments

Proposed Modification

Amend tables to ensure correct and clear.

Add new policy 22 on housing in settlement allocations.

Add windfall sites to glossary.

Objector Ref 422q

Policy/site ref Policy 23

Summary The background behind this policy should be clearly stated so that the policy can be defended.

CNPA analysis 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 422r

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 422s

Policy/site ref Policy omission

Summary The previous policy regarding gypsies/travellers and residential caravans should be retained or reference made in the housing section.

CNPA analysis The comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight gypsy/traveller sites within a separate 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. Confirm the issue of gypsy/traveller developments would be considered under all policies of the plan including specifically those regarding 'conserving and enhancing' and 'living and working' and not under a particular policy regarding gypsy/traveller developments. All policies of the plan must be complied with where relevant to gain permission, therefore a topic specific policy is not considered appropriate.

Proposed Modification

No modification proposed.

Objector Ref 422t

Policy/site ref Policy 25,26

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 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'

Objector Ref 422u

Policy/site ref Policy 26

Summary 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 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 Modification

para 5.68 clarify justification on local need

in b) include other rural businesses persons.

Objector Ref 422v

Policy/site ref Policy 28

Summary 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 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 Modification

no modification proposed

Objector Ref 422w

Policy/site ref Policy 32

Summary 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 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 Modification

amend para 1 to reflect sequential approach. Clarify role of waste plan and strategies.

Objector Ref 422x

Policy/site ref Settlements - An Camas Mor

Summary Clearer timescales for the production of the masterplan should be given.

CNPA analysis Additional information will be sought from the estate and developer, and will be added to the proposal text and table 4 by way of modification.

Proposed Modification

Add para to clarify ongoing work to establish timescales for delivery.

Objector Ref 423a

Policy/site ref Policy 30

Summary 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 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 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.

Objector Ref 423b

Policy/site ref Policy 30

Summary 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 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 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.

Objector Ref 423c

Policy/site ref Policy 30

Summary 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 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 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.

Objector Ref 423d

Policy/site ref Policy omission

Summary There is a lack of clarity in relation to public transport. Greater prominence should be given to this in accordance with SPP17.

CNPA analysis The comments are noted and consideration will be given to the inclusion of a policy or subdivision of an existing policy to allow the full consideration of public transport in line with SPP17.

Proposed Modification

Amend policy 30 regarding integrated and sustainable transport networks.

Objector Ref 423e

Policy/site ref Settlements - Aviemore ED3

Summary The proposal should contain a reference to the presumption of no new trunk road access for this site. Instead access for this proposal should be taken from the local road network.

CNPA analysis The comments regarding access are noted, and the supporting text will be amended to ensure compliance with the relevant national guidance.

Proposed Modification

Reword ED3 to include clarification that there will be no link to the A9 trunk road. Access will be from local network.

Objector Ref 423f

Policy/site ref Settlements - An Camas Mor

Summary The proposal should specify a need to undertake a detailed transport assessment that addresses the requirement of SPP17 and examines the potential impact on the A9.

CNPA analysis The development of the site will require many detailed assessments including the preparation of a masterplan to establish the break down of various land uses within the settlement, and a transport assessment to assess the impact on the surrounding area. The wording of the settlement proposal will be amended to reflect this.

Proposed Modification

Add sentence at end of 3rd para in line with comments re need for transport assessment.

Objector Ref 423g

Policy/site ref Settlements - Kingussie HI

Summary The proposal should contain a reference to the presumption of no new trunk road access from this development. The reference to the access to the A86 should be amended with : "A new access to the A86 would not be permitted for this development. Instead access for this development should be taken from the local road network."

CNPA analysis The comment is noted and the text relating to the proposal will be amended to clarify the position regarding access, in line with the requirements of SPP17. Confirm that existing road network could not cope with additional development.

Proposed Modification

Add wording to H1 to clarify need for traffic impact assessment

Objector Ref 423h

Policy/site ref Settlements - Newtonmore H2

Summary The proposal should contain a reference to the presumption of no new trunk road access from this development. The following wording should therefore be added: "A new access to the A86 would not be permitted for this development. Instead access for this development should be taken from the local road network."

CNPA analysis The comment is noted, and the appropriate amendments will be included to reflect current access agreements and guidance in regard to trunk roads as defined in SPP17.

Proposed Modification

Revise supporting text to H2 to refer to access issues on site

Objector Ref 423i

Policy/site ref Settlements - Kingussie/Newtonmore

Summary The proposal should demonstrate that the close proximity of the development sites will not result in an unacceptable cumulative impact on the A86 and A9 trunk roads. The wording should be modified to clarify this point.

CNPA analysis The comment is noted. Confirm the detail regarding access will be further considered in the proposed development briefs.

Proposed Modification

No modification proposed.

Objector Ref 423j

Policy/site ref Settlements - Cromdale

Summary The proposal should make reference to the presumption of no new trunk road access for this development. The following wording should be added: "A new access to the A95 would not be permitted for this development. Instead access for this development should be taken from the local road network."

CNPA analysis The comment is noted, and the wording will be amended to ensure that the correct references are included to comply with the requirements of SPP17.

Proposed Modification

H1 add text to clarify position regarding access. Confirm in supporting text that a new access would be required as there is no local network.

Objector Ref 423k

Policy/site ref Housing - table 4

Summary The figures in Table 4 are inconsistent with the proposed numbers in the settlements section. This should be corrected.

CNPA analysis The calculations will be cross checked and any inconsistencies corrected.

Proposed Modification

correct the inconsistencies.

Objector Ref 423I

Policy/site ref Policy 30

Summary 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 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 Modification

Separate transport and telecomms to avoid confusion.

Objector Ref Name Ian Francis

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

Company RSPB Scotland

Policy/site ref General - Links to other plans

Summary Para 1.2 - The introduction should mention from the outset the requirements of the National Parks Act section 9(6) relating to the 1st aim of the Park.

Para 1.11 – It is also necessary to consider the need for an appropriate assessment

Also the text should include reference to the duty on CNPA to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004.

CNPA analysis The comment is noted. Modifications will endeavour to clarify the relationship of the Local Plan and the aims of the Park, as currently mentioned in Policy 1, and the Biodiversity duty as mentioned in Policy 6. Appropriate Assessment will be undertaken to inform the development of policies and proposals in line with the corresponding legislation and before any modifications are finalised and published for consultation.

Proposed Modification

1.3 include clear link with Policy 1 to reinforce role of the 1st Aim.

1.20 clarify duty placed on CNPA under nature conservation act to further the conservation of biodiversity

Work on Appropriate assessment continues with the help of SNH staff.

Objector Ref 424b

Policy/site ref Policy omission

Summary The overarching policy is weaker than in the consultative draft plan.

CNPA analysis The comment is noted but it is hoped to be able to modify the Deposit Plan to retain the concise nature of policies which should all be taken into consideration for all planning proposals, whilst ensuring an appropriate level of robust and strong plan which delivers the aims of the Park, the Park Plan and the vision of the Local Plan. Confirm amendments to policy 1 which now stands as the over arching policy against which all proposals will be judged.

Proposed Modification

No modification proposed.

Objector Ref 424c

Policy/site ref Policy 01

Summary The wording is not clear and is less likely to achieve a balance between the aims of the Park. The wording of the draft plan should be restored.

The word 'or' at the end of clause a) should be replaced with 'and', as it implies that development could be permitted where the aims of the Park (and integrity of the area) would be compromised. (Does this refer to the whole Park?). The wording allows for conflict with the requirements of the National Park Act and the aim to collectively achieve the aims in a co-ordinated way. The NPA cannot permit development where the aims of the Park would be compromised. The overall wording in b) should therefore be clarified to explain the links with the aims of the Park. The policy should also refer to the need to consider alternatives in order to minimise any potentially adverse implications for the aims of the National Park. The final paragraph should be retained to ensure the links to the 1st aim of the Park.

CNPA analysis The approach taken has tried to create a clear link between the Park Plan, the aims of the Park and the Local Plan and its delivery. Throughout the remainder of the policies in the Plan, issues such as landscape impact, sensitivity of development and the promotion of a healthy rural economy must all be considered in the determination of any planning application. Whilst the approach taken may not be a definitive, modifications will be made to the Introduction and Context to clarify that all the policies in the Plan must be considered equally and also to clarify the relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 424d

Policy/site ref Policy 02

Summary The wording is not consistent with SOEnD Circular No.6/1995 (as revised 2000), "Habitats and Birds Directives" and should be amended in line with the suggested model policy. There should be specific mention of Ramsar sites and the supporting text should mention the duty on CNPA to further the conservation of biodiversity, under the Nature Conservation (Scotland) Act 2004. This should be in addition to the reference in section 4.28. There should also be mention of the requirement to treat proposed SPAS or SACs as if they were already designated. Finally, the policy title should read "International Natural Heritage Designations".

Para 4.6 should be amended to read: "Where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, planning permission may only be granted if there are human health or safety considerations, or benefits of primary importance to the environment or, in the case of other imperative reasons of overriding public interest following consultation between Scottish Ministers and the European Commission."

Para 4.10 – Greater mention should be made within the Plan of the need for Appropriate Assessment and the implications of such an assessment, as it may necessitate changes to the Plan. The consideration of the need for an appropriate assessment should have also been integrated within the SEA as this results in a more transparent appropriate assessment process, with the consideration of appropriate assessment, and the assessment itself if required, subject to public consultation as part of the SEA consultation.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 424e

Policy/site ref Policy 03

Summary The wording lacks clarity and should be amended to

“Development that is likely to affect a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will be subject to the most rigorous assessment and will only be permitted where it has been demonstrated that:

a) the objectives of the designated areas and overall integrity of the area would not be compromised; and

b) in the absence of alternative solutions, that any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by benefits of economic or national importance (which may include social or economic benefits) and are mitigated by enhancement of qualities of equal importance to the National Park’s natural heritage.”

CNPA analysis The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPP1. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 424f

Policy/site ref Policy 04

Summary Do the 'other locally important site(s)' include the Sites of Interest to Natural Science designated by Moray and Aberdeenshire Councils, as referred to in paragraph 4.22?

CNPA analysis The comment is noted and the policy will be reworded to clarify the sites referred to. The wording will also be reviewed in light of the comments to ensure it is reasonable, and does not place onerous demands on developers.

Proposed Modification

Appendices - add list of other local sites under Policy 4 including SINS. Confirm for clarity the wording in para 4.22 regarding SINS. No further action. Confirm that we are not using other LA local plan designations for natural heritage as the whole is designated as a National Park.

Objector Ref 424g

Policy/site ref Policy 05

Summary Further clarity is needed on what is meant by “full consideration”. For Schedule I Birds or European Protected Species, it needs to be categorically established which species are

present on a site, and where, before an application can be considered for consent. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. The discovery of an EPS or Schedule I bird species during construction could result in a planning consent that cannot be implemented. This could be explained in the supporting text.

CNPA analysis 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 will also be assessed to ensure it is clear and consistent both with other policies in the Plan and other guidance given in the Park Plan, National guidance and the aims of the Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Proposed Modification

Modify policy to add annexes ii and v of the EC habitats directive and annex I of the EC Birds directive.

Objector Ref 424h

Policy/site ref Policy 06

Summary Support

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 424i

Policy/site ref Policy 13

Summary There should be a stronger presumption against developments in the functional flood plain, and more specific reference to flood prevention measures which should make it clear that any management measures would need to take a strategic, catchment-based approach to flooding, use natural systems (such as wetlands), promote soft engineering techniques and use existing flood plains to attenuate flooding. All flood prevention and alleviation developments should be expected to maximise any opportunities for habitat enhancement or creation. Para 4.6I should read: "The need to protect and enhance the water environment has been reinforced / which more accurately reflects the requirements of the Directive and the WEWS Act."

CNPA analysis The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary.

Proposed Modification

4.74 Change wording from 'for management' to 'to protect and enhance'

Amend layout to clarify flooding as particular consideration

Objector Ref 424j

Policy/site ref Policy 14

Summary While supporting this there should be a cross reference to policies 2-6.

CNPA analysis The policy should be read in conjunction with the other policies in the plan

and additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development. All policies in the plan are to be used together as explained in the introduction to the Plan.

Proposed Modification

No further action required.

Objector Ref 424k

Policy/site ref Policy 16

Summary Para 4.83 should begin with: “The outstanding qualities of the Park are incompatible with the development of large-scale energy production schemes”.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

4.99 refer to outstanding qualities.

Objector Ref 424l

Policy/site ref Policy 17

Summary 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 targets.

CNPA analysis 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 Modification

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

Objector Ref 424m

Policy/site ref Policy 19

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

CNPA analysis 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 Modification

Confirm biodiversity will be added to the table.

Objector Ref 424n

Policy/site ref Policy 26

Summary 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 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 Modification

No modification proposed.

Objector Ref 424o

Policy/site ref Policy 27

Summary 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 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 Modification

Policy 29 implementation - include para 5.90 on potential for biodiversity impacts from such developments.

Objector Ref 424p

Policy/site ref Policy 33

Summary Para I should explain that proposals will be favourable where they “conserve and enhance the natural and cultural heritage” rather than are without adverse impacts.

Para 6.5/6 should state the imperative need not to cause adverse impact on natural heritage which underpins most tourism in the Park.

CNPA analysis 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 impact of developments on natural and cultural heritage is therefore considered under other policies in the Plan. Confirm the need for all proposals to comply with all policies of the plan where relevant therefore the impact on natural and cultural heritage would be covered under policies in 'conserving and enhancing' section.

Proposed Modification

No modification.

Objector Ref 424q

Policy/site ref Policy 34

Summary There should be a reference to the imperative need not to cause adverse impact on natural heritage which underpins most tourism in the Park.

CNPA analysis The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. The policy should be read in conjunction with the other policies in the plan, in particular those regarding landscape and visual setting, developments impacting on natural heritage etc. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development. Confirm all policies must be complied with so no cross referencing has been included. Also policy supports access strategy which refers directly to impact of access on the landscape.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 424r

Policy/site ref Settlements - Ballater HI

Summary Any new development should seek to enhance the floodplain storage and associated biodiversity through active creation of natural flood areas that go beyond compensation for flood plan loss as a result of the development.

CNPA analysis The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue.

Proposed Modification

No modification proposed.

Objector Ref 424s

Policy/site ref Settlements - Boat of Garten HI

Summary The site holds a small number of capercaillie and forms an important link between the larger populations in Kinveachy and Abernethy SPAs. The development would increase human disturbance and thus have an adverse impact on the birds. The Appropriate assessment should consider the potential effects on these SPAs.

CNPA analysis The comment is noted. Appropriate Assessment will be undertaken to inform the development of proposals for this site in line with the corresponding legislation and

before any modifications are finalised and published for consultation. This will be done in collaboration with the CNP partners, and in particular SNH and Natural Heritage Section.

Proposed Modification

Include reference to mitigation required by SNH as result of appropriate assessment of HI.

Objector Ref 424t

Policy/site ref Settlements - Nethy Bridge

Summary The site holds a small number of capercaillie and forms an important link between the larger populations in Kinveachy and Abernethy SPAs. The development would increase human disturbance and thus have an adverse impact on the birds. The Appropriate assessment should consider the potential effects on these SPAs.

CNPA analysis This site has outline permission for housing and throughout the forthcoming consultation modifications to the local plan will reflect the position regarding extant permissions and submitted planning applications being determined under the Highland Council Local Plan. Where possible the local plan will be used to influence the scale and design of future development to ensure that it is appropriate for the village and takes appropriate account of the obligations regarding natural heritage.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref 424u

Policy/site ref SEA Chapter 1

Summary Page 4 - what is the timescale for this? Is this the same as the Appropriate Assessment? Will it also consider impacts of the plan on other Natura sites?

CNPA analysis The work on the appropriate assessment continues and will inform the modifications to the plan in line with corresponding legislation and before the plan is adopted. The assessment will take into account all those factors required by legislation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 424v

Policy/site ref SEA Chapter 4

Summary The state of the Park report is inadequate to use a baseline information.

Para 4.35 - At what stage will any modifications be made as result of that Appropriate Assessment and how will the results of this process be made known to consultees?

Para 4.10 - Have the presence of protected species or habitats been correctly identified on allocated sites.

CNPA analysis CNPA will continue to work on the adequacy and detail of baseline information used to inform both SEA and local plan development. Appropriate Assessment will be undertaken to inform the development of policies and proposals in line with the corresponding legislation and before any modifications are finalised and published for consultation. Work will also continue with specialists on the identification of species within allocated sites.

Proposed Modification

Comments will be reviewed prior to adoption to take into account the views expressed. No modifications needed at this stage.

Objector Ref 424w

Policy/site ref SEA Chapter 6

Summary There should be an SEA objective specifically concerned with climate change. The SEA and the Plan do not generally consider climate change fully.

CNPA analysis The issue of climate change will be included in future work on the SEA and is key to the sustainable design guide being prepared to support the local plan policies on design.

Proposed Modification

Modifications are proposed including the addition of a new policy specifically relating to carbon emissions from new developments. No changes proposed to SEA at this stage, but the issues raised will be considered in future SEA work.

Objector Ref 424x

Policy/site ref SEA Chapter 8

Summary The assessment here is flawed and could be improved. There appears to have been no environmental assessment of alternative policy wording.

CNPA analysis The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments noted.. No modifications needed at this stage.

Objector Ref 424y

Policy/site ref SEA Chapter 9

Summary Para 9.19 should mention the existing Ballater waste water treatment works which has been designed to discharge to an enhanced wetland area with nature conservation benefits. This benefit should be protected.

CNPA analysis Future references to Ballater will include these references to ensure clarity and possible constraints to development.

Proposed Modification

modifications being proposed for Ballater to take into account the issues raised.

Objector Ref 424z

Policy/site ref SEA Appendix I

Summary There are a number of errors:

- typographic errors in Appendix I — column 2 of the table showing other relevant plans/programmes incorrectly describes the Birds and Habitats Directives
- Nature Conservation Bill (Scotland) 2004— should be Nature Conservation (Scotland) Act 2004
- NPPG6 - now SPP6, NPPG4 - now SPP4.
- There is no reference in Appendix I to The Water Environment and Water Services (Scotland) Act — the CNPA is a Responsible Authority under the Act and must exercise its functions, including its

local planning function, to promote sustainable development and contribute to the achievement of sustainable development.

- There is no reference to Choosing our Future: Scotland's Sustainable Development Strategy,

CNPA analysis The corrections are noted, and the appropriate alterations will be made in future work on the SEA

Proposed Modification

modifications being proposed to rectify errors pointed out.

Objector Ref	Name	Agent
425a	Rona Main Scottish Enterprise Grampian 27 Albyn Place Aberdeen AB10 1DB	Steve Crawford Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB

Company Scottish Enterprise Grampian

Policy/site ref General

Summary There is a heavy concentration of economic development towards the west of the Park to allow thriving communities and tourism to grow in the east of the Park. There should be specific proposals for 'gateway' areas such as Dinnit and Glenshee and other Aberdeenshire settlements. There is also a lack of an explicit development strategy. The vision is too narrow and does not reflect the aims of the Park. It should clearly intimate that growth is necessary in settlements and some bespoke tourism investment opportunities outwith settlements to enable the Park to provide the level of quality and recognition that it strives for.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. A review of the Introduction and Context sections are necessary to clarify the context for the Local Plan and its relationship with other documents, including local, regional and national, and also to expand on the thinking behind the policies as drafted.

Proposed Modification

Modify introduction to clarify position with other LAs and national guidance.

Also modify and expand vision and add clear aims and objectives for the Plan.

Objector Ref 425a(b)

Policy/site ref Policy 33

Summary The plan does not include any real allocations for tourism use, nor any specific proposals for tourism development. It should do more to support tourism related development and controlled economic growth in the eastern part of the Park. The Plan should allow for potential developments which are currently being investigated in detail, as well as long standing tourism and cultural facilities which are trying to diversify.

SE Grampian is currently investigating the potential for a new small-scale luxury resort in the Aberdeenshire part of the Park, or just outwith the boundary, to meet the extant demand for tourism accommodation. The Local Plan should allow for this to be pursued in more detail without falling foul of Local Plan policies

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy

to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm support for ongoing work of Scottish Enterprise in promoting development in the area, but confirm that sites have not been specifically shown on local plan maps as the plan does not wish to hamper site selection and wishes to remain open to changes in proposals as they are developed. The policies therefore endeavour to provide sufficient support for developments and give guidance on site selection. In doing so the wording would support things like diversification as mentioned, particularly where they endeavour to extend the tourism season.

Proposed Modification

No modification proposed.

Objector Ref 425a(c)

Policy/site ref Policy 20

Summary 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 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 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.

Objector Ref 425a(d)

Policy/site ref Housing (land supply)

Summary Concentrating housing in the west side of the Park is not appropriate to developing employment opportunities across the Park. The spread of sites should be more equal spread. Housing for key workers is essential for economic development and the future viability of settlements. The affordable housing policies are very restrictive and may discourage development. A more equitable approach is required which could include allocating sites specifically for such housing.

CNPA analysis Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested. The allocations also reflect the centres of population and demand. The approach to affordable housing is based on the work of the 3Dragons and the benchmark of the Scottish Government.

Proposed Modification

Amend policy 21 to reflect work of 3Dragons.

Objector Ref 425a(e)

Policy/site ref Policy omission

Summary The Plan should be promoting infrastructure provision and improvements in a co-ordinated fashion, based on an agreed strategy that covers public transport, roads infrastructure, utility infrastructure as well as softer infrastructure such as streetscape and public realm improvements, working closely with other agencies to meet the aims and vision for the National Park.

The Plan should evaluate transport and access issues, including the physical separation of the eastern and western areas of the Park. A review of how local populations and tourists arrive and circulate around the Park and the physical relationships between the east and west would be welcomed.

CNPA analysis The comments are noted and consideration will be given to the inclusion of a policy regarding strategic infrastructure provision across the Park to guide developers and promote a co-ordinated approach. Confirm that such developments would be considered under all the relevant policies of the Plan and the strategic support for such developments is given in the National Park Plan which gives the local plan its context.

Proposed Modification

No modification proposed.

Objector Ref 425a(f)

Policy/site ref General - Links to other plans

Summary A number of comments have been made in regard to the representation made on the Draft Plan. The comments which remain relevant are carried through in the specific representations made on individual policies and proposals.

CNPA analysis The comments are noted but relate to the draft plan. Specific comments on current policies are considered under those representations. No modification considered necessary as a result of this representation.

Proposed Modification

Modifications made in line with particular policies as listed.

Objector Ref 425b

Policy/site ref General - Links to Park Plan

Summary It is important that the local plan underpins the aims of the Park.

In the implementation of the plan, the wording of policies must be such as to avoid confusion or misinterpretation. The role of the local plan in regard to existing structure plans and the Park Plan is unclear.

CNPA analysis The comment is noted. Modifications within the Context section will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, the Park Plan and structure plans, and also to expand on the thinking behind the policies as drafted. Throughout proposed modifications will endeavour to clarify while providing an appropriate lever of guidance for developers and interested parties.

Proposed Modification

2.6 expand to clarify position with LA structure plans and Park Plan.

Objector Ref 425c

Policy/site ref Policy 01

Summary The policy should refer to the aims of the Park which are not set out. The wording is protectionist and should be reworded to allow for economic development which link to the aims of the Park.

The reference to “economic benefits of national importance” is at odds with the aims of the Park which do not relate to nationally important economic development but to more local economic development to support the Park, its communities, the tourism industry and existing/new businesses.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 425d

Policy/site ref Policy 04

Summary The policy should clarify what the “economic benefits of importance to the Cairngorms National Park” are.

CNPA analysis The comment is noted and additional information will be included to clarify this position.

Proposed Modification

Delete section of b) 'outweighed by social or economic benefit of importance to the aims of the CNP and are'.

Objector Ref 425e

Policy/site ref Policy 07

Summary The term “economic benefits of primary importance to the aims of the National Park” should be defined.

CNPA analysis The comment is noted and the supporting text will be revised to clarify the position and ensure the policy is clear and easy to understand.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 425f

Policy/site ref Policy 10

Summary The policy should also allow for the extension of a listed building to allow for an

expanding or improving business.

CNPA analysis The comment is noted. Although the wording does not mention particularly the extension of the building for business use, the wording does not preclude this and focuses on ensuring the physical works are appropriate for that building. No modification considered necessary as a result of this representation.

Proposed Modification

Add para on role of enabling development for listed buildings in line with NPPG

Objector Ref 425g

Policy/site ref Policy 11

Summary The policy should also allow for the extension of a listed building to allow for an expanding or improving business. The use of conservation appraisals and management plans should be the subject of consultation and should not create too onerous requirements where they are seen to be justifiable.

CNPA analysis The comment is noted. Although the wording does not mention particularly the extension of buildings for business use, the wording does not preclude this and focuses on ensuring the physical works are appropriate for the designated conservation area. The preparation of conservation area appraisals and management plans will be carried out in conjunction with the 4 local authorities, and will undergo public consultation in the normal way. No modification considered necessary as a result of this representation.

Proposed Modification

no modification necessary.

Objector Ref 425h

Policy/site ref Policy 17

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

CNPA analysis 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 Modification

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

Objector Ref 425i

Policy/site ref Policy 18

Summary 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 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 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.

Objector Ref 425j

Policy/site ref Policy 19

Summary 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 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 Modification

Reinforce wording on circular and guidance.

Objector Ref 425k

Policy/site ref Policy 20

Summary 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 the economy of rural communities as well as settlement-based communities.

CNPA analysis 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 Modification

Amend b) to refer to sequential test for locational guidance.

In supporting text clarify role of economic growth in achieving national park aims.

Objector Ref 425l

Policy/site ref Policy 21

Summary 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 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 Modification

Amend wording of policy to better reflect requirements for sequential approach. Remove reference to 'and commercial' from policy.

Objector Ref 425m

Policy/site ref Policy 22

Summary Support this policy.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

No modifications required.

Objector Ref 425n

Policy/site ref Policy 23

Summary 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 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 425o

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 425p

Policy/site ref Policy 25

Summary Support this policy.

CNPA analysis No modification considered necessary as a result of this representation.

Proposed Modification

Confirm an additional policy 22 to include rural settlements in light of representations made.

Objector Ref 425q

Policy/site ref Policy 26

Summary It would be helpful if the designation of sites outside settlements could be shown on the proposals maps.

CNPA analysis 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 SPPI.

Proposed Modification

Add an additional policy 22 to include rural settlements and identify them in proposals maps.

Objector Ref 425r

Policy/site ref Policy 31

Summary In demonstrating an established need the business need should be seen as valid.

CNPA analysis 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 Modification

No modification proposed.

Objector Ref 425s

Policy/site ref Policy 33

Summary There seems to be a contradiction between policy 33 and Policy I. This should be reconciled.

CNPA analysis 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. Confirm all policies should be read together - and that the amended policy I should be complied with as well as policy 33.

Proposed Modification

No modification proposed.

Objector Ref 425t

Policy/site ref Policy 35

Summary The policy seems to contradict itself. The wording in b) and c) should therefore be clarified. Also the requirements on information to be supplied to justify a proposal must be reasonable.

CNPA analysis The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Proposed Modification

Delete b) from policy

Objector Ref 425u

Policy/site ref Settlements - Ballater/Braemar

Summary Within the hierarchy of settlements, only 1 strategic and 2 intermediate settlements are in the east of the Park. Braemar should be considered a strategic settlement as it is at the 'heart' of the Park. Also the development proposals for both Ballater and Braemar are very limited and do not represent an effective forward development strategy. The whole approach represents a housing and economic development strategy falling out of the settlement allocations but with no strategic discussion on which to comment.

CNPA analysis The approach to settlement identification will be revised in light of the representations received, and the proposals maps will also be amended to provide an appropriate level of detail to guide developers and clarify to local communities the future growth potential of settlements. A more strategic view will also be included, within the context and introduction of the plan, to set the settlement strategy in context and clarify the approach in line with the overall vision for the local plan. Confirm the allocations reflect the nature of the geography of the Park.

Proposed Modification

Include other rural settlements in modifications to indicate where other development opportunities exist across the Park.

Objector Ref 425v

Policy/site ref Settlements - omissions

Summary The plan should make reference to locations such as Dinnet and Glenshee to promote investment.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet and Strathdon within settlement proposals.

In 6.1 add reference to key gateways to Park and their potential for tourism development.

Objector Ref 425w

Policy/site ref Settlements omissions

Summary The plan should make specific reference to 'gateway' sites in Aberdeenshire.

CNPA analysis The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify small settlements on proposals maps. Also identify employment opportunities within proposals maps.

Objector Ref Name Barbara Paterson

426

Beinn Sealladh

3 Lynstok Park

Nethybridge

PH25 3EL

Policy/site ref Settlements - Nethy Bridge

Summary The settlement boundary of Nethy Bridge should be retained and recent development allowed to integrate into the village. The land between the Mountview and Nethybridge Hotels should be retained as open space, and the reference to housing in C1 removed. There should be an additional requirement on people buying houses in the Park, that they are not allowed to divide the property/plots within 5-10 years.

The CNPA should operate a database of those wanting to buy houses in the park to monitor those moving to the area, demographics, nature of resident, and price.

The term 'affordable' is misleading as houses are not really affordable. The CNPA should work closely with Highland Council or similar to regulate such affordable houses.

CNPA analysis The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary. With regard to open space a comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be open space, the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. In regard to affordable house, the

CNPA will continue to work closely with the 4 local authorities, the social housing providers and private developers to seek the most appropriate way forward for affordable housing in the Park. Confirm making people keep properties for any particular length of time not reasonable. Explain approach to letting criteria for affordable homes and fact that there is no database of people wanting to move to the area other than waiting lists and that there is no database - trying not to replicate work done by LAs.

Proposed Modification

Include in intro to cpt 7 para 7.5 explanation of approach taken to proposals inside and outwith settlement boundaries.

OSI extend boundary at Dell Road on west side of river

At Mountview Hotel Identify land to be protected (in line with previous planning permission)

Remove reference to housing in the text to CI.

Objector Ref Name Gemma Grimes

427

BWEA

Renewable Energy House

1 Aztec Row, Berners Road

London, N1 0PW

Company BWEA

Policy/site ref Policy 16

Summary While supporting the approach, the Plan should include a brief outline of the different forms of technology and encourage all forms of renewable energy. In addition there should be an additional policy for the mandatory requirement for all new developments and renovations to provide electricity for at least 15% of the need through on site renewables. Additionally, a policy regarding sustainable design and construction methods and energy efficiency so increasing energy efficiency in the existing and new building stock.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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. Confirm all policies must be read together. Policy 18 and 19 relate to sustainable development and carbon emissions.

Proposed Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref Name John Macpherson

428a

Braemar Community Council

7 Broombank Terrace

Braemar

AB35 5YX

Company Braemar Community Council

Policy/site ref Settlements - Braemar

Summary The proposals for Braemar should include land for commercial units. Land suggested is at the Snow Plough Shed/Ambulance station or land to south of Balnellan houses.

CNPA analysis The comment is noted, and the plan aims to provide adequate development land to meet the economic aspirations of the community. In line with this the proposed site will be assessed and a review made to the proposals map in accordance with the findings of this work.

Proposed Modification

Include additional land for economic growth.

Objector Ref 428b

Policy/site ref Settlements - Braemar H3

Summary No further housing should be allocated at H3 as it forms an important amenity area.

CNPA analysis The comment is noted. Further consultation will be held specifically with the objector to ensure that the community views are properly reflected in the plan.

Proposed Modification

Remove H3.

Objector Ref 428c

Policy/site ref Settlements - Braemar H1

Summary The land owned by Invercauld Farm which has planning permission should be shown on the proposals maps.

CNPA analysis The comment is noted and the proposals maps will be amended to ensure a consistent approach is taken throughout.

Proposed Modification

Refer to permission at Invercauld farm in supporting text for clarity.

Objector Ref Name Phil Rowsby

429a

SRPBA

Stuart House

Eskmills

Musselburgh, EH21 7PB

Company SRPBA

Policy/site ref General

Summary The wording used and how this plan links to the aims of the Park should be clarified throughout. Within the introduction there should be a clear statement of what the aims and objectives of the Local Plan are, and the links that exist with the 4 local authorities. Any reference to national guidance should be cross referenced.

CNPA analysis The comment is noted. Modifications will endeavour to clarify terminology and phrasing used. A review of the Introduction section is necessary to clarify the context for the Local Plan and its relationship with other documents, including local, regional and national.

Proposed Modification

Modify 1.3 to clarify wording on links between LP and 4 aims of the Park.

2.11 expand to clarify position with other LAs and national guidance.

2.14 expand vision and add clear aims and objectives for the Plan.

Objector Ref 429b

Policy/site ref Policy 01

Summary To reflect the fact that some developments will only have local benefits, but that this may be the preferred outcome, the wording of b) should be amended:

b) “Any significant adverse effects on the qualities for which the park has been designated are clearly outweighed by social or economic benefits of local and/or national importance and will be mitigated to the satisfaction of the planning authority by the enhancement of qualities or features of equal importance to the National Park.” Also ‘national’ should be defined.

CNPA analysis The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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 proposed wording will be assessed accordingly.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 429c

Policy/site ref Policy 19

Summary 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 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 Modification

No modification proposed.

Objector Ref 429d

Policy/site ref Policy 23

Summary The policy is too prescriptive and inflexible and if it to remain should be supported by empirical research.

CNPA analysis 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 429e

Policy/site ref Policy 24

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

Proposed 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.

Objector Ref 429f

Policy/site ref Policy 25

Summary 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 The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including and 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 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'

Objector Ref 429g

Policy/site ref Policy 26

Summary 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 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 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.

Objector Ref 429h

Policy/site ref Policy 27

Summary 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 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 Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Objector Ref 429i

Policy/site ref Policy 28

Summary The policy is too difficult to implement and should be reviewed.

CNPA analysis 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 Modification

No modifications proposed as a result of this objection.

Objector Ref 429j

Policy/site ref Policy 33

Summary In the 1st paragraph add 'significant' before 'adverse environmental or landscape impacts'. The policy as written may stifle development. In the last sentence of para 1, what does 'standard' mean. The policy should also be more closely linked to economic and business development to allow a more flexible approach. The 3rd para should therefore be removed.

CNPA analysis modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy

to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm 3rd para is intended to support the existing tourism sector.

Proposed Modification

reword supporting text to reflect the importance placed on tourism development and ensure policy is supportive in wording.

Objector Ref 429k

Policy/site ref Policy 02

Summary The wording should equate with SSSIs. The policy should also recognise that often only part of a site requires protection. There is a difference in wording. In 3 & 4 the wording refers to the 'overall integrity' while in policy 2 it refers only to 'integrity'. A consistent approach should be taken.

CNPA analysis The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 429l

Policy/site ref Policy 04

Summary In b) if an ancient woodland is lost what could the developer provide as an equivalent? Also in some cases there is no ancient woodland left in these designated areas. Such areas are only designated because they were both on the 1750s Roy maps and the first Ordnance Survey maps from 1861, but had been replanted in the interim.

CNPA analysis The comments regarding the datasets are noted and work will continue between the CNPA and its partners to ensure that this is addressed to allow the best information to be available to inform the development process. Within the terms of the policy the wording will be reviewed to ensure it is reasonable, clear, and delivers the intentions of the policy. The wording proposed will be assessed as part of this review.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'

Para 4.20 confirm that datasets are flawed and to comply with the policy site inspections of the qualities of sites may be required.

Objector Ref 429m

Policy/site ref Policy 09

Summary There should be reference to national or other planning policies where appropriate

CNPA analysis The format adopted by the Local Plan has endeavoured not to repeat the advice provided through other documents such as national policy, but has distilled the key elements of that advice and guidance into the wording of the various policies. However to assist clarity, the reference in para 4.48 will be expanded.

Proposed Modification

para 4.54 add reference to national guidance.

Objector Ref 429n

Policy/site ref Policy 05

Summary The term 'adverse' can be very subjective.

CNPA analysis The comment is noted and additional information will be included to clarify this position.

Proposed Modification

1st sentence change to 'development should avoid causing any harm to any European Protected Species wherever they occur...'

Objector Ref 429o

Policy/site ref Policy 07

Summary Para 1 is too subjective. Also design issues can be costly and hinder the provision of affordable housing.

CNPA analysis 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. The additional comments regarding the level of detail are also noted and the modifications will endeavour to resolve this and clarify the position and intent of this policy. Further issues regarding design issues will be considered in more detail under policy 18.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 429p

Policy/site ref Policy 13

Summary Any size of development can affect hydrology.

CNPA analysis The comment is noted. The wording of the policy refers to 'significant' adverse impact. The wording of the policy applies to all scales of development. It is not therefore considered necessary to make a modification as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 429q

Policy/site ref Policy 14

Summary The policy should encourage the use of local preferably from close to the site. The approach to mineral extraction should be more flexible as extraction of some minerals causes less damage than others. This approach is seen as curtailing economic development. It should be judged against the impact on the 1st aim of the Park.

CNPA analysis The general tone will also be revisited to ensure that it is reasonable and

delivers the aims of the policy as detailed in the supporting text. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users.

Proposed Modification

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 429r

Policy/site ref Policy 16

Summary The policy should encourage more small scale wind farms. The wording should therefore be changed to remove 'small scale' and 'micro'generation. The word 'complement' is not the appropriate word. Also 'sustainable' requires further definition.

CNPA analysis The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove 'small scale' and 'micro' in line with comment. Add clarity on link to sustainable design guide.

Objector Ref 429s

Policy/site ref Policy 17

Summary The wording is confusing and the policy should be removed.

CNPA analysis 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 Modification

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

Objector Ref 429t

Policy/site ref Policy 20

Summary 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 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 SPPI. Confirm that farming operations would not occur within settlement boundaries and would therefore be considered under b) and c) of the policy.

Proposed Modification

No modification proposed. Policy now policy 27.

Objector Ref Name D R MacKellar

430a
Cairngorms Chamber of Commerce
PO Box 15
Kingussie
PH21 IWF

Company Cairngorms Chamber of Commerce

Policy/site ref General - Economic development

Summary Some of the housing and economic development lack robust background information and justification and a general understanding of the issues. This is especially the case in regard to housing, tourism, business development and transport. As a result informed comments and decisions were not possible regarding policy direction and the need for a particular policy emphasis. There must be an appropriate structure and approach that will foster and support investment in new, growing and sustainable businesses. The plan should therefore give a more positive emphasis and approach to this objective.

CNPA analysis 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. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted.

Proposed Modification

2.14 expand vision and add clear aims and objectives for the Plan which will underpin the whole plan. Throughout include a more positive tone.

Objector Ref 430b

Policy/site ref General - Links to other plans

Summary Para 2.10 - The Plan should refer to the other plans, policies and local solutions that are already in existence thus demonstrating continuity of approach and also the way it relates to future plans and strategies. There is concern that the approach taken in certain circumstances, for example, use of waiting lists, may actually contradict National strategies and policies. If this is the case the plan may be the subject of the law of unintended consequence.

CNPA analysis 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. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted. Similarly further clarification is needed in the introduction section to each Chapter to state clearly the justification for the approach taken and the aspirations sought as a result of implementation of the policies.

Proposed Modification

2.11-2.13 add role LP plays in delivering objectives of other documents eg from LAs for the delivery of things like housing.

Objector Ref 430c

Policy/site ref General - Links to other plans

Summary Para 2.6-2.11 - The plan must not only develop a co-ordinated set of policies to draw together the current fragmented situation, but also work within the wider emerging context of the National Park. This wider dynamic must be clearly understood and presented as the strategic context for the Plan. This is lacking. The plan does not look at what is currently working and build on that, or explain why it has been discounted. E.g. what part will the part play in achieving growth targets for Highland area set out in the Highland Community Plan or in Visit Scotland's targets of growing the Tourism contribution. Comment must be made on how important the value of the National Park is to the local, regional and national Economy, in particular the local economy which is dependent on this.

CNPA analysis 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. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted. Similarly further clarification is needed in the introduction section to each Chapter to state clearly the justification for the approach taken and the aspirations sought as a result of implementation of the polices. Reference to current successes should also be included where relevant.

Proposed Modification

2.14 revise vision and guiding principles.

Objector Ref 430d

Policy/site ref Policy 19

Summary 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 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 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.

Objector Ref 430e

Policy/site ref General - Vision

Summary Para 2.12 - The Vision should give a more coherent and imaginative vision for the future direction of the Park which could be a focus for long term sustainability of the Park and create a shared sense of partnership between public and private partners. The vision should refer to

the unique identity of the area, the character and interdependence of its various parts, and its role in the wider Highland economy. As written it is little more than a restatement of the aims of the Park and it does not recognize that the area must continue as a place where a substantial population has to have the facilities and infrastructure to sustain the communities and economies.

CNPA analysis A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 430f

Policy/site ref Settlement Strategy

Summary In developing the settlement strategy, the plan should demonstrate a greater understanding of the role and dynamics of the different stakeholders particularly in regard to prioritising strategic investment in infrastructure and services, which would allow the Plan to have a pro-active role in coordinating development. This would identify opportunities and constraints in a strategic way across the Park, and assess the capacity of individual settlements, the local economic pressures and social requirements. The future role of key settlements should be based on the best available forecasts. It should also take account of the fact that Badenoch and Strathspey has been identified as 'a housing stress area'.

CNPA analysis The comments raised regarding the settlement strategy are noted, and the review of the text will endeavour to add the required level of detail to provide a thorough and overarching strategy with a pro-active vision for the future development of settlements in the Park. Confirm close working relationship with Highland Council and in particular housing and planning sections.

Proposed Modification

Include small settlements into proposals to give better picture of opportunities outwith key settlements.

Objector Ref 430g

Policy/site ref Policy 18

Summary 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 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 Modification

No modifications considered necessary as a result of this representation.

Objector Ref 430h

Policy/site ref General - Links to Park Plan

Summary In the use of general polices, the important role of tourism to the economy and livelihood of the various communities, the protection and maintenance of the Parks landscape and wildlife is of course vital. While recognizing the priorities given to the different aims of the Park, this should not be taken as a presumption, as seems apparent through the planning process since the existence of the Park Authority. The aims must be achieved in a collective, coordinated and integrated way, to allow development to be sustainable in the long term.

CNPA analysis 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 general policies will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted. Similarly further clarification is needed in the introduction section to each Chapter to state clearly the justification for the approach taken and the aspirations sought as a result of implementation of the polices.

Proposed Modification

Policy I modifications to clarify role of the 1st aim of the Park.

Objector Ref 430i

Policy/site ref Policy 33

Summary Tourism is recognised as a key driver to the economy of the Park and is vital to all communities, and positive polices for siting and design of tourism infrastructure should be at the forefront of the Plan. While the Plan is generally supportive of the industry, it does not contain sufficient analysis of different types of tourism, or their varying needs. There is a serious lack of understanding of the tourism economy and the plan should have clear statements of policy to support this part of the economy, with substantiated justification as background. Where is the evidence to support “Any proposal which will reduce the tourist facilities will be resisted” (policy 33.)?

The aim of the plan to increase the stock of tourism businesses and facilities, by attempting to stop changes of use away from the tourism sector will cause a restriction on entrepreneurial activity when individuals are contemplating selling up tourism businesses. To tell local business people who have grown businesses often after changing the original use to tourism, that the use cannot be reversed is a disincentive to any entrepreneurial spirit and does not take any account of events such as retirement, wishing to stop work or the need to release profits. This approach is contrary to the 1st sentence of policy 33 and clarification is needed to support in para 7.9 “The Local Plan will seek to protect the business use of existing businesses which provide key services to communities within the Park” Evidence suggests that occupancy levels stand at around 40% which could be seen as an over provision. Considerable information gathering and analysis is needed to support such statements and allow the policies to be constructed to provide a stronger guide to both trends and spatial planning, and there is a feeling that at present the plan is wrong in its assumption that there is a vibrant tourism economy. There needs to be an understanding of:

- The fragility of the tourism economy.
- The seasonality
- The distance from its market
- The lack of ‘passing trade’ from large conurbations/centres of population.
- ‘Force Majeure’ issues such as Foot and Mouth
- The very high turnover in ownership of Accommodation Provision. Anecdotal Evidence suggests

it is an average of approx 2-3 years.

- Life Style aspirations quickly become survival techniques

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Redraft policy to give a more supportive approach to tourism development. Within Supporting text confirm position regarding locational guidance.

In introductory to chapter 6 give more support to this sector.

Objector Ref 430j

Policy/site ref Housing (affordable)

Summary There is little analysis of what has worked successfully in the past. Best practice of local solutions should be built upon and be encouraged. The policies will destroy any notional housing latter and will encourage stigmatism through its approach to 'affordable' housing provision. Open market housing will become artificially inflated to support the provision of affordable houses at the level proposed. Larger sites with resources sufficient to meet the affordable requirement may go ahead, but smaller locally based schemes may not as they will not have the resources to carry out a 'no public subsidy' development.

In terms of the variety of affordable provision, clarification is needed on:

Are the developers to be Landlords? Would local developers want to?

Allocation of tenants?

Management of property?

Management of tenants?

Pay for the above?

Who is responsible?

do housing associations have the financial resources to support properties handed over to them?

Purchase properties

Manage properties on landlords behalf

CNPA analysis Amend policy to reflect findings of 3Dragons work on affordable housing provision. Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. The detailed information required will be made available as supplementary to the local plan once the overall approach has been agreed. The appendix will however clarify what is an affordable house.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 430k

Policy/site ref Policy 23

Summary 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 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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 430l

Policy/site ref Policy 17

Summary 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 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 Modification

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

Objector Ref Name Jim Cornfoot

432a 63 Corrou Road

Aviemore

PH22 ISS

Policy/site ref Settlements - Aviemore H3

Summary The land is on the floodplain, is used for recreation and forms an important habitat. More houses will jeopardize the tourism industry and H3 should therefore be protected as open space. Any more housing in Aviemore should be designated affordable for local people.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref 432b

Policy/site ref Settlements - Aviemore H2

Summary The land is on the floodplain, is used for recreation and forms an important habitat. More houses will jeopardize the tourism industry and H2 should therefore be protected as open space. Any more housing in Aviemore should be designated affordable for local people.

CNPA analysis The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Proposed Modification

Modifications to include up to date position regarding extant permissions and submitted applications yet to be determined. Make reference to important issues including flooding, landscaping and natural heritage.

Objector Ref 432c

Policy/site ref Settlements - An Camas Mor

Summary The site is an important habitat and is already under pressure from the growth of Aviemore. There is not a need for the development and most houses will be holiday homes, or used by commuters. The proposal should be removed from the Plan and housing allocations should concentrate on existing villages allowing them to grow gradually. The river area should be protected as an important natural resource.

CNPA analysis This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. Confirm environmental impact assessments which will be required to support any proposal for development.

Proposed Modification

No modification proposed.

Objector Ref Name Mr L Aardenburgh
433 c/o Savills
55 York Place
Perth
PH2 8EH

Agent Andrew MacCafferty Associates
Burn House
Collessie
Fife

Policy/site ref Settlements - Kingussie

Summary Land identified to the north east of Kingussie should be allocated within the Plan:

a) land currently in the Highland Council plan allocated for business/industry should be retained to provide a broader range of employment and leisure opportunities. This allocation will address the fact that no other land has been allocated for these uses in Kingussie.

b) part of this area in the ownership of the objector should be included for housing development, at a density of 10-15 per ha with a capacity of 30-50.

These amendments are in line with the current allocation, and represent added value to help offset the cost of accessing HI from the A86. Details of the proposed access arrangements are provided in support of this representation.

Supporting information on the development opportunities regarding infrastructure, landscaping and transport links are provided.

The following amendments are therefore requested:

- the land identified in the representation should be included in the settlement boundary;
- an area of 2.0ha should be allocated for employment and leisure;
- an area of 3.24ha adjoining Kerrow Farm should be allocated for 30-50 houses;

CNPA analysis The allocated sites within Kingussie will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated in the plan to meet housing need and alternatives will be considered in future reviews.

Proposed Modification

Include additional land for economic growth in line with objections.

Amend boundary on plan to ensure appropriate scope for access.

Objector Ref Name Robert Maund

434a Scottish Council for National Parks
The Barony
2 Glebe Road
Kilbirnie, Ayrshire

Company Scottish Council for National Parks

Policy/site ref General - Links to Park Plan

Summary The wording of the policies appears more development orientated and could lead to a lack of clarity. The wording in places is open to interpretation and this could lead to inconsistency. In places the wording is pro-development and does not reflect the 1st aim of the Park (to conserve the natural and cultural heritage) notwithstanding the need to strike a balance over the four statutory aims.

CNPA analysis 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 Modification

General approach will be taken on board throughout. No specific modifications proposed as a result.

Objector Ref 434b

Policy/site ref General - Vision

Summary

The vision linking to the Park Plan vision of 'the Cairngorms National Park as an exemplar of sustainable development where people and place thrive together will be difficult to sustain when measured against the historical record, and the CNPA will need to vigorously promote the exemplar approach.

In the 'Outcomes for Conserving and Enhancing Biodiversity and Landscapes for 2012' the use of confident language is not borne out in the housing allocations later in the Plan.

With iv regarding species and habitats, again some of the site allocations comprise habitat and species which are part of the Biodiversity Action Plan.

CNPA analysis

A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 434c

Policy/site ref Policy 02

Summary

The policies in this section are not rigorous enough to protect the natural heritage interest. The links between these policies and other development policies are confusing. E.g. the links between protecting natural heritage interests against proposals to increase water provision in the area. Will the policies to protect be enough.

CNPA analysis

The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 434d

Policy/site ref Policy 06

Summary

This policy is a hostage to the imperative for developers to make a profit. It should be incumbent on the planning authority to ensure that with any proposal there is no risk to specific habitats and species, and secondly, that should such risk be identified, the Authority undertakes the survey and monitoring with charges being recouped from the developers.

CNPA analysis

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 Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 434e

Policy/site ref Policy 07

Summary

How can all development make a positive contribution to landscape qualities when there are many examples in the area where new development is of poor design, and allocations suggest more of the same during the life of the plan. The wording is not as firm in its resolve as that contained in the draft plan and the outcomes could vary depending on who is interpreting the policy. The removal of Proposal I from the previous plan concerning Permitted Development Rights does not help.

CNPA analysis

The comment is noted. New development proposals will be assessed against the policies contained within this plan, and CNPA will work closely with the 4 local authorities to ensure that the policies are implemented in a consistent manner across the Park. The wording of the policy will be reviewed to ensure it is robust and reasonable while providing the necessary level of guidance to developers. The issue of permitted development rights is something that can be carried out by the Planning Authority in its normal function and does not therefore require an additional local plan policy.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 434f

Policy/site ref Policy 13

Summary

The limitations of developer funded flood risk assessments should be recognised, as there are examples where such assessments have resulted in proposals which are damaging in landscape and environment terms.

CNPA analysis

The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance regarding flooding and drainage. The issue of flood risk assessments will be reviewed in line with the comments received from SEPA and the appropriate changes will be made both to the policy wording and settlement proposals where necessary

Proposed Modification

Include in b) 'suitably qualified'.

Objector Ref 434g

Policy/site ref Policy 14

Summary

The wording would be clearer in its intent if it expressed a general presumption against new mineral workings “unless etc”. It is difficult to conceive of a situation where no suitable or reasonable alternatives are available to meet the limited development demands of the Park.

CNPA analysis

The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text.

Proposed Modification

The tone of the intro sentence will be changed to reflect the 'presumption against'.

Objector Ref 434h

Policy/site ref Policy 16

Summary

The policy is not as comprehensive as in the draft plan. Whilst Para. 4.83 says that the Park is not a suitable place for large scale energy production schemes, there is no mention of transmission and distribution infrastructure, undergrounding of cables etc., other than for telecommunications or of other sustainable generation techniques.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Additional para to be included in background detail regarding transmission, distribution and impact.

Objector Ref 434i

Policy/site ref Housing (Sustainable Communities)

Summary

It is important that the plan should try and address the problems of affordable housing and second homes. Priority must be given to the needs of existing communities rather than new build open market housing which is likely to be too expensive for most local people and cater for second homes and commuters.

CNPA analysis

Continue to work with the Scottish Government on the issue of second homes. Confirm in introduction to chapter 7 the commitment to sustainable communities.

Proposed Modification

Introduction to cpt 7 confirm importance of sustainable communities.

Objector Ref 434j

Policy/site ref Housing (affordable)

Summary

The background section should include clearer justification for the figures and percentages proposed, and detailed in table 2. It would have been beneficial to have the information on housing market areas, inward and outward migration and where people live and work. Policy 24 seems to be a bit wishful thinking rather than a real effort to tackle the problem. Lessons might be learned from discussions with national park authorities in England and Wales. The Final Report on Cairngorms Housing System Analysis of February 2006, indicates that all the current completions projected through the planning system might require to be for affordable housing. We doubt whether the policies in the Plan can hope to meet such an aim.

CNPA analysis

Review the approach in line with the findings of the 3Dragons report. The model used in this report will then underpin the delivery of the local plan. Further work will also continue with the local authorities on the role of waiting lists and the provision for local people.

Proposed Modification

Policy 21 modified to reflect work of 3Dragons report and findings.

Objector Ref 434k

Policy/site ref Policy 32

Summary

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

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 Modification

Clarify area waste strategies and national waste plan.

Objector Ref 434l

Policy/site ref Policy 33

Summary

The policies do not look at the wide range of recreational activities or demonstrate a clear understanding of the impact such development has on both visitors and environment. A statement of intent to develop informally presented educational opportunities which go beyond the physical provision and management of facilities on the ground would be appropriate here. The underlying approach to sustainability is supported.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the

appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Revise introduction to Chapter 6 to give greater support to the role tourism plays within the National Park and its economic growth.

Objector Ref 434m

Policy/site ref Policy 34

Summary

The wording of this policy may be problematic. The work on an open space strategy is also one to be watched in terms of implementation.

CNPA analysis

The wording of the policy and the references made to an open space strategy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. Confirm ongoing work on both these issues and approach to be adopted for the implementation of the plan once adopted.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 434n

Policy/site ref Settlement General

Summary

The proposals maps should provide the most up-to-date base information possible.

The way the land is allocated in settlements may bring an urban feel to villages. Of particular concern is Badenoch and Strathspey where development will be guided by infrastructure provision and proposals for water provision may have a major impact on areas such as Insh Marshes, part of the SAC and a RAMSAR site of international importance.

CNPA analysis

The comment regarding the proposals maps is noted and the appropriate changes will be made to clarify the position. The issue of the scale and nature of development particularly in Badenoch and Strathspey is noted, and care will be required in the approach taken to new developments, particularly housing, to ensure that the special character of these settlements is not damaged. This falls in line with the aims of the Park and compliance with the Park Plan. Policy I and its implementation will be of key importance. Confirm that proposals aim to meet need in conjunction with working in partnership with SW for infrastructure. Ongoing work to upgrade the provision of water services will come forward for consultation in the normal way and the protection of natural heritage designations will be key to that.

Proposed Modification

No further action required.

Objector Ref 434o

Policy/site ref Settlements - Aviemore

Summary

New development should be contained within the natural settlement boundaries created by the River Spey and the A9.

CNPA analysis

The comment is noted. No further site allocations are proposed outwith the natural envelope of Aviemore settlement. No modification

considered necessary as a result of this representation. Confirm that no new allocations fall outwith the areas described.

Proposed Modification

No further action required.

Objector Ref 434p

Policy/site ref Settlements - An Camas Mor

Summary

The proposal is wrong for a national park, particularly since in other large housing schemes in the area a large number of units have been taken by second homes. The absence of policies to restrict new development to meet local housing need makes the whole proposal as a new settlement to meet local housing need, questionable. A previous justification that it would balance development of Aviemore on both sides of the River Spey, will in fact make it unique in the planning of villages adjoining the Spey in this area. Although there is consideration of the effect on the Spey SAC, other aspects of the proposal suggest that these can be overcome without extra water supply capacity.

CNPA analysis

This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The site is needed to meet the demand for growth in the area while endeavouring to protect the character of existing settlements. Any proposal will be subject to strict policies including those on affordable housing. Confirm environmental impact assessments which will be required to support any proposal for development and close working partnerships being established to ensure infrastructure provision meets needs.

Proposed Modification

No modification proposed.

Objector Ref 434q

Policy/site ref Settlements - Grantown on Spey HI

Summary

HI will result in a loss of informal amenity land and will have a negative affect on breeding waders nearby, and may cause further disturbance to Anagach Community Woodland by displaced dog walkers.

CNPA analysis

This site has a current, outstanding application and due to the timescales involved this application

will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref 434r

Policy/site ref Settlement General

Summary

Some proposals bring pinewood into lay either by direct loss of trees to housing land or by creating pressure points for overuse by the public. This is the case in Kingussie, Boat of Garten, Nethy Bridge, Carrbridge and Ballater. At Newtonmore there is a question of housing on the flood plain and in Cromdale the village would more than double in size by accommodating the proposed allocation which seems contrary to para 5.62 regarding the appropriate level of growth for settlements.

CNPA analysis

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. 5.62 refers to small rural settlements rather than larger strategic or intermediate settlements. Any development which occurs on proposals sites must be done in line with the aims of the Park and all the policies of the Plan including those regarding natural heritage etc.

Proposed Modification

No further action required.

Objector Ref 434s

Policy/site ref General

Summary

This plan is less positive and more unclear than the draft plan, and the tone of the policies does not give the same degree of confidence in the results that will be achieved.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park.

Proposed Modification

No further action required.

Objector Ref Name Aviemore Highland Resort
435a

Agent Paull and Williamson
Investment House
6 Union Row
Aberdeen

Company Aviemore Highland Resort

Policy/site ref Settlements - Aviemore ED3

Summary

The objection is to the wording in ED3 . The public do not at present have any right of access over the site or around the resort and the text suggesting “closer” links are to be established is proceeding on a misapprehension of current access rights. The closer links/access that the Plan looks for will only be provided in a way which is compatible with the objectives of the Resort and the current lack of general access rights to the resort. The wording should be removed. The objector also wishes to be fully involved in the development of a new masterplan, and this involvement should be made more explicit in the wording of the plan.

CNPA analysis

The comments are noted but the wording was not intended to in any way mislead or imply that anything was required on the site outside the normal access rights legislation. CNPA will continue to work closely with AHR to ensure an approach to development in Aviemore is adopted which meets the aspirations of the whole community, both through close working relationships with AHR and through the ongoing work on the development of a new Aviemore Masterplan for the settlement as a whole, and the ongoing extensive consultation with AHR in this regard will continue..

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps. Amend wording of ED3 to remove reference mentioned, and clarify the need for better links to the village centre.

Objector Ref 435b

Policy/site ref Settlements - Aviemore ED3

Summary

The objection relates to the identification of part of the core path shown across through the Resort and to the suggestion that these paths are rights of way. The paths should be removed from the proposals map and the wording of policy 34 should clarify that paths identified do not necessarily equate to established rights of way in terms of the Roads (Scotland) Act 1984. Access rights should not be created through the local plan process.

CNPA analysis

The identification of core paths on the proposals maps was included for information only. The adoption of the core paths plan continues as a separate piece of work and in on way tries to imply anything other than additional information. On final adoption of the core paths network, information may be included on local plan maps again for information purposes only. Confirm core paths marked on the proposals maps were for information only, and this issue is being pursued through access legislation. While the two plans will work closely together the approval and adoption of core paths is done through the core paths plan.

Proposed Modification

No modification proposed.

Objector RefName Sue Jardin

436

Company

Policy/site ref Settlements - Granttown on Spey HI

Summary

The figures for housing allocation in Granttown on Spey do not make sense. Table 4 states that development will be at a level of 75 houses in years 0-5, 90 houses in years 5-10, and 85 thereafter. However HI states that 200 houses will be developed in 5 years. The settlement could not cope with this level of development in terms of infrastructure, or the impact on the character of Granttown. This level of development could not be met by small local builders.

Access to HI would be difficult as Mossie Road is too narrow and the burn at the SW of the site is not suitable for large machinery. The moss should be protected as should its mossy character. The site should also be recognised as being used by wading birds.

CNPA analysis

This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name Mrs Jane Angus

437a Darroch Den
Hawthorn Place
Ballater
AB35 5QH

Company

Policy/site ref Policy 01

Summary

The problems between the aims of the park, and the protection of the natural heritage of the Park do not help in harmonious management.

CNPA analysis

The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 437b

Policy/site ref Policy 02

Summary

The wording does not include a complete restoration.

Consultation should also be made with the British Geological Survey, Macaulay Institute, R.C.A.& H.M.S, the Biological Records and Recorders, and River Boards as well as other locally knowledgeable consultants and local knowledge. In the survey work to be carried out by developers, there is no comment on the quality of the results.

CNPA analysis

The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 437c

Policy/site ref Policy 05-07

Summary

The wording of these policies seems vague and could lead to confusion in implementation.

CNPA analysis

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 Modification

Modifications seek to clarify position.

Objector Ref 437d

Policy/site ref Policy 08

Summary

There is a question over whether funds will be available for retention of listed or unlisted but known gardens.

CNPA analysis

The CNPA do not provide funding at present for the preservation or restoration of listed or unlisted but important remains. Although an important part of our cultural heritage, it would not be relevant to add a policy within the Local Plan to suggest this. The issue could be considered as part of the implementation of the 1st aim of the Park. No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref 437e

Policy/site ref Policy 09,10

Summary

Not all sites are recorded and we do not know about future recording techniques, so careful retention of material samples is important. The wording should not be open to interpretation.

CNPA analysis

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 implementation of the policies will be done in association with county archaeologists etc and in line with the most up to date national guidance

Proposed Modification

No further action required.

Objector Ref 437f

Policy/site ref Policy 11,12

Summary

The comment regarding demolition being linked to letting of contracts for replacement is open to abuse and could be contentious.

CNPA analysis

The wording of the policy can be secured through planning condition and enforced in the normal way. No modification considered necessary as a result of this representation. Policy 11 - this approach is normal practice and prevents gap sites in conservation areas. Policy 12 aims to provide an additional test under the 1st aim of the Park re cultural heritage, in reference to non designated sites. The wording is flexible to allow for a pragmatic approach.

Proposed Modification

No action required.

Objector Ref 437g

Policy/site ref Policy 13

Summary

The policy does not adequately consider all aspects of water resource found in the Park. There is still no assessment of quantity of available extraction and there is concern about recent lack of direct supply. However the SEA states that development will depend on an assessment of the quality and amount of waters in the rivers. The impact on activities such as fishing cannot be underestimated in regard of the knock on impacts on the economy.

CNPA analysis

The policy allows for the full consideration of development on water resources, and the importance of flow levels will be considered under d) where every effort should be made to minimise use of water. Some rewording may be necessary however to clarify this point. Confirm wording will ensure appropriate levels of protection and provision in line with SEPA comments and mods in light of those. The environmental report will also be revised to ensure the appropriate future assessments are undertaken.

Proposed Modification

No further action required.

Objector Ref 437h

Policy/site ref Policy 14

Summary

Advice from local sources should be included in the policy. The impact of extracting local minerals on transport and natural heritage should be recognised.

CNPA analysis

The issue of local materials for local use particularly in conservation and restoration projects is an interesting one and the wording of the policy will be reviewed to ensure appropriate provision is made for such extraction. Advice on materials is available from staff within CNPA . Confirm we are working on a green directory for this purpose.

Proposed Modification

No further action required.

Objector Ref 437i

Policy/site ref Policy 15

Summary

The contamination caused by garages should be identified in the policy.

CNPA analysis

The comment is noted but it is considered that the wording of the policy covers the issue raised. The wording of the policy ensures that any site with known or suspected contamination must be assessed, and this would include sites such as garages. No modification considered necessary as a result of this representation. Confirm that the policy covers the issue raised.

Proposed Modification

No further action required.

Objector Ref 437j

Policy/site ref Policy 16

Summary

With peat extraction a full archaeological study should be included to below bronze age field levels.

CNPA analysis

The comments regarding archaeology interests are noted. Reference should be made to Policy 9 which protects such resources. No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 437k

Policy/site ref Housing (land supply)

Summary

Consideration should be given to the effects of rapid growth on social, economic, educational and medical matters. It cannot be appropriate to develop large numbers of houses for people to commute to the city or to provide housing for the retired. The finds of the Rural Needs Survey should be included. Greater consideration should be given to home working, specialist employment opportunities in the new technological era, tourism providing employment opportunities, and possible tax changes

CNPA analysis

The policies of the plan endeavour to provide a balanced approach to land allocation and services to support this, including creating the correct level of opportunities for employment. Further work is needed to ensure that land allocations are matched with the appropriate level social support (WORK WITH LOCAL AUTHORITIES ON THIS). A detailed paper outlining the background to the housing land requirement calculations and land supply requirements will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made.

Proposed Modification

Include employment land in settlements to compliment housing. Clarify commitment to sustainable communities in introduction to chapter 7.

Objector Ref 437l

Policy/site ref Policy 17,18

Summary

The design guide should include 'low CO2' after efficiency'. The guide should be provided quickly to match development pressure.

CNPA analysis

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 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.

Objector Ref 437m

Policy/site ref Policy 19

Summary

Such contributions should be used for training and skills development.

CNPA analysis

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 Modification

No modification proposed

Objector Ref 437n

Policy/site ref Policy 20

Summary

To support businesses in rural areas, improvements should be provided to post offices and postal services.

CNPA analysis

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 Modification

Add economic development sites into settlements identified in the proposals section.

Objector Ref 437o

Policy/site ref Housing (Sustainable Communities)

Summary

The provision of mixed and affordable housing should be to meet the local demand and the levels proposed should not cause disruption to the character of settlements and communities. Play and other open space must be included in the design of all development to meet everyone's needs. All proposals should be discussed with planners before they submit applications. The design guide should emphasis the importance of insulation and energy use. The allocations should also extend beyond 5 y ears to allow for a more planned approach.

CNPA analysis

The National Park authority is committed to the creation and support of sustainable communities. Confirm in cpt 7 this issue.

Proposed Modification

Introduction to cpt 7 confirm importance of sustainable communities.

Objector Ref 437p

Policy/site ref Policy 31

Summary

How does the policy accommodate future changes in coverage. There is also a need for better security for wireless broadband

CNPA analysis

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 Modification

No modification proposed.

Objector Ref 437q

Policy/site ref Policy 32

Summary

The plan should consider a fuller collection/local storage/high plasma furnace disposal.

c.f.Hampshire.

CNPA analysis

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 Modification

No modification proposed.

Objector Ref 437r

Policy/site ref Policy 33

Summary

The growth in tourism will need to be carefully managed to ensure it does not result in disturbance for wildlife.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

No modification proposed.

Objector Ref 437s

Policy/site ref Policy 34

Summary

The growth in access will need to be carefully managed to ensure it does not result in disturbance for wildlife, especially water and natural interests.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. The issue of repair and maintenance will continue to be addressed through the Access staff within CNPA who work closely with the 4 local authorities. Confirm comment noted, but quality of work and weather cannot be controlled by planning policy.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 437t

Policy/site ref Policy 35,36

Summary

How will the development of a wide range of facilities be funded. Alternative forms of provision should be considered and backed up with adequate trainers.

CNPA analysis

The comments are noted, and the CNPA continue to work closely with the 4 Local Authorities to provide and support an appropriate level of recreational provision for communities across the Park. The policies have been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. No modification considered necessary as a result of this representation. Confirm the broader issues of open space and allocations will be addressed in the open space strategy, and will also come through community needs assessments. We will have to work with the LAs on the funding issues.

Proposed Modification

No modification proposed.

Objector Ref 437u

Policy/site ref Settlement Proposals

Summary

The housing allocations should have a longer term concept than the proposed piecemeal approach. Also with economic development, how will sites be provided and managed. A long term view should be adopted. The maps used are not up to date, and do not show listed buildings, SAMs and the core path shown is still under discussion.

CNPA analysis

The comments regarding land use allocations are noted. The Park Plan endeavours to provide a strategic level of guidance for the long term future of the Park, while the Local Plan aims to deliver those aspects of the Park Plan relevant to the planning process in the near future. The additional comments regarding the maps are also noted and the most up to date map bases are used to provide clarity. However prior to the final production of maps, CNPA will request that OS resurvey those areas within the Park which have seen considerable development and amend their bases accordingly. Confirm 7.5-8 housing proposals aim to meet local need to support sustainable communities. 5 year allocations are a requirement of the SG

7.9 economic proposals aim to promote sustainable economies within the life of the plan and beyond.

7.12-16 next version of plan will ensure most up to date bases and add extant permissions for clarity. Adding Listed buildings and SAMs at the scale of maps would not be helpful - HS have most accurate and up to date maps. Core paths once agreed will be added.

Proposed Modification

Use most up to date OS maps and add core paths once agreed.

Objector Ref 437v

Policy/site ref SEA

Summary

Methodology – the background information is lacking and detailed studies of particular sites may be needed to avoid mistakes. Strategic Monitoring - how will this be done and by whom.

Section 5 - also uses the flawed baseline information.

Para 5.11 – clarification needed on the ‘deprivation indices’.

Para 5.3 – concern regarding deer culling. The background information provided by SNH is also unclear regarding forests and fires, soil erosion, and ramsar sites.

SEA Indicators and Targets –

Para 6.2-6.7 – consideration for habitat networks which have already been modified;

Para 4.7 – there seems to be an understanding of animal behaviour etc.

Sec 6 – geological impacts should be recognised

Sec 5 – every effort should be made to retain run-off, also at 9.3 p.41

The impacts of climate change and development on the floodplain which is also the key agricultural land should be recognised.

Strategic Alternatives – support this section but is the scoring approach the best one.

The problem of balancing the various aims must be remembered.

CNPA analysis

The comments are noted, but CNPA must refer to the responses from the 4 statutory consultees on SEA who have all commented on the clarity and soundness of the Environmental Report. The findings of the ER will impact directly on the local plan, its policies and proposals and this will be done in line with the legislative requirements and in liaison with the consultees. In regard to the detailed comments made, the environmental report, baseline information and indicators, the comments are noted, and in further working on the SEA for the local plan refinements will be made to inform the process.

Proposed Modification

A number of changes have been made to the SEA environmental report which address the concerns expressed.

Objector Ref	Name	Agent
438a	Dinnet and Kinord Estate Estate Office Dinnet Aboyne AB34 5LL	John Findlay Ryden 25 Albyn Place Aberdeen AB10 1YL

Company Dinnet and Kinord Estate

Policy/site ref Settlements omissions Dinnet

Summary

The plan should allocate Dinnet as a settlement and make provision for new housing and related development as previously in the draft plan. Dinnet stands at a key crossroads at the entrance to the Park and contains a number of businesses, the scale of which mean it should be considered as a settlement in the Plan. The estate plan to work with the community to develop the opportunities of the village to provide affordable and open market housing and employment opportunities, the package of proposals being closely interlinked. Details of the development package are included in detail.

The proposal is in accordance with the objectives of the CNPA and SPPI, SPP15, SPP17 and SPP3. The estate will work closely with CNPA to ensure that the proposal fits with the siting and design objectives of the Plan and will include aspects of sustainability and energy conservation. The settlement identified in the draft plan should therefore be reinstated and land allocated to provide for the growth of Dinnet in line with the aspirations of the estate and the community, including land allocated for 60 houses.

CNPA analysis

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI 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 Modification

Identify Dinnet within settlement proposals.

Objector Ref 438b

Policy/site ref Housing (land supply)

Summary

The tables for housing land requirement in table 2 and 3 should be amended to include for the proposed allocation of 60 houses at Dinnet.

Table 4 should also be amended to make allowance for this allocation.

The local plan must provide enough effective land for market and affordable housing to meet the economic and social needs of local communities encouraging proactive growth. The land supply currently allocated fails to meet this objective. Para 5.37 acknowledges that there is not exact measure of how many houses will be required in the future, nor any accurate method of predicting how many houses will be built during the lifetime of the Local Plan. As the figure is therefore an estimate it is essential to build in a degree of flexibility to allow for uncertainty and in order to accommodate the highest growth scenario. Table 2 should therefore be increased to accommodate the level of housing considered necessary at Dinnet. That scale of housing is necessary to realise diversification opportunities in terms of new business and tourism related developments, which will contribute to the overall economic benefit of the National Park Area.

CNPA analysis

Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan therefore allocates sufficient and adequate land for housing development.

Proposed Modification

No modifications proposed. .

Objector Ref 438c

Policy/site ref Settlements - Ballater HI

Summary

Ballater HI should be reduced with some reallocation of units to other settlements in the area, which will support the aspirations of business and tourism development in the village. The site in Ballater makes overprovision to the detriment of other settlements in the area. The scale of development is unsustainable and will not support smaller settlements in the area. Also much recent housing in Ballater has been bought as second homes, and the allocation is not matched by any employment provision. There is little to sustain any argument that development in Ballater is more sustainable than in Dinnet and development in the latter would be matched with economic investment, and would sustain existing facilities in the village. The concentration of development in Ballater will do little to revitalise smaller settlements and expand tourism and business developments in the area.

The plan should be amended to reallocate 60 of the units identified for Ballater to Dinnet.

CNPA analysis

The scale of development is linked to work done on establishing the housing need within the area,

and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. The issue of spreading the allocation for the area across a number of sites will however be considered. Where there is a particular need identified for any given settlement, a full review of how this would impact on that settlement, and also on the ability of the area to provide sufficient houses to meet the need, will be undertaken. The issue may not therefore be an 'either or', situation but rather that the plan ensures that the appropriate level of development is directed to settlements and communities in particular need. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm opportunities for development in other settlements outwith those with allocations, including inclusion of Dinnet in modifications.

Proposed Modification

Amend supporting text to H1 to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Objector Ref Name Jamie Williamson

439a Alvie and Dalraddy Estate
Alvie Estate Office
Kincraig, Kingussie
PH21 1NE

Company Alvie and Dalraddy Estate

Policy/site ref General

Summary

The plan as currently written will not meet the aims of the Park, the Park Plan or the aspirations of communities and businesses in the area. It gives undue weight to natural heritage at the expense of cultural heritage contrary to the 1st aim of the Park. The policies are prescriptive and restrictive and will stifle economic development with too much weight placed on the promotion of tourism at the expense of other rural economic activities. The policies will not reduce the gap between housing need and supply and will increase the gap between subsidised provision and open market housing. The Plan should concentrate on demand from local people who contribute to the economy. They will not encourage "good quality private rented sector accommodation available at affordable rents to meet local demand" and there should be more emphasis and encouragement on building additional houses to rent rather than buy.

CNPA analysis

The comment is noted. Modifications will endeavour to clarify terminology and phrasing used and will endeavour to ensure a balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. A review of the Introduction section is necessary to clarify the context for the Local Plan and its relationship with other documents, including local, regional and national. Clarification is needed on how the Local Plan relates to the aims of the National Park. The comments made regarding housing will be assessed through the representations made specifically on the Housing section of the Plan.

Proposed Modification

Amend introduction to clarify wording on links between Local plan and 4 aims of the Park.

Expand section on links with other plans to clarify position with other LAs and national guidance.

Objector Ref 439b

Policy/site ref General - Vision

Summary

Whilst acknowledging the aims of the Park, the area does not have a distinctive character or coherent identity relative to adjoining areas. The policies are therefore too restrictive and will stifle economic development. Within the Vision, there is an imbalance between protection and enhancement and particularly in regard to housing, the outcomes highlighted from the Park Plan will not be achieved through the local plan policies suggested.

CNPA analysis

A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 439c

Policy/site ref Policy 01

Summary

If the approach taken is overly complicated and regulatory, development will not go ahead. The approach should therefore be more strategic and less prescriptive and should take into account local economic and social benefits, not just national benefits. To simplify the situation the local plan should refer to other legislation rather than try to duplicate it.

Amended wording suggested:

In b) add 'local and' before 'national'

In para 2 add 'or unreasonably' after 'significant'

In para 3 add after 'the aims of the Park' as defined in the National Parks (Scotland) Act 2000 Section 1

In para 3 in line 6 change 'and' to 'or' the Parks special qualities.

Delete final paragraph.

CNPA analysis

Throughout the plan has endeavoured to highlight other legislation, making direct reference to it only where there is a particular need. However in modifications further efforts will be made to ensure this approach is taken. The local plan throughout its policies also tries to take an approach that provides an appropriate level of detail to and guidance for developers, and the Plan is easy to understand and use. The policies of the plan also endeavour to provide a balanced approach to land allocation and services to support this, including creating the correct level of opportunities for employment. Modifications will therefore be proposed which review the tone and clarity of policies, and the proposed wording will be assessed accordingly.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 439d

Policy/site ref Policy 02

Summary

In some cases the reason for the designation of such sites should be questioned. A more pragmatic approach is needed to get away from the current draconian approach. Gold plating the 1994 regs is unnecessary and could be counter productive to the aims of the Park. Amended wording –

In a) before ‘compromised’ add ‘unreasonably’,

In b) add after ‘national’ ‘or local importance’.

CNPA analysis

The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 439e

Policy/site ref Policy 03

Summary

A balance must be reached between conserving the natural heritage and cultural heritage as in the 1st aim of the Park. The social and economic impacts of natural heritage designations should be more carefully considered, both positive and negative.

Amended wording

In a) add ‘unreasonably’ before ‘compromised’,

In b) add ‘or local’ after ‘national’.

CNPA analysis

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 Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 439f

Policy/site ref Policy 04

Summary

The designation of some of these sites must be questioned as they do not contain any ancient woodland or features of previous woodland and are included because of the methods used to identify sites as a desk based exercise. Such sites should not be excluded from development opportunities.

Developers are unlikely to be in a position to provide designated features such as ancient woodland sites or geological conservation review sites. Where habitats are lost to development it seems unlikely that mitigation will create something that is considered of equal importance.

Amended wording –

In a) reword to ‘the objectives of the designation would not be compromised’,

In b) delete final section 'and are mitigated by the developer providing features of equal importance to those that are lost'.

CNPA analysis

The comments regarding the datasets are noted and work will continue between the CNPA and its partners to ensure that this is addressed to allow the best information to be available to inform the development process. Within the terms of the policy the wording will be reviewed to ensure it is reasonable, clear, and delivers the intentions of the policy. The wording proposed will be assessed as part of this review.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'.

Para 4.20 confirm that datasets are flawed and to comply with the policy site inspections of the qualities of sites may be required.

Objector Ref 439g

Policy/site ref Policy 05

Summary

It is incorrect to assume that the protection of European Protected species will enhance biodiversity as they may be predators who will reduce the number and diversity of certain species. A balance must be reached between protection and the other aims of the Park. Amended wording

In a) remove 'imperative', and 'overriding', and 'primary'

In b) change 'and' to 'or'

CNPA analysis

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 wording is in line with the European Directives requiring a level of protection.

Proposed Modification

1st sentence change to 'development should avoid causing any harm to any European Protected Species wherever they occur...'

Objector Ref 439h

Policy/site ref Policy 06

Summary

A balance must be reached between biodiversity and social, economic and cultural consequences of a proposed development. Amended wording –

In b) delete 'avoided, or' and 'where harm is unavoidable', and add 'where' before 'appropriate'

In the last para change 'will' to 'may'

CNPA analysis

The CNPA has a duty placed on it in regard to Biodiversity and the policy has been worded accordingly. However the wording 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 Modification

add to 1st para 'including cumulative impact'

in a) add 'to the satisfaction of the planning authority'

in b) add 'commensurate or greater'

in last para add 'comprehensive'

In supporting text clarify biodiversity obligation and what this requires in terms of development proposals.

Objector Ref 439i

Policy/site ref Policy 07

Summary

The economy within the Park is already dominated by tourism and government. A greater balance on a variety of economic opportunities should be sought to avoid collapse in a downturn in the dominant industry. Amended wording -

In para 1 Delete 'All'

In para 1 commence para 'Where possible and practical'

In a) delete 'primary' and replace 'aims' with 'economy'

CNPA analysis

The comments regarding the economic balance within the Park are noted. The intention throughout the plan is however that all policies should be taken into account when considering any development proposal. The policies elsewhere in the plan regarding economic growth and tourism development should be considered. The wording within the Introduction will be amended to clarify this position. The wording of the policy will however 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.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 439j

Policy/site ref Policy 09

Summary

The policy should not be so prescriptive to preclude reasonable decisions and common sense solutions. Amended wording – begin para 1 'there will be a presumption that'

CNPA analysis

The 1st aim of the Park is to conserve and enhance the natural and cultural heritage of the area, and the policy has been worded in a way to achieve this in line with national policy guidance and advice. The wording of the policy will however be reconsidered to ensure that the appropriate level of protection is offered balanced against the aspirations of communities to secure active and economically fulfilling futures.

Proposed Modification

Add 'There will be a presumption in favour of' to the start of 1st sentence.

Objector Ref 439k

Policy/site ref Policy 13

Summary

The policy should be more flexible to recognise that not all development will have an adverse impact on the flood plain, and that flooding has been experienced in the area for generations, and has in some instances been harnessed to improve soils, etc. Encouraging Scottish Water to monopolise the supply of water and water treatment facilities has already severely constrained housing development in some areas of the Park, and extracting large amounts of water from one or a few areas, transporting it long distances and then transporting foul water long distances to central processing units is inefficient, wasteful and less sustainable and damaging to the environment than extracting and processing water locally. In an area such as Badenoch where the land is relatively short of nutrients and organic matter, processing foul water locally and spreading organic matter on the land can be beneficial to agriculture. The Plan should encourage the development and improvement of private and community water supplies and foul water processing rather than attempting to force residents to use a public sector monopoly.

Amended wording –

In sentence 1 begin ‘There will be a presumption that new development will:’

In b) replace ‘flooding’ with ‘flood damage’

In b) replace in final section ‘will’ with ‘may’

In d) change wording to ‘conserve water where appropriate’

In f) delete whole section

Add final section ‘There will be a presumption in favour of maintaining existing flood prevention and management features some of which contribute positively to the diversity of our local economy and biodiversity. Many of these features are an important part of the Parks cultural heritage.’

CNPA analysis

The aim of the policy is to ensure that management of the water environment in line with the established legal framework which exists, and other national guidance and directives. The comment is therefore noted and the wording of the policy will be revised to ensure it is clear and the appropriate level of guidance is available for developers. Further supporting information may also be prepared in support of this policy in the form of SPG to ensure the policy is implemented in a consistent manner across the Park area. The wording of the policy has been selected to comply with national guidance, European directive, etc and a more relaxed approach is therefore not an option. The wording however is not intended to stifle development but make sure it is done in the most appropriate way.

Proposed Modification

No further action required.

Objector Ref 439l

Policy/site ref Policy 14

Summary

The Plan should encourage the development of mineral extraction and processing where such activities can diversify and enhance the economy. In meeting its obligations regarding cultural heritage, some reopening of workings may be necessary and masonry skills re-learned to work on traditional buildings in the Park. It is also more environmentally beneficial to extract and process close to point of use.

The extraction of peat is also part of our cultural heritage and is more sustainable than burning coal or oil. Amended wording –

In intro – delete ‘only be permitted’ and add ‘encourage’

In a) after ‘demonstrate’ add ‘local demand for the material extracted or processed’ Delete ‘the market within the Cairngorms National Park where the extracted or processed material will be used or provide other social or economic benefits’

In b add new section ‘No suitable and reasonable alternatives to the material are available’

In c) add new section ‘There are social or economic benefits that outweigh any detrimental impacts to the Park’.

After iii) delete ‘Proposals for new areas of commercial mechanised peat extraction will not be permitted’

CNPA analysis

The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text. Confirm that tone of policy must take into account the 4 aims of the Park and the need to protect resources, whilst allowing sufficient flexibility to take forward an appropriate level of development.

Proposed Modification

No modifications proposed as result of this objection.

Objector Ref 439m

Policy/site ref Policy 16

Summary

The policy should encourage sustainable use of resources and self sufficiency and the wording should encourage all scales of generation. Amended wording –

Delete ‘small scale’ and ‘micro’ in 1st sentence

In final section delete ‘will not have an’ and replace with ‘any’

Add final part to end section ‘will be taken into account and mitigated as far as reasonable’.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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. Confirm all policies must be read together.

Proposed Modification

Remove 'small scale' and 'micro' in line with comment.

Objector Ref 439n

Policy/site ref Policy 19

Summary

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

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 Modification

No modification proposed.

Objector Ref 439o

Policy/site ref Policy 20

Summary

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

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 Modification

Reword policy to be more positive towards economic growth.

Objector Ref 439p

Policy/site ref Policy 22

Summary

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

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 Modification

No modification proposed.

Objector Ref 439q

Policy/site ref Housing (land supply)

Summary

The underlying problem is not of limited land supply but of taxes and regulatory constraints. Detailed comment is provided on historical issues which have created the current situation regarding price and availability, cost of borrowing and state of the economy, government attitude to home ownership, ownership issues, changes in population number and structure, growth in the second homes market, impact of the growth of Inverness, and the creation of the Park. The plan should therefore mitigate the demand by encouraging a more balanced rural economy and restrict housing provision to local people or those with jobs within the Park.

Increasing supply will not necessarily resolve the problem, causing an increase in demand. This would be matched with an increased demand on labour and materials which would lead to an increase in costs and potential decrease in standards. Innovative methods of provision should be considered such as modular homes. The focus on 'tied' affordable housing will also serve to exacerbate the two tier housing market which is emerging and restrict movement within the housing ladder. The level of affordable provision suggested in the Plan will ultimately result in no development happening within the Park. The plan should therefore concentrate on ensuring that:

1. New houses are well built, energy efficient and do not compromise the natural and cultural heritage of the Park.
2. Greater effort is made to rebuild, renovate and refurbish existing buildings particularly where

they are built of local materials and reflect vernacular construction.

3. A greater proportion of houses are built to rent rather than sell.

4. There is a presumption in favour of building houses to be occupied by existing residents and their dependents, those that are employed within the Park and those that are likely to invest in and contribute to the economy of the area.

CNPA analysis

The supply of land is guided by work undertaken by consultants to establish the need and the methods of providing affordable houses, available on line. Policies are also included to allow refurbishment. The issue of sustainable development is considered in policy 18.

Proposed Modification

Amend policy 18 to reinforce commitment to sustainable development

Amend policy 21 to reflect findings of 3Dragons work.

Objector Ref 439r

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 439s

Policy/site ref Policy 24

Summary

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

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 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.

Objector Ref 439t

Policy/site ref Policy 25

Summary

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

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 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.

Objector Ref 439u

Policy/site ref Policy 26

Summary

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 that 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

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 SPPI.

Proposed 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.

Objector Ref 439v

Policy/site ref Policy 27

Summary

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

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 Modification

Move policy to sit with economic development policies. In 5.88 confirm it applies to all uses.

Objector Ref 439w

Policy/site ref Policy 28

Summary

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

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 Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Objector Ref 439x

Policy/site ref Policy 32

Summary

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

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 Modification

No modification proposed.

Objector Ref 439y

Policy/site ref Policy 33

Summary

There should be a greater range of economic activities supported in the National Park in addition to tourism. Amended wording –

In para 1 replace ‘with’ with ‘or have’

In para 1 add ‘unreasonable’ before ‘adverse’

In para 2 change ‘and’ to ‘or’

In para 3 add ‘endeavour’ after ‘should’

In para 3 delete final sentence

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

Confirm the rest of the policy is to support tourism and the wording should not undermine the underlying aim of the policy.

Objector Ref 439z

Policy/site ref Policy 34

Summary

The policy is too prescriptive particularly where there is a need to find other economic activities than tourism. Amended wording –

In para 2 replace ‘will only’ with ‘may’

In para 2 add ‘particularly’ after ‘permitted’

CNPA analysis

The wording of the policy and the references made to an open space strategy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way.

Confirm wording secures replacement paths and access in line with access legislation.

Proposed Modification

No modification proposed as result of this objection.

Objector Ref 439zz

Policy/site ref Policy 35

Summary

If the Plan wishes to further develop tourism there may be a need for additional formal recreation facilities. The economic attributes of proposed facilities should be considered in balance with their environmental and cultural impact. Amended wording –

In a) add 'unreasonable' before 'adverse'

In b) delete this section

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory, provides users of the plan with an appropriate level of clarity, and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park. Any proposal for formal recreational facilities should also take into account the other policies in the plan, which include policies on tourism development and economic growth. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development.

Proposed Modification

Delete b) from policy

Objector Ref 439zzz

Policy/site ref Policy 36

Summary

The policy is too prescriptive and will result in no additional provision. Amended wording –

In para 1 – delete final sentence

In para 2 – delete 'only'

In a) replace 'and' with 'or'

CNPA analysis

The comments are noted, and the CNPA continue to work closely with the 4 Local Authorities to provide and support an appropriate level of recreational provision for communities across the Park. The policies have been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. However in light of the comments received, the wording will be reviewed to ensure that the aims of the policy are deliverable and will ensure that open space is supported across the Park. Confirm the commuted sum would be assessed under policy 20 developer contributions. Take wording out of policy and into implementation section.

Proposed Modification

No modification proposed as result of this objection .

Objector Ref 439zzzz

Policy/site ref Settlement Proposals

Summary

Support the approach to settlements, but concerned that previous economic development allocation in Kincaig has been removed. The wording of Kincaig should be amended to allow economic/business development within the boundary.

CNPA analysis

The comment regarding the draft plan allocations is noted, and the wording within the proposals for Kincaig will be amended to provide a suitable level of clarity and guidance, and allocate an appropriate amount of land to meet community aspirations while ensuring that the aims of the Park and the impact on the settlement are not adversely affected.

Proposed Modification

Throughout add land for economic growth to proposals maps.

Objector Ref Name Hamish Jack

440 Rhuarden
Seafield Avenue
Grantown on Spey
PH26 3FJ

Company

Policy/site ref Housing (additional land suggestion)

Summary

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

The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested.

Proposed Modification

no modifications proposed.

Objector Ref Name Aviemore Highland Resort Ltd

441 Aviemore
PH22 1PN

Agent G H Johnston Building Consultants

Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Aviemore Highland Resort Ltd

Policy/site ref Settlements - Aviemore

Summary

AHR are concerned over a number of allocations and development proposals within Aviemore and suggest a number of modifications to the wording:

- H1 – the boundary should be modified to reflect the current Tulloch Homes layout proposal;
- C2 – delete together with OSI south west of the Four Seasons Hotel to allow AHR preferred development of mixed residential and business/office use, and relocation of the proposed park;

- OSI- AHR seeks to use this area for the provision of holiday lodges, with associated leisure facilities. The allocation as open space should be removed

- ED3 should be extended to incorporate C2 and OSI plus land to the south, east and north of the Four Seasons Hotel (towards the Academy Hotel), the supermarket site and land lying between the northern access road and the Aviemore Bum.

Suggested amended wording for ED3 –

‘Aviemore Highland Resort will continue to develop and enhance its facilities. Links/access with the general community area, the provision of a public park and integration with existing woodland will be considered in the context of the Core Paths Plan and the revised Urban Design Strategy and Resort Master Plan. The opportunity also exists to expand the village centre through the development of a new supermarket, specialist retailing, business/office space and higher density housing in the north eastern area. Part of the land site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will therefore be required to accompany any development proposals for this site.’

CNPA analysis

The comments regarding land allocations within AHR ownership are noted. The wording and boundaries of these proposals will be reviewed in light of the ongoing work on the Aviemore Masterplan and the outstanding planning applications for the site. Where permissions are granted prior to adoption this will be reflected in the proposals maps. Where this is not the case the impact of the Masterplan for the village as a whole will be used to ensure that a co-ordinated approach is taken to guide future development in the village. CNPA will continue to work closely with AHR to ensure an approach is taken which is acceptable to all parties.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps.

Objector Ref Name Simon Blackett

442a The Estate Office
 4 The Keiloch
 Braemar
 A835 51W

Company Invercauld Estate

Policy/site ref Settlements - Ballater H I

Summary

Greater flexibility should be included within H I to provide for future growth and incorporate the re-modelling of the Games Park and associated parking.

CNPA analysis

The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince’s Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site.

Proposed Modification

Include para in intro to Cpt 7 7.4 to promote mixed development to promote sustainable communities.

Amend HI to reduce the allocated land making provision for parking.

Amend text to HI to reflect Princes Foundation and need for sustainable communities.

Objector Ref 442b

Policy/site ref Settlements - Braemar

Summary

In Braemar consideration should be given to allocating the former ambulance station site for industrial units. A small area of housing or industrial units could also be developed west of Balnellan Place. Also land north east of Invercauld Hotel could be used for housing.

CNPA analysis

The comment is noted, and the plan aims to provide adequate development land to meet the economic aspirations of the community. In line with this the proposed site will be assessed and a review made to the proposals map in accordance with the findings of this work. Confirm consider that appropriate amount of land allocated for housing.

Proposed Modification

Include additional land for economic growth.

Objector Ref 442c

Policy/site ref Housing Table 3

Summary

Does the allocation in Table 3 for either the 5 or 10 year period provide adequate development to fund the necessary infrastructure and affordable housing.

CNPA analysis

Clarify the timescales in table 3. confirm continued work with infrastructure providers to build sufficient capacity to meet demand.

Proposed Modification

Modify table 3 to clarify timescales.

Objector Ref 442d

Policy/site ref Policy 24

Summary

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

CNPA analysis

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

Proposed 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.

Objector Ref 442e

Policy/site ref Policy 14

Summary

Provision must be included to allow the re-opening of former quarries where a local need can be identified and is economically viable. Any requirement to use local stone may impact on the overall cost of the development and the provision of affordable housing.

CNPA analysis

The issue of local materials for local use particularly in conservation and restoration projects is an interesting one and the wording of the policy will be reviewed to ensure appropriate provision is made for such extraction.

Proposed Modification

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 442f

Policy/site ref Policy 33

Summary

Well designed chalets, using local materials and based upon the local vernacular, which reflect the Plan's wider objective on design, countryside access and sustainability, should be considered compliant Tourism developments.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm that such developments would be considered on their merits under this policy.

Proposed Modification

No modification proposed.

Objector Ref Name North East Mountain Trust

443a Burnhead Farmhouse

Raemoir

Banchory

AB31 4EB

Company North East Mountain Trust

Policy/site ref General - Links to other plans

Summary

The wording of some policies needs to be strengthened if they are to be effective. Within the broader context of the Plan there is a need to take more cognisance of other international conventions etc, including the European Landscape Convention and the UK Biodiversity Action Plan (1994).

Other broader issues that need taken into account include Climate Change and the carbon footprint of developments.

It is also essential that careful note is taken of the insights derived from research into tourism development in other areas, such as the Alps and actual experience of such development, currently lacking.

CNPA analysis

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. A review of the Introduction and Context sections is necessary to clarify and refine the vision for the Plan and set out clearly the strategic background to the policies drafted. Similarly further clarification is needed in the introduction section to each Chapter to state clearly the justification for the approach taken and the aspirations sought as a result of implementation of the policies. Reference to current successes should also be included where relevant.

Proposed Modification

Modifications in policies 18 and 19 to clarify issue of climate change and carbon footprints.

2.1 - 2.3 expand national context to clarify national importance of park designation and lessons to be learned from other NPs in UK and abroad

2.11-2.13 add reference to international conventions and UK Biodiversity Action Plan.

Objector Ref 443b

Policy/site ref Policy 01-06

Summary

Support comments on policies 1-6 made by the Mountaineering Council of Scotland, particularly with regard to the need of safeguarding against the incremental accumulation of impacts. A particular problem that is increasingly evident is the current inadequacy of data available on sites such as ancient and semi ancient woodland on which to base decisions. The plan should explicitly take cognisance of this.

CNPA analysis

The limitations of the data sets are noted and the text will be amended to adequately reflect this.

Proposed Modification

No modification proposed as a result of representation.

Objector Ref 443c

Policy/site ref Policy 07

Summary

Policies should be included to ensure the protection of wild land and hill tracks, in line with comments made on the draft plan. Even within Policy 7 the wording should be strengthened if protection of wild areas is to be effective. Previous comment regarding the removal of permitted development rights have also been ignored and the section removed. This should be reinstated.

CNPA analysis

The policies within the plan have been devised to sit together, and all 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, it is not considered necessary to include separate policies for developments such as hill tracks. The wording of Policy 7 will however be reviewed to ensure that modifications clarify the position between development opportunities and the protection of the special qualities of the area as identified as a National Park. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested

parties. The further comment regarding permitted developments is also noted. This is a function which can be instigated by the Planning Authority in regard to particular developments, and does not require a local plan policy to do it. There is not therefore a need for an additional policy to cover such planning function.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 443d

Policy/site ref Policy 09

Summary

Military roads are of particular significance in the Park and have recently been eliminated in at least one site in the Park, being unscheduled. A particular mention should therefore be made of these.

CNPA analysis

The comment is noted. Further clarification on sites at particular risk will be added to the supporting text.

Proposed Modification

Policy 12 add military roads to para 4.69.

Add para 4.71 to highlight that where sites are identified through development process CNPA will endeavour to list/schedule where appropriate.

Objector Ref 443e

Policy/site ref Policy 11

Summary

Particular mention should be made of the planned villages within the park as an almost uniquely Scottish cultural feature reflecting key historical movement such as the lowland clearances. There seems to be no policy aimed at improving the reverse of such attractive settlements.

CNPA analysis

Conservation Areas are marked on the Proposals Maps. In regard to suggesting areas warranting additional protection, policies 11 and 18 in particular together with the other policies of the plan which must be considered collectively for all development proposals provide an appropriate level of protection and promotion of good quality new design. Also of relevance is policy 12 regarding local cultural heritage. No modification considered necessary as a result of this representation.

Proposed Modification

4.63 add role of highland settlements.

Objector Ref 443f

Policy/site ref Housing (land supply)

Summary

The approach to housing is incompatible with the 1st, 2nd and 4th aims of the Park. Particularly concerning is the focus on holiday homes in table 2. Affordable housing should be the key focus to

housing provision to ensure sustainable communities. The scale of land allocated will also affect the natural resources of the Park, examples of which can be seen across the Park. Also this level of development is unacceptable in terms of its contribution towards climate change.

CNPA analysis

The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims.

Proposed Modification

No modifications proposed.

Objector Ref 443g

Policy/site ref Policy 33-36

Summary

Support policies 33, 34, 35 and 36

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref Name Gregor MacKenzie

444

Owl Wood

Grantown-on-Spey

Morayshire

PH26 3HW

Policy/site ref Settlements - Grantown on Spey HI

Summary

Is there a real need for the level of house building proposed for villages in the park and in particular for Grantown-on-Spey. Surely this level of development is contrary to the aims of the Park. The plan emphasises the importance of sustainable communities providing affordable housing for those who live and work in the Park. The allocations stated in tables 3 and 4 the level of development proposed over 15-20 years would be sustainable and could be provided by local building firms, however the proposal (page 66) for HI and the current planning application for the site which suggests the total allocation to be provided in the next 5 years. This will be regardless of the need for new houses identified for the town, and the fact that there is insufficient infrastructure to support them.

Of further concern is the change in the allocation of a stretch of land previously allocated as open space but which is now included in the area for development (map included). This land is part of the wetland and would be inappropriate as building land. Any attempt to drain this land would affect the whole of the Moss and its special habitat. Finally the access to the site is inadequate, due to the narrowness of the land and Mossie Road.

CNPA analysis

This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of

this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name Goldcrest (Highland) Ltd
445a

Agent Ryden LLP
25 Albyn Place
Aberdeen
AB10 1YL

Company Goldcrest (Highland) Ltd

Policy/site ref Housing (land supply)

Summary

Currently within Nethy Bridge no additional land has been allocated for housing development, other than that already with planning consent. To ensure an effective 5 year supply, land should therefore be allocated to meet the need. Para 5.37 acknowledges that there is no exact measure of how many houses will be required for the future, nor is there an accurate method of predicting how many houses will be built during the lifetime of the Local Plan. The CNPA has therefore simply estimating the likely need and demand for additional houses. The Park Plan highlights the lack of access to good quality housing by many communities and identifies the need for affordable housing provision as a priority for implementation. Population estimates also indicate a significant population and growth over the next few years. Without sufficient zoning of land for housing, supply would be further stifled, driving up demand further, for example Nethy Bridge which has no sites are identified for future housing. To increase the supply of new housing in the Park area and the efficient flexibility is built in to allow for uncertainty to accommodate the highest growth scenario the figures in Table 2 should be increased substantially and additional sites should be identified for residential development in Nethy Bridge.

Table 2 should therefore be amended to allow for additional flexibility, and table 3 amended to make provision for additional units at Nethy Bridge. Table 4 should be amended accordingly.

CNPA analysis

Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan allocates sufficient land for housing development, and there is no need therefore to include additional land such as that suggested.

Proposed Modification

No modifications proposed.

Objector Ref 445b

Policy/site ref Settlements - Nethy Bridge Boundary

Summary

In line with the justification to amend the allocation of land for housing, additional land should be included (map included) within the settlement boundary of Nethy Bridge and identified for residential development. The site is adjacent to the settlement boundary, and a number of site attributes are listed in support of the proposed modification.

The plan should therefore be amended to include the land identified and allocate it for residential development

CNPA analysis

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Proposed Modification

No modification proposed.

Objector Ref 445c

Policy/site ref Settlements - Grantown on Spey HI

Summary

If the plan does not accept that there is a need for additional land to be identified, the objector is of the view that there is an over allocation made within the Plan within Grantown on Spey. The scale of development will do nothing to sustain other smaller settlements in the area. The site HI should be reduced and additional land identified in Nethy Bridge to help sustain this settlement where there is currently no additional land allocated.

CNPA analysis

This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised. Confirm that land is allocated across the Park to meet demand and provide choice. It must also meet facilities and ensure sustainable growth.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref Name Rothiemurchus Estate

446a

Estate Office

Aviemore

Inverness-shire

PH22 IQH

Agent Howard Brindley Consulting

26 Holm Park

Inverness

IV2 4XT

Company Rothiemurchus Estate

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 446b

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref 446c

Policy/site ref Settlements - An Camas Mor

Summary

The concept of a new community at An Camas Mor has existed since 1988 and as a result of its inclusion in the Badenoch and Strathspey Local Plan screen planting to provide the new community with a woodland setting was commenced in 1995. Work will begin shortly on the EIA of the

Indicative Land Use Plan and in drawing up the work schedule, it is noted that the indicative Settlement Boundary (page 65) covers an area that is smaller than that in the Badenoch and Strathspey Local Plan 1997. It is appreciated that this new boundary follows the line of the proposed built up area shown in the Estate's Indicative Land Use Plan. However this line may change as the Indicative Plan is worked up into a more detailed Master Plan. It also excludes key areas that are vital to the woodland setting of the new community. The plan should therefore be extended to allow for flexibility and the woodland setting, and this boundary should be agreed in discussion with the Estate's team and the Park's officials during the Deposit Plan's consultation process. Also the map in the Local Plan does not indicate desire lines for the access links to the new community site from Aviemore both for vehicles and pedestrians and cyclists, or any policy for the land between the new community boundary and the River Spey. Again these are vital to the effectiveness of the new community.

CNPA analysis

The comments regarding the settlement are noted, and the boundary of the area will be reviewed in light of these comments, to assess the potential impacts which may result. The supporting text to the settlement will also be reviewed to ensure an appropriate level of clarity is included to explain those forms of development which are expected within and outwith the boundary.

Proposed Modification

Amend boundary to reflect 1997 boundary.

Add detail to clarify access arrangements.

Objector Ref Name Scottish and Southern Energy Plc **Agent** Jones Lang Lasalle
447a
7 Exchange Crescent
Conference Square
Edinburgh
EH3 8LL

Company Scottish and Southern Energy Plc

Policy/site ref Policy 01

Summary

Parts a) and b) of the policy generally replicate the policy tests set out at para 25 of NPPG 14, with the exception of the first part of (a) which uses the term "aims of the Park" rather than NPPG 14's "objectives of designation". However there is no cross-reference or acknowledgement to NPPG 14. Both the policy and NPPG 14 provide two means by which development may be permitted. However, part b) of the policy goes further and provides a third element to the test which is not contained within NPPG 14. The policy is therefore over-restrictive and in conflict with the para 25 test in NPPG 14.

This third element can be considered to be within part b) of the policy where it is stated that development will be permitted where it has been demonstrated that the development "will be mitigated to the satisfaction of the Planning Authority by the enhancement of qualities or features of equal importance to the National Park". This part of the policy is not appropriate, it gives no clear guidance for developers since it is predicated upon the significance of adverse effects on special qualities, while there is no definition given of these special qualities. There is no clarification of "features of equal importance". Also the policy does not allow for a situation where a particular project could have satisfactory mitigation built into it to make it acceptable in planning terms, and, where there may not be a particular "feature" to enhance. Details analysis is given in the submission on the requirements of PAN 49 in terms of local plan preparation and policy development. The policy does not accord with this plan or its objectives in terms of being:

- "realistic" — references in policies such as policies 4, 3 and 18 do not represent realistic policy

objectives as they contain requirements for developers to provide and / or enhance features of equal importance which a developer may not have the power to deliver.

- “practical” - a number of the draft policies have been highlighted which are not particularly practical and which are not easily understood.
- “clear”- national planning advice states that “clarity is essential” and the most effective Local Plans will be those which convey their policies without ambiguity.

In terms of the requirement for the policy to always be clear (para 52 PAN 49) the policy does not meet this.

CNPA analysis

The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 447b

Policy/site ref Policy 03

Summary

Part b) is not needed if a) is met. The exceptional circumstances considered in b) are vague as there is no definition of the ‘special qualities’, and how could mitigation be achieved by “qualities of equal importance” if there is no initial definition of the qualities. Also this requirement is in addition to those of NPPG14.

CNPA analysis

The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPPI. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly. Reference will also be included as to the links between the local plan policy and national planning guidance.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 447c

Policy/site ref Policy 04

Summary

Within the wording development will only be permitted where it meets one of two tests. The 1st relates to the protection of the overall integrity. The 2nd allows for this to be outweighed by social or economic benefits of importance to the aims of the Park. This is inconsistent with policy I. b) also requires mitigation providing “features of equal importance”, but there is no guidance as to how this might be done (contrary to PAN 49).

CNPA analysis

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. The wording will also 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 Modification

Delete section of b) 'outweighed by social or economic benefit of importance to the aims of the CNP and are'.

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'.

Objector Ref 447d

Policy/site ref Policy 07

Summary

Part (a) allows for adverse effects to be outweighed by social or economic benefits, but it states that these have to be of primary importance to the aims of the Park. This is overly restrictive and conflicts with b) in policy 1 which allows for adverse effects on the qualities for which the Park has been designated to be outweighed by social or economic benefits of 'national importance'. Without a definition of the special qualities of the park, make it impossible to take them into consideration when designing a project. As this policy does not help to direct development to acceptable sites the policy is therefore contrary to SPP1 (clear guidance). Further it is not reasonable to expect mitigation of any adverse effect. Reference should be made to 'significant' adverse effects.

CNPA analysis

In modifying the plan in the future checks and cross referencing will continue to ensure that the policies both within themselves, and when compared against each other, are not contradictory, and are clear, understandable and provide the appropriate level of detail for developers. The wording of the policy will also be reviewed to ensure that it is in compliance with national guidance and the terminology is reasonable and will deliver the original aims of the policy.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 447e

Policy/site ref Policy 16

Summary

The plan nor this policy make any provision for medium or large scale projects despite acknowledgement of the importance in making efforts to slow climate change. No reference is made to Highland Council's Renewable Energy Strategy (HRES), which included the Park in its consideration. Also reference should be made to SPP6 para 40 regarding suitable areas of search. Is there therefore any justification for the prohibition against medium and large scale developments? This seems contrary to national planning policy (see para 39 of SPP6) and to the commitment of Scottish ministers to renewable energy.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove 'small scale' and 'micro' in line with comment.

Objector Ref 447f

Policy/site ref Policy 17

Summary

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

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 Modification

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

Objector Ref 447g

Policy/site ref Policy 18

Summary

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

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 Modification

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

Objector Ref 447h

Policy/site ref Policy 19

Summary

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

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 I 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 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.

Objector Ref 447i

Policy/site ref Policy 30

Summary

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

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 Modification

Change wording to 'development proposals'.

Objector Ref 447j

Policy/site ref General - Links to other plans

Summary

The concluding submission refers to the need to comply with SPP1, and the requirement of the plan to include specific locational guidance for development, and also define the special qualities including spatial guidance to support this.

CNPA analysis

The comment is noted. Modifications within the Context section will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including national planning guidance. Further cross reference to the requirements of the SPP series will be made to ensure the Plan complies with the latest Scottish Government thinking.

Proposed Modification

Include better link in introduction to the special qualities stated in the National Park Plan. Include additional detail on sites and settlements for clarity. Throughout include reference to national guidance where appropriate.

Objector Ref Name The Cairngorms Campaign

448a PO Box 10037
Alford
AB33 BWZ

Company The Cairngorms Campaign

Policy/site ref General - Natural Heritage

Summary

The plan should also take cognisance of other international conventions including the European Landscape Convention and the UK Biodiversity Action Plan (1994). It should also take full account of climate change and the carbon footprint of developments. The plan should also take better notice of others actual experience, such as tourism development in the Alps.

CNPA analysis

The comment is noted. Modifications within the Context section will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including international standards, conventions and commitments, and the National Park Act, and reference will added to other best practices as appropriate

Proposed Modification

Modify policies 18 and 19 to clarify situation regarding climate change and carbon emissions.

2.1-2.3 add reference to national importance of park designation and lessons to be learned from other NPs in UK and abroad, and add reference to international conventions and UK Biodiversity Action Plan.

Objector Ref 448b

Policy/site ref Policy 01-07

Summary

Support the Mountaineering Council of Scotland comments on policies 1-6, particularly with regard to the need of safeguarding against the incremental accumulation of impacts. A particular problem that is increasingly evident is the current inadequacy of data available on such sites on which to base decisions. The plan should explicitly take cognisance of this.

CNPA analysis

The limitations of the data sets are noted and the text will be amended to adequately reflect this.

Proposed Modification

No modification proposed as a result of representation.

Objector Ref 448c

Policy/site ref Policy 07

Summary

The previous policy regarding hill tracks should be reinstated to protect wild land. The policy regarding landscape would not adequately protect such areas. The previous proposal regarding the removal of permitted development rights should also be reinstated.

CNPA analysis

The policies within the plan have been devised to sit together, and all 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, it is not considered necessary to include separate policies for developments such as hill tracks. The wording of Policy 7 will however be reviewed to ensure that modifications clarify the position between development opportunities and the protection of the special qualities of the area as identified as a National Park. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The further comment regarding permitted developments is also noted. This is a function which can be instigated by the Planning Authority in regard to particular developments, and does not require a local plan policy to do it. There is not therefore a need for an additional policy to cover such planning function.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 448d

Policy/site ref Policy 09

Summary

Support this policy, but feel that military roads should be specifically mentioned

CNPA analysis

The comment is noted. Further clarification on sites at particular risk will be added to the supporting text.

Proposed Modification

Policy 12 add military roads to para 4.69.

Add para 4.71 to highlight that where sites are identified through development process CNPA will endeavour to list/schedule where appropriate.

Objector Ref 448e

Policy/site ref Policy 11

Summary

Planned villages particular to this region should be particularly mentioned. There should also be a policy on how to improve small settlements which have seen inappropriate development in recent years.

CNPA analysis

Conservation Areas are marked on the Proposals Maps. In regard to suggesting areas warranting additional protection, policies 11 and 18 in particular together with the other policies of the plan which must be considered collectively for all development proposals provide an appropriate level of protection and promotion of good quality new design. Also of relevance is policy 12 regarding local cultural heritage. No modification considered necessary as a result of this representation.

Proposed Modification

4.63 add role of highland settlements.

Objector Ref 448f

Policy/site ref Housing (land supply)

Summary

The approach is incompatible with the 1st, 2nd and 4th aims of the park. The approach seems to focus heavily on the provision of housing for holiday homes (table 2) which add little to the economy or the sense of community, whereas it should be focused on providing housing for local people. Also the scale of development proposed will have an adverse impact on the natural resources of the Park, eg semi natural woodlands and water resources. Finally the carbon footprint of such an approach is totally inappropriate.

CNPA analysis

The supply of housing land is based on studies undertaken to assess need and methods of provision in particular affordable housing. The policies regarding housing do however have to be read together with all the other policies of the plan, and the aims of the Park, and development will not therefore occur to the detriment of the natural resources of the Park or undermine its aims.

Proposed Modification

Amend table 2 to clarify position of sectors of the market not controlled by the planning system.

Objector Ref 448g

Policy/site ref Policy 33-36

Summary

Support policies 33,34,35,36

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref Name Strathspey Railway Co Ltd

449

Aviemore Station

Dalfaber Road

Aviemore

PH22 1PY

Agent Mr J Partridge

Elsfleth

Kincraig

PH21 1QA

Company Strathspey Railway Co Ltd

Policy/site ref Policy 34

Summary

The core path plan should not include any path across or on the trackbed. The proposals maps should be amended accordingly.

CNPA analysis

The proposals maps included proposed core paths which were, at the time under consultation through the core path planning process. The finalised core paths will be included within the local plan maps for information only, and any comments regarding their route must be considered under the core path planning process. The issue has already been raised by the representative with staff within CNPA. Confirm that core paths were added to proposals map for info only, and are the subject of a separate legal process to get adopted. Once the core path plan is adopted the routes will be added to the local plan proposals maps for info only and can not be amended through it

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref Name Speyburn Homes Ltd

450

Agent MBM Planning & Development

Algo Business Centre

Glen Earn Road

Perth

PH2 0NJ

Company Speyburn Homes Ltd

Policy/site ref Settlements - Nethy Bridge

Summary

Land marked on the attached plan should form part of the settlement boundary of Nethy Bridge and be allocated for housing development consistent with the way H2 and ED1 have been identified in the Plan.

CNPA analysis

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Proposed Modification

No modification proposed.

Objector Ref Name David Thomas Lapsley
451 03 Ardlui 19 Braichlie Road
Ballater
AB35 5QR

Company

Policy/site ref Settlements - Ballater

Summary

Additional land should be allocated within Ballater for a new playing field and running track together with associated facilities.

CNPA analysis

The comment is noted, and in the work ongoing with the Princes Foundation, it is hoped to include additional detail within the Proposals map to identify the need for key services and recreational provisions. Work will also continue with the Local Authority to highlight issues such as this raised in the local plan process.

Proposed Modification

Include reference to need for recreational land within masterplan for HI

Objector Ref Name Dominic Fairlie
452a Scotia Homes Ltd
23 Bridge Street
Ellon
AB41 9AA

Company Scotia Homes Ltd

Policy/site ref Housing (land supply)

Summary

The Plan seems to wish to avoid the word 'zoning' throughout except in para 5.37. The term 'zone' has resulted in exactly the blandness across Scotland, which the plan is trying to avoid. The wording should therefore be modified to delete the term and rephrased to imply that housing should be provided as part of a mix of development and uses. Replace the word with 'provide'.

CNPA analysis

The policies of the plan endeavour to provide a balanced approach to land allocation and services to support this, including creating the correct level of opportunities for employment. 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 and also to the work undertaken in Ballater by the Princes Foundation relating to sustainable communities

Proposed Modification

5.35 amend to reflect comment

5.38 clarify figures in table 2.

Objector Ref 452b

Policy/site ref Settlements - Ballater HI

Summary

The plan should reflect the work done by the Princes Foundation for Ballater. The wording for HI should relate to development land rather than specifically housing, thus enabling a mixed use development to take place. The wording should be changed from 'housing' to 'mixed use development'.

CNPA analysis

The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm CNPA are keen to work with Princes Foundation to secure good quality development.

Proposed Modification

Include para in intro to Cpt 7 t7.4 o promote mixed development to promote sustainable communities.

Amend HI to reduce the allocated land making provision for parking.

Amend text to HI to reflect Princes Foundation and need for sustainable communities.

Objector Ref 452c

Policy/site ref Settlement Proposals

Summary

The layout of the whole chapter tends to imply zoning and not mixed uses, and should be amended to reflect the general nature of the development rather than specific types of development.

CNPA analysis

The comments regarding land use allocations is noted and an alternative way to promoting mixed use within settlements would be an interesting option to explore. Consideration to how this could be addressed in proposals maps and text will therefore be explored and amendments made accordingly.

Proposed Modification

Include para 7.4 in intro to cpt re mixed uses on site, and need to promote sustainable communities.

Objector Ref 452d

Policy/site ref Policy 24

Summary

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

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

for the approach.

Proposed 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.

Objector Ref 452e

Policy/site ref Policy 24

Summary

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

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

Proposed Modification

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

Objector Ref 452f

Policy/site ref Policy 24

Summary

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

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 Modification

No modification proposed as result of this objection.

Objector Ref 452g

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 452h

Policy/site ref Housing Table 4

Summary

The plan should be less prescriptive in terms of the housing capacity for development in Ballater, to take into account the work done by the Princes Foundation, which tries to balance good design, a mix of tenures, affordable housing and use of local materials. The proposed allocation in table 4 of 90 units in 0-5 years is probably too small for the development to be viable. It is not possible to be precise (yet) as to the amount of development that may be required, but it would appear that the desire for a well designed place and the high percentage of affordable housing will make a successful development difficult to deliver with essentially only 45 open market, relatively small, houses in the first 5 years of the plan. The table and the approach needs to be amended to become more flexible.

CNPA analysis

The figures in table 4 are indicative. Options to vary from these will therefore be considered where appropriate.

Proposed Modification

Table 4 add clarification that figures are indicative.

Objector Ref Name Glenmore Properties Ltd

453a

Viewfield Farm

Craigellachie

Aberlour

AB38 9QT

Agent Steve Crawford

Halliday Fraser Munro

8 Victoria Street

Aberdeen

AB10 1XB

Company Glenmore Properties Ltd

Policy/site ref Policy 01

Summary

The policy should be amended to reflect the full aims of the Park set out in the National Parks (Scotland) Act 2000. These clearly relate to economic and social development. The wording of this policy should not only aim to protect, but also allow for controlled growth and sustainable development to form part of the Park aims. The wording should therefore be amended to reflect the aims in full.

CNPA analysis

The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 453b

Policy/site ref Housing Tables 2-4

Summary

The calculations provided in table 2 seem to be based on a very low growth scenario, a low flexibility percentage 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. The allocations should therefore be increased and the assumptions/background information made available to allow for a fuller debate.

CNPA analysis

The figures are based on studies undertaken by consultants which are available on line for information. The view is maintained that sufficient land is included to meet this need, and no additional land is therefore required.

Proposed Modification

No modification proposed.

Objector Ref 453c

Policy/site ref Policy 04

Summary

The wording makes it difficult to determine what the rounds of “social or economic benefits of importance to the Cairngorms National Park” are. These should be clarified in more detail to ensure consistency.

CNPA analysis

The comment is noted. Modifications will endeavour to clarify an appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Delete section of b) 'outweighed by social or economic benefit of importance to the aims of the CNP and are'.

Objector Ref 453d

Policy/site ref Policy 07

Summary

The policy introduces another undefined term - “economic benefits of primary importance to the aims of the National Park”. Clarity is needed to ensure consistency of decision making across the CNPA and 4 Local Authorities. In the background text the wording is too heavily focused on wild land, although much of the Park is characterised with man made elements. The fact that conservation and appropriate developments are not mutually exclusive should be recognised in the text.

CNPA analysis

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 comment is noted. Modifications will endeavour to clarify an appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 453e

Policy/site ref Policy 11

Summary

Any conservation area appraisal or management plan must be subject to wide consultation and their requirements should not make the requirements for new development too onerous.

CNPA analysis

The preparation of conservation area appraisals and management plans will be carried out in conjunction with the 4 local authorities, and will undergo public consultation in the normal way. No modification considered necessary as a result of this representation.

Proposed Modification

Include in para 4.67 need for CA appraisals or management plans to undergo consultation.

Objector Ref 453f

Policy/site ref Policy 14

Summary

The wording suggests that any extraction, processing or recycling developments will only be acceptable if there is a market within the Park, where there are social or economic benefits or there no suitable alternative exists. Surely the use of existing facilities must be better than creating new ones elsewhere. Extensions should therefore be possible even where the market is not wholly within the park. The wording should be amended to reflect this.

CNPA analysis

The policy will be reviewed to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text. The wording will also be reviewed to ensure it is clear, and supported by the necessary detail to allow assessment and implementation by users. The issue of local materials for local use particularly in conservation and restoration projects is also an interesting issue and the wording of the policy will be reviewed to ensure appropriate provision is made for such extraction.

Proposed Modification

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 453g

Policy/site ref Policy 19

Summary

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

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 Modification

Reinforce wording on circular and guidance in para 5.17.

Objector Ref 453h

Policy/site ref Policy 20

Summary

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 be 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

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 Modification

Amend b) to refer to sequential test for locational guidance.

In supporting text clarify role of economic growth in achieving national park aims.

Objector Ref 453i

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 453j

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref 453k

Policy/site ref Policy 25

Summary

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

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 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'

Objector Ref 453l

Policy/site ref Policy 26

Summary

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

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.

Proposed 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.

Objector Ref 453m

Policy/site ref Policy 27

Summary

Clarification is needed on a) 'commercial or economic future'.

CNPA analysis

The comment is noted and additional clarification will be included within the supporting text and policy.

Proposed Modification

In revised policy 29 implementation - Include para to clarify the need for a full justification on the lack of any economic future

Objector Ref 453n

Policy/site ref Policy 28

Summary

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

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 Modification

Amend a) to include structurally unsound or incapable of rehabilitation.

Objector Ref 453o

Policy/site ref Policy 33

Summary

The wording of the policy is slightly at odds with Policy I which allows for developments that impact on the environment and landscape where the economic impacts outweigh the environmental impacts. This policy should have a similar balanced approach.

CNPA analysis

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. Confirm all policies should be read together - and that the amended policy I should be complied with as well as policy 33.

Proposed Modification

No modification proposed.

Objector Ref 453p

Policy/site ref Policy 35

Summary

The wording of the policy contradicts itself. Para b) requires that the total footprint remains the same but this cannot be if the proposal is an extension or additional recreational facility. Part c) is superfluous, demand and supply of such facilities is a complex process and developing new facilities e.g. children's play barns, can create the demand. The wording should therefore be amended to ensure it does not stand in the way of new recreational facilities.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Proposed Modification

Delete b) from policy

Objector Ref 453q

Policy/site ref Settlements - Cromdale

Summary

To reflect current planning consents, the land to the east of H2 should be included within its boundary (permission for 14 houses). The wording should reflect the larger consolidated site and allocate additional housing numbers. The wording throughout should make clear that site capacities are indicative and will only be determined at the time of any planning application.

CNPA analysis

The proposals maps will be reviewed in light of the comments received to provide the most accurate level of detail and guidance, including reference to extant planning permissions. The wording in support of such proposal sites will be amended to reflect more accurately the position. The comments regarding capacity are also noted, and further clarity will be included to explain this position.

Proposed Modification

Include sites with extant permissions will be included in settlement boundaries and supporting text amended accordingly. Amend table 4 to confirm that site numbers are indicative

Objector Ref 453r

Policy/site ref Settlements omissions Balmenach

Summary

Balmenach should be identified as a settlement and land allocated for housing to the north.

CNPA analysis

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 Modification

Include para 7.5 to confirm the policies changes for development outwith settlements

Objector Ref Name Ogilvie-Grant Estate
454 Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Jill Paterson
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Seafield Estate

Policy/site ref Settlements - Boat of Garten HI

Summary

Support the allocation but the capacity should be increased to 80 units.

CNPA analysis

The comment is noted. An appropriate assessment will be undertaken for this site in line with the relevant legislation in regard to the natural heritage interests on the site. Any amendment to the capacity will be made after this assessment is carried out, and informs the modification process. Confirm where the housing figures come from, and the demand for affordable homes in Boat. Also confirm allocation is to be phased for the future growth of the village.

Proposed Modification

No modification proposed.

Objector Ref Name Seafield Estate
455a Seafield Estate Office
Cullen
Buckie
Banffshire

Agent Jill Paterson
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Seafield Estate

Policy/site ref Settlements - Boat of Garten

Summary

Land south of Deishar Road should be allocated for 15-20 housing units, to provide a logical extension to the settlement. The land was previously included as an allocation.

CNPA analysis

The allocated sites within Boat of Garten will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated in the plan for housing and any alternative suggestions will be considered in a review of this plan.

Proposed Modification

No modification proposed.

Objector Ref 455b

Policy/site ref Settlements - Dulnain Bridge

Summary

Land at Dulnain Bridge should be allocated for housing development as it forms a logical extension to the settlement and will help sustain existing rural services.

CNPA analysis

The allocated sites within Dulnain Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm plan contains sufficient land for housing but alternatives will be considered in future review of this plan.

Proposed Modification

No modification proposed.

Objector Ref	Reidhaven Estate	Agent	Jill Paterson
456a	Seafield Estate Office		Halliday Fraser Munro
	Cullen		8 Victoria Street
	Buckie		Aberdeen
	Banffshire		AB10 1XB

Company Reidhaven Estate

Policy/site ref Policy omission

Summary

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

The comment is noted and modifications will be included to clarify the position and provide an appropriate level of detail on this issue.

Proposed Modification

Add policy 22 regarding housing development within settlements.

Objector Ref 456b

Policy/site ref policy omission

Summary

Why was policy 39 of the Draft plan regarding the development of 8 houses off one road deleted? What is the current roads policy for such development?

CNPA analysis

The comment is noted but the issue is a technical one rather than a local planning one, and any requirements placed on planning applications by the Roads Authority can be added as planning conditions as necessary. It is not therefore considered necessary to have an additional policy to deal with this issue. Confirm impact of developments on roads will be assessed on application and in consultation with the relevant roads authority. CNPA staff will continue to work with partner local authorities to achieve consistency across the Park.

Proposed Modification

No modification proposed.

Objector Ref 456c

Policy/site ref Housing (land supply)

Summary

The underlying assumptions on which the housing strategy is based are not clear. The total household projection to 2016 seems based on a low growth scenario and does not take account of the 132 affordable houses. The allocation of units in table 4 in intermediate settlements shows little growth for the medium to long term. It is important that such settlements are supported to provide choice and support for existing services. New developments within the Park should be directed in a more balanced way to existing settlements rather than focusing on An Camas Mor. Also, is the number of units for the new settlement achievable in the projected timescales due to the need for infrastructure investment?

CNPA analysis

Place consultants work on line. Confirm therefore that sufficient land has been included within the Plan, and continue to work closely with the An Camas Mor team to ensure delivery of housing within the appropriate time scales.

Proposed Modification

No modifications proposed. .

Objector Ref 456d

Policy/site ref Policy 01

Summary

Para a) states that a proposal will be permitted if “any significant adverse effects on the qualities for which the Park has been designated are clearly outweighed by social or economic benefits of national importance...” How will this be defined in practice? Will the ‘national’ level of importance be used to prevent developments that might be of local importance such as schools? The policy should refer to the aims of the Park. The wording is overly restrictive and should be reworded to allow for controlled growth and sustainable development to form part of the Park aims.

The policy should be reworded to allow for a two tier approach identifying ‘Community Zones’ and ‘Conservation Zones’. The approach proposed by this policy would then apply to conservation zones, whereas a lesser threshold would apply in community zones. Alternatively a could apply to all development, b) to conservation zones requiring a national Importance test; and a new c) added to define community zones requiring a local importance test. The policy should also refer to the aims of the national park as defined in the National Parks (Scotland) Act 2000.

CNPA analysis

The comment is noted. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Modifications will also 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. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 456e

Policy/site ref Policy 19

Summary

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

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 Modification

Reinforce wording on circular and guidance.

Confirm role of community needs assessments.

Objector Ref 456f

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 456g

Policy/site ref Policy 24

Summary

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 RSLs 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

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

for the approach.

Proposed 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.

Objector Ref 456h

Policy/site ref Policy 26

Summary

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

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 SPPI.

Proposed 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.

Objector Ref 456i

Policy/site ref Policy 28

Summary

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

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 Modification

Amend a) to be structurally unsound or incapable of rehabilitation.

Objector Ref 456j

Policy/site ref Policy 36

Summary

Public and amenity open space are not defined in the glossary. There should be an expectation that such space is maintained as such, perhaps by the local authority. There is no standard or any commitment that any standard will be established in SPG. The section regarding 'loss of existing provision' is poorly worded as 'existing provision' is both nondescript and subjective. There is no advice or guidance on how to determine whether any piece of land is 'existing provision' or not. The issue of maintenance is not covered. It should be clear that the maintenance will not fall to the developer. The policy should be reworded to provide the necessary definitions and clarity.

CNPA analysis

The comments are noted and the wording of the policy will be revised to ensure that it is clear, deliverable and provides the appropriate level of guidance to developers in line with national guidance. Where the level of detail needed is inappropriate for the policy, a clear commitment to SPG will be included in the supporting text. In regard to issues of maintenance the CNPA will continue to work closely with the 4 local authorities to ensure that policies are appropriate and establish from the outset the expectations of the plan in regard to any particular development. Issue of management will be addressed on a case by case basis depending on the nature of the proposal.

Proposed Modification

Add definitions to glossary. Add better link to need for open space strategy.

Objector Ref 456k

Policy/site ref Settlements - Aviemore ED I

Summary

Support this allocation.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 456l

Policy/site ref Settlements - Aviemore ED2

Summary

Support this allocation, but wording should be extended to cover the use of the site for housing in the event that there is low take up of land for business.

CNPA analysis

The issue of possible mixed use on sites has been raised elsewhere in the Plan and the potential to consider this site for such development will be included in the review. However the plan does endeavour to include sufficient land for the provision of opportunities for employment and the identification of this site for housing development may result in this aim not being met. If there is no demand for business use the allocation can be reviewed in the next local plan (2011)

Proposed Modification

Include para 7.4 in intro to cpt re mixed uses on site, and need to promote sustainable communities.

Objector Ref 456m

Policy/site ref Settlements - Aviemore

Summary

The plan should make reference to extant planning permissions and any conditions attached to them. The plan should also indicate the required emergency access through H3 to the school.

AV/H2 – the capacity of this site should be amended to 20 units and expanded to the south as there are other opportunities for development within the clearings without impacting on the integrity of the area.

AV/H3 – the capacity should be amended to 110 units to meet demand in the area. The site should also be extended further west (as per enclosed plan) as this is an arbitrary boundary.

AV/OS1 – the allocation is too large. There is no basis for the designation as none of the site is designated for birch woodland interest. Any development for H2 will need to work within the existing woodland clearings and by reducing the OSI will provide greater opportunities to provide a development that integrates well with its setting and ensures the long term management of the trees. The future maintenance of this site is not addressed in the plan.

CNPA analysis

The sites referred to have outline consent extant, and amendments to the Plan will take specific note of the current position regarding detailed planning applications submitted and determined. Where applications are submitted prior to the determination of the CNPA local plan, and its role agreed as material in the consideration of applications, applications will continue to be assessed under the terms of the Highland Council Plan. Where possible the local plan will be used to influence the scale and design of future developments and ensure appropriate levels of affordable housing provision and open space are provided. In the case of sites within Aviemore the ruling of the Reporter will influence the allocations on the sites referred to, and further advice will also be sought from the Natural Heritage Section to ensure an appropriate level of development is secured. Confirm that additional land is not considered necessary as there is adequate land allocated to meet the need within the 5 year period of the plan.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps.

Objector Ref 456n

Policy/site ref Settlements - Boat of Garten HI, CI

Summary

The front section of CI should be considered for business use to meet a currently unmet demand for such use within the village. The remainder of the site should be retained for community use.

CNPA analysis

The comments are noted, and the site will be reviewed to consider the options for future development in addition to that allocated in the deposit plan. Further work is also needed to ensure that there is an appropriate level of land allocated to meet the development aspirations of the community in terms of economic growth, and to ensure that these are directed to the most appropriate sites. Work will continue with the Chamber of Commerce and business interests in the

community to ensure that future modifications provide for this.

Proposed Modification

Include reference in para 7.4 to support for mixed uses on site to support sustainable communities.

Include land at station for economic development.

Objector Ref 456o

Policy/site ref Settlements - Grantown on Spey HI, OSI

Summary

HI should be extended to include part of the area designated as open space. This area could be developed without impacting upon the existing fens and mires and protect the wetland area. OSI should be reduced accordingly. OSI should also be extended to the west to provide a suitable boundary between the residential development and caravan park.

CNPA analysis

This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined.

Objector Ref 456p

Policy/site ref Settlements - Grantown on Spey H2

Summary

The extent of H2 should be extended to the north and the capacity increased accordingly. Within this extended site the aspen trees could be protected from development. Whilst reference is made in the proposal to the use of the area by wading birds, the SEA considered that existing disturbance from surroundings properties and predation means the loss of the area would be of minor significance.

CNPA analysis

The allocated site H2 will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The site will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed the site, a review will be undertaken of the additional land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm sufficient land has been allocated for housing, but alternatives will be considered in future reviews of the Plan.

Proposed Modification

No modification proposed.

Objector Ref 456q

Policy/site ref Settlements - Grantown on Spey

Summary

The area to the west is currently used for forestry however is not protected and could be considered a suitable site for residential use. It offers scope in both the short and long term and should be allocated.

CNPA analysis

The allocated sites within Grantown on Spey will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm plan contains sufficient land for housing but alternatives will be consider in future review of this plan.

Proposed Modification

Confirm plan contains sufficient land for housing but alternatives will be consider in future review of this plan.

Objector Ref 456r

Policy/site ref Settlements - Nethy Bridge

Summary

There are additional development opportunities for growth in Nethy Bridge.

Former nursery to the South East – should be allocated for low density housing.

Duackbridge – should be allocated for housing as a logical extension to the village

CNPA analysis

The allocated sites within Nethybridge will be analysed in light of the comments received. This analysis will be linked to the need for development land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Proposed Modification

No modification proposed.

Objector Ref Name Reidhaven Estate
457 Seafeld Estate Office
Cullen
Buckie
AB56 4UW

Agent Roy Stirrat
Stirrat Planning Consultancy
39 Dalraddy Park
Alvie, Aviemore
PH22 1QB

Company Reidhaven Estate

Policy/site ref Policy 33

Summary

The plan should be amended to make provision for a tourist information and national park interpretative facility in line with a longstanding planning policy and support to such a provision

within the Park Plan. Supporting information is provided to justify the need for such a facility and to link the development to the policies in the Plan, PAN 73 and the Park Plan. The plan however does not contain a policy in support of the A9 nor Blackmount site. The site is outwith a settlement boundary but is close to Carr-bridge and will impact beneficially on the village as well as the Park. The site should therefore be specifically cited as a Proposal. It is also suggested that the importance of the A9 as key tourist artery, and of Blackmount as the northern gateway to the Park warrants specific mention in Section 6. Enjoying and Understanding the Park.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm that proposals such as the one mentioned will be considered on their merits, and judged against all policies in the Plan. A site has not been specifically identified as the Plan does not wish to hamper the selection of a site for any such development. The wording of the policy is therefore considered suitably supportive to assist in the development of the project if it comes forward.

Proposed Modification

No modification proposed.

Objector Ref Name D Scobbie

458 22 Seafield Court
 Grantown on Spey
 PH263LE

Company

Policy/site ref Housing (need)

Summary

There should be a presumption in favour of retaining local people in the area who appreciate the cultural heritage of the Park. The proposed level of housing will do nothing to support this and will destroy many of the Park's assets. What is driving the demand for the level of housing, there is little justification in the Plan. Where figures are specifically mentioned for the provision of affordable houses in settlements the indication is a level of 25% (eg carrbridge), which implies a level of 75% open market houses. Where are all these people going to come from, even allowing for a number of people within the area wishing to upgrade or move house. There seems to be some justification for the need for affordable homes but none on the remainder of the houses to be provided as open market development. The provision should not be for retirement/second/holiday/investment homes or homes for people commuting to Inverness, which add little to the economy. The level of construction proposed will result in the need for out of out-of-area contractors, again putting nothing back into the local economy. Increases in population will also attract chain and non local shops, again destroying the cultural heritage of the area. It will have an adverse impact on climate change despite other aims mentioned in the Plan. There is also an issue with infrastructure provision to support the level of construction, including water, waste, hospitals, schools etc. The intended levels of upgrade do not seem to match with the projected level of demand. Suggested modification – - the housing allocation should be reconsidered, with construction of affordable houses for local people given priority, provided at a level over 50% until demand has been fulfilled. Houses should be built by local builders. The actual demand for such affordable housing should be assessed accurately to ensure provision is made in the correct areas. Where developments exceed 50 houses,

developments should be staged over at least 5 years and should coincide with all essential infrastructure projects. Speculative building should be banned, and development should only be allowed where there is a demonstrable need. The cumulative impacts of the levels of development should also be assessed.

CNPA analysis

The figures for housing supply are based on studies commissioned by the Park Authority to support the local plan. The policies in the plan and the allocations for housing development are intended to redress the balance in house prices and the need for affordable housing across the Park. Whilst the asking prices for open market houses cannot be controlled by the CNPA the policies are designed to impact particularly on affordable homes, and provide choice for those in need of such accommodation. No modification considered necessary as a result of this representation.

Proposed Modification

Amend policy 21 to reflect findings of 3Dragons.

Objector Ref Name C P Group
459a

Agent Jules Hall
Indigio Planning Limited
36 Park Row
Leeds
LS1 5JL

Company C P Group

Policy/site ref Settlements - Nethy Bridge

Summary

The deposit plan should be consistent with SPP3, so as to provide residential development that creates mixed communities and caters for all sections of the housing market. Residential development opportunities should be welcomed on sites free from constraints, that satisfy other local plan policies, and close to settlements (where there is no available land within the settlement boundary). Further residential development opportunities in Nethybridge are highly constrained, and as such, the CP Group's site should be allocated for residential development. The requirement to provide affordable housing on all sites of 2 or more dwellings is too restrictive, and should be changed so that each individual site is considered on its merits. References to affordable housing in policy 26 should be removed, as affordable housing is dealt with in policy 24. Policy 26 is no consistent with SPP3 as it does not allow for a full range of housing to provide for a mixed community.

CNPA analysis

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated for housing in the plan.

Proposed Modification

Include para 7.5 to confirm position regarding housing outside settlement boundaries

Objector Ref 459b

Policy/site ref Settlements - Nethy Bridge

Summary

CP group maintains its representations made on 4 Feb 2005 and 10 Feb 2006. Policy I should be consistent with the National Parks Act and give equal weight to the four aims of the Park. In the absence of suitable and available land within Nethy Bridge for tourist facilities, CP Group's site just outside the settlement should be allocated for tourism development. The maps should be produced at a larger scale so as to clearly show the extent of nature conservation designations.

CNPA analysis

The comments regarding Policy I are noted, and a review of this policy will clarify the relationship of the aims of the park and the local plan. The proposal for tourist accommodation outwith the boundary of Nethy Bridge could be considered under policy 33 as the plan has not allocated sites for this kind of use. However modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. The land proposed will be assessed as part of this review.

Proposed Modification

Include para 7.5 to confirm position regarding tourist accommodation provided by policies, both within and outwith settlement boundaries.

Objector Ref Name	Davall Developments Ltd/Allan Munro Building Consultants Ltd	Agent	Gary Johnston
460	Myrtlefield House Grampian Road Aviemore	Willow House Stoneyfield Business Park Inverness IV2 7PA	

Company Davall Developments Ltd/Allan Munro Construction

Policy/site ref Settlements - Kingussie

Summary

Concern over lack of small housing sites identified in Kingussie, and loss of previously allocated sites. Concern there is too much reliance put on a single site (the large scale expansion area to the north east of the village). State that inclusion of a range of smaller sites in addition would help widen the market choice. 3 additional sites are suggested, including at St Vincents, a site which was identified as being suitable for development in the CNPA Landscape Capacity Assessment. Don't think the smaller sites are suitable for affordable housing, due to their scale and sloping nature. Question the viability of providing affordable housing on sites of less than 10 dwellings in the larger communities of the Park. Seeking 5 changes detailed on attached map. These include moving the settlement boundary north of west terrace and Ardvonie Road; allocating the following sites for housing (St Vincents, West of Ardvonie Road, and north east of Ardbroilach Road); include the land north of Ardchoile, West Terrace as a site for housing; add a new OS3 to include woodland areas at West Terrace and St Vincents, and safeguard this as woodland / open space with the potential to become a community woodland; and indicate existing footpaths in the village. Please note the allocations being suggested as smaller than the currently allocated sites in the Badenoch and Strathspey local plan. The village expansion area at Pitmain, north of Dunbarry Road, should provide for a viable affordable housing development, if the proportion of affordable housing is in the range of 25 to 30% of the overall development, in line with the quotas set out in the local plan where subsidy

is not guaranteed.

CNPA analysis

The allocated sites within Kingussie will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated in the plan to meet housing need and alternatives will be considered in future reviews. Confirm opportunities for other housing developments through housing policies. Confirm position regarding core paths.

Proposed Modification

No modification proposed.

Objector Ref Name Davall Developments Ltd
Consultants Ltd

Agent Gary Johnston Building

461a

Myrtlefield House
Grampian Road
Aviemore

Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Davall Developments Ltd

Policy/site ref Settlements - Kingussie OS2

Summary

Comment on additional land allocated for open space over and above what is in the current adopted local plan. Seek changes to the site allocations, with only a small strip of land being designated as open space and the additional land being allocated for housing, as in the existing Badenoch and Strathspey local plan.

CNPA analysis

The comment is noted. The site OS2 will be reviewed to assess the impact it makes to the overall provision of open space within the settlement. The possible inclusion of such detail within the masterplan for the site will also be considered. The appropriate amendments will then be included.

Proposed Modification

Amend boundary of open space to run with field boundary.

Objector Ref 461b

Policy/site ref Settlements - Kingussie

Summary

Concerns expressed about parts of the settlement statement about Kingussie. Imposing a restriction of any further development to a new access to site KG/HI via a new link road from A86, along with a lack of alternative housing sites in the village, and the unspecified timetable for the production of the development brief for the site will not provide land for short and longer term housing supply in Kingussie as the plan states it will.

Seek changes to the settlement statement as follows:

a) indicate there is potential for additional development on HI before the link to the A86 is in place,

subject to phasing and other local road improvements

b) indicate when the development brief will be completed, or advise that developers are required to prepare a master plan for the overall layout, and

c) increase the choice of smaller housing development opportunities such as at Ardvonie Road, St Vincents Road and Ardbroilach Road.

CNPA analysis

The comments are noted. The text regarding the site will be reviewed in light of the comments. To clarify additional information will be sought from Highland Council Roads Engineers. Further information will also be included to clarify the approach taken to affordable housing and the production of a masterplan on the site. Confirm that sufficient land is allocated in the plan to meet housing need and alternatives will be considered in future reviews.

Proposed Modification

include need for phasing to take into account access restrictions, and work within the limitations of the existing road network.

Include need for development brief to be produced to ensure effective provision on site in line with table 4.

Objector Ref 461c

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref Name Phillip John Swan

462a 30 Monaltrie Avenue

Ballater

AB35 5RX

Company

Policy/site ref Housing Table 2

Summary

The basis of the total housing requirement for the park seems excessive, being more than 70% above the best available realistic estimate. Plan should revert to the household projection figure of 950 units as a realistic total requirement.

CNPA analysis

The housing supply figures are based on work commissioned by the CNPA and this is on line for information. The view is therefore maintained that the plan includes the correct amount of land for the need.

Proposed Modification

No modification proposed.

Objector Ref 462b

Policy/site ref Housing Table 4

Summary

The proposed number of new homes for Ballater is too high. Suggest 30-40 affordable housing units would be sufficient to serve legitimate needs. This could be achieved through infill and upgrading / conversion of existing properties. Overestimates of Ballater's housing requirement could lead to lower than planned uptake hence properties being left empty and targets for vandalism, and secondly, there would not be enough employment for all the new homes, leading to increased number of long term unemployed.

Seek change of target from 250 to around 50 homes.

CNPA analysis

The figures for housing supply are based on work undertaken to establish the need within the Park as a whole, and in the various parts thereof. The Local Plan is obliged to make adequate provision for a 5 year period and table 4 is therefore only amended to correct previous mistakes in the figures.

Proposed Modification

No modification proposed.

Objector Ref 462c

Policy/site ref Settlements - Ballater

Summary

The proposed land area allocated for housing is around 11 hectares, which is proposed for 250 houses. This would lead to a density of around 10 houses per acre. States this implies a high percentage of modest 'affordable' homes, which would house people for whom there would be limited employment opportunities in Ballater, and hence could lead to unemployment and associated social problems.

Seek changes to reduce land allocated to only the field to the north east side of Monaltrie Park, or find other solutions such as infill and upgrading / conversion of existing properties.

CNPA analysis

The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction

with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection.

Proposed Modification

Amend supporting text to HI to refer to ongoing work of princes foundation - and refer specifically to density of new development and the comparison to the existing density of Ballater.

Objector Ref 462d

Policy/site ref Settlements - Ballater HI

Summary

The new housing proposals are contrary to the aims of the National Parks, as the visual impact of the proposed houses would damage the value of tourism to Ballater. Reduce the target of 250 houses with a more realistic number (max 50), and seek to satisfy this requirement by infill development and upgrading / conversion of existing properties

CNPA analysis

The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm allocation is phased for the long term growth of the village. Confirm where the housing figures come from, and the demand for affordable homes in Ballater

Proposed Modification

Amend boundary on plan to account for Games Park and Princes Foundation proposals.

Objector Ref 462e

Policy/site ref Policy 19

Summary

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

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 Modification

No modification proposed.

Objector Ref 462f

Policy/site ref Settlements - Ballater

Summary

Concerns expressed over housing development closing off access routes for wildlife, especially deer, between Craighendarroch Hill and the fields bordering the route of the old railway line. Reduce the target of 250 houses with a more realistic number (max 50), and seek to satisfy this requirement by infill development and upgrading / conversion of existing properties

CNPA analysis

The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. Confirm the allocation is for the long term needs of Ballater and within the 0-5 years the development indicates 90 dwellings. Confirm policies also support alternative forms of provision such as conversion.

Proposed Modification

No modification proposed.

Objector Ref Name John Anderson

463a Kincaig and Vicinity Community Council
Goldenacre, Dunachton Road
Kincaig, Kingussie
PH21 1QE

Company Kincaig and Vicinity Community Council

Policy/site ref Policy 01

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 463b

Policy/site ref Policy 02

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 463c

Policy/site ref Policy 03

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

No further action required.

Objector Ref 463d

Policy/site ref Policy 04

Summary

Generally, support Alvie estate view on this policy. KVCC refer to ancient woodland, semi-natural ancient woodland, Geological Conservation Review or other nationally, regionally or locally important sites – information (including definitions) on these sites should be provided as an Appendix to the Plan. Land designated as ancient woodland, but which has been replanted for commercial purposes should be capable of sensitive development.

CNPA analysis

The comments regarding the datasets are noted and work will continue between the CNPA and its partners to ensure that this is addressed to allow the best information to be available to inform the development process. Within the terms of the policy the wording will be reviewed to ensure it is reasonable, clear, and delivers the intentions of the policy. The wording proposed will be assessed as part of this review.

Proposed Modification

Glossary - include ancient woodland, semi-natural ancient woodland, Geological Conservation Review. Confirm that in replanted areas development would be considered under this policy if the terms of a) were met.

Objector Ref 463e

Policy/site ref Policy 05

Summary

Generally, support Alvie estate view on this policy. Seek an additional appendix which should include the species listed in Schedules 1,5 and 8 of the Wildlife and Countryside Act 1981

CNPA analysis

The comment is noted. The additional information is available elsewhere from CNPA and is extensive.

Proposed Modification

No modification proposed.

Objector Ref 463f

Policy/site ref Policy 06

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

No further action required.

Objector Ref 463g

Policy/site ref Policy 07

Summary

Generally support Alvie estate view on this policy. Questions possible conflict with policy 18.

CNPA analysis

The comment is noted. The issue will be considered under the Alvie representation. 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.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 463h

Policy/site ref Policy 09

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

Add 'There will be a presumption in favour of' to the start of 1st sentence.

Objector Ref 463i

Policy/site ref Policy 11

Summary

State that present regulations tend to be over protective of native birch, particularly adjacent to rail and road links, where large trees often give little warning (if any) of impending collapse.

CNPA analysis

The comment is noted. Cross referencing will be made to current regulations regarding trees in conservation areas. Further clarification may be necessary in the supporting text to expand on precisely what the level of protection includes.

Proposed Modification

Remove reference to tpo's as this is a statement of fact rather than a policy. Add para 4.66 to clarify position.

Objector Ref 463j

Policy/site ref Policy 13

Summary

Support Alvie estate view on this policy. State that the plan must allow for managed flood prevention measures to be undertaken.

CNPA analysis

The comment is noted. The issue will be considered under the Alvie representation. No modification considered necessary as a result of this representation. The wording of the policy has been selected to comply with national guidance, european directive, etc and a more relaxed approach is therefore not an option. The wording however is not intended to stifle development but make sure it is done in the most appropriate way.

Proposed Modification

No further action required.

Objector Ref 463k

Policy/site ref Policy 14

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

No further action as a result of this comment.

Objector Ref 463l

Policy/site ref Policy 16

Summary

Generally support Alvie estate view on this policy. Comment that it seems absurd that SEPA should seek and abstraction fee for a small hydro plant which returns the water to the water course below the plant, where every encouragement is being given to harness renewable energy sources as cost-effectively as possible.

CNPA analysis

The comment is noted. The issue will be considered under the Alvie representation. In regard to the issue with SEPA the comment is noted but the matter is not something that can be dealt with through planning policy. The comment regarding SEPA is noted but is outwith the terms of the local plan.

Proposed Modification

No further action required.

Objector Ref 463m

Policy/site ref Policy 18

Summary

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

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 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.

Objector Ref 463n

Policy/site ref Policy 19

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Proposed Modification

No modifications required.

Objector Ref 463o

Policy/site ref Policy 20

Summary

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. Xxd inset section on section 75 agreements for business disposal.

CNPA analysis

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 Modification

Reword policy to be more positive towards economic growth.

Objector Ref 463p

Policy/site ref Policy 22

Summary

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

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 Modification

No modification proposed.

Objector Ref 463q

Policy/site ref Policy 23

Summary

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

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 Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 463r

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref 463s

Policy/site ref Policy 25

Summary

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

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 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'

Objector Ref 463t

Policy/site ref Policy 26

Summary

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

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 SPPI. 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 Modification

In b) add other rural workers

Objector Ref 463u

Policy/site ref Policy 27,28

Summary

Support Alvie estate view on these policies.

CNPA analysis

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

Proposed Modification

No further action required.

Objector Ref 463v

Policy/site ref Policy 32

Summary

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

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 Modification

No modification proposed.

Objector Ref 463w

Policy/site ref Policy 33

Summary

Support Alvie estate view on this policy.

CNPA analysis

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

Proposed Modification

No modification proposed.

Objector Ref 463x

Policy/site ref Policy 34

Summary

Generally support Alvie estate view on this policy. Replace the phrase ‘... improved alternative access solution can be secured to the satisfaction of the Planning Authority and Access Authority’, with ‘.. Planning, Authority, Access Authority and owners / occupiers affected by the proposal’.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. It will also be reviewed in light of the comments to promote a more proactive approach to access provision in new development. Confirm wording secures replacement paths and access in line with access legislation. Refer to need for consultation with landowner and occupier.

Proposed Modification

No modification considered necessary as a result of this representation.

Objector Ref 463y

Policy/site ref Policy 35

Summary

Generally support Alvie estate view on this policy. Para b) refers to ‘... the total footprint of the affected area remains the same as currently permitted’. This does not allow for greater needs of an expanding community. These issues should be decided on individual merit.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory, provides users of the plan with an appropriate level of clarity, and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Proposed Modification

Delete b) from policy a

Objector Ref 463z

Policy/site ref Policy 36

Summary

Generally support Alvie estate view on this policy. No guidance is given as to how much a commuted sum might be.

CNPA analysis

The comments are noted, and the CNPA continue to work closely with the 4 Local Authorities to provide and support an appropriate level of recreational provision for communities across the Park. The policies have been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. However in light of the comments received, the wording will be reviewed to ensure that the aims of the policy are deliverable and will ensure that open space is supported across the Park. In regard to the issue of commuted sums, additional supplementary guidance will be prepared to support the local plan on a number of issues, including the calculations and expectations of commuted sum payments. Confirm sums would be based on policy 20 regarding developer

contributions and would be based on the development proposed.

Proposed Modification

Amend wording to clarify this is for allocated development sites, and not open space sites.

Objector Ref 463zz

Policy/site ref Settlements omissions Insh etc

Summary

Disagree with lack of plans for small settlements. Suggest maps of small settlements are essential to show a) where the settlement boundaries are, and b) where land has been zoned for new housing. If these are not in the plan for space reasons, indicate where such maps may be seen. New development at Macbean Road is built but is not shown on the settlement map. Need to ensure any further housing development is less dense and more appropriate for a rural setting. Keep HI as a field, and instead zone the woodland neighbouring HI as an alternative site for the 40 houses. Suggest aiming for similar style of development as a Dunachton Road. State the need for this development to include a play area. Show the industrial area at Baldow on the settlement map.

CNPA analysis

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 policies to protect environment and improve design standards for all development.

Proposed Modification

Include Insh as rural settlement.

Objector Ref Name Bob Garrow

464a RS Garrow Ltd
4 Mosspark Avenue
Milngavie
Glasgow, G62 8NL

Company RS Garrow Ltd

Policy/site ref General - Links to Park Plan

Summary

Replace the original wording of the outcome with the following:

vii. The habitat and water quality of rivers and wetlands will be enhanced through commencement of positive management initiatives guided by catchment management planning and promotion of local ultra-filtration units for drinking water preparation and membrane bio reactor package plants for waste water treatment.

CNPA analysis

The comment is noted. However the wording referred to is a quote from the National Park Plan which has now been adopted. The consultation undertaken here relates to the wording within the local plan rather than cross references to other documents. No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref 464b

Policy/site ref Policy 13

Summary

Suggest that the newer technology fresh water treatment facilities and waste water treatment facilities have much lower effects on the environment and lower energy use than conventional water treatment methods. For this reason, the local plan should state that preference for new development is the use of these new technologies rather than the current proposals for a requirement to connect to public water supplies and waste water treatment networks.

CNPA analysis

The comment is noted. However the policy has been worded to take account of the established legal framework which exists, and other national guidance and directives. The wording of the policy does not preclude other sources as in f) it allows for some degree of flexibility (under 'reasonable'). It is therefore considered that a modification is not required as a result of this representation. Confirm policy is intended to ensure the most sustainable use of the resource regardless of the technology used in this. The proposal for use of modern technologies as described in the rep would therefore be in accordance with this.

Proposed Modification

No further action required.

Objector Ref Name George Hogg

465 (SEA01) Scottish Natural Heritage

Dingwall Business Park

Fodderty Way

Dingwall

Company Scottish Natural Heritage

Policy/site ref SEA

Summary

The environmental report is good, and the assessment methods clear and broadly sound. We note that an appropriate assessment will be undertaken in line with the legislation on particular sites, and until this is done, the integrity of Natura Sites cannot be ascertained. SNH are happy to help in this work.

CNPA analysis

Appropriate Assessment will be undertaken to inform the development of policies and proposals in line with the corresponding legislation and before any modifications are finalised and published for consultation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA02)

Policy/site ref SEA Local Plan

Summary

Seek inclusion of an explanation of the new development plan arrangements that will come into place in the Park as a result of Modernising the Planning System.

CNPA analysis

The introduction of the local plan will provide additional guidance on the current situation regarding any of the aspects of 'modernising planning' which will have an impact on the plan and its adoption.

Proposed Modification

Comments noted and modifications being proposed to take account of the views expressed.

Objector Ref 465(SEA03)

Policy/site ref SEA Scoring

Summary

Recommend explaining how the individual scores were used to predict cumulative effects.

CNPA analysis

The comment is noted and the methods of scoring will be reviewed to ensure that future work is clear and understandable.

Proposed Modification

Comments noted and will feed into future SEA work,

Objector Ref 465(SEA04)

Policy/site ref SEA Scoring

Summary

Consider the inclusion of detailed assessment criteria to underpin the scoring system in future SEAs.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted and will feed into future SEA work,

Objector Ref 465(SEA05)

Policy/site ref SEA Development

Summary

Welcome fact that all policies apply to development proposals, and that policies are assessed on this basis in the SEA.

Questions whether or not CNPA staff other than Planners were involved in providing advice to help make assessment decisions.

CNPA analysis

The comments are noted, and work within the CNPA endeavours always to call on the wide expertise that exists within its staff. This approach will continue throughout the Local Plan development and its SEA.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA06)

Policy/site ref SEA Monitoring

Summary

Note that monitoring significant environmental effects will be finalised later.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA07)

Policy/site ref SEA Natura sites

Summary

Welcome addition of information about Natura issues.

Note the final report on findings of appropriate assessment will be published when the local plan is adopted.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA08)

Policy/site ref SEA Baseline facts

Summary

Recommend adding 2 additional points:

- Extensive areas where the special quality of wildness can be experienced.
- Alongside the point about the 'coherent identify' it would also be worth explaining that the Park's landscapes have a distinctive character, and that they are an integral part o outstanding national importance and value of the Park.

Recommend mentioning that there are 3 river SAC systems in the National Park in the water section.

CNPA analysis

The comments are noted, and will be fed into future work on the SEA process to ensure adequate and appropriate consideration of the key issues.

Proposed Modification

Comments noted and will feed into future SEA work.

Objector Ref 465(SEA09)

Policy/site ref SEA Key trends

Summary

Disappointed that most of comments made by SNH at the scoping stage have not been incorporated into this summary.

CNPA analysis

The comment is noted. The future work on the SEA and its role with the Local Plan will endeavour to take full account of the comments received and, where this is not the case, fully explain why the action taken has been so.

Proposed Modification

comments noted and will feed into future SEA work.

Objector Ref 465(SEA10)

Policy/site ref SEA Objectives

Summary

Welcome the addition of new criterion about minimising impacts on wildness qualities.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA11)

Policy/site ref SEA Indicators and targets

Summary

SEA Objective 4 - Recommend linking wording of target more closely to the requirement under the Water framework directive for all water bodies to meet 'Good ecological Status' by 2015.

CNPA analysis

The comments are noted. The future work on SEA and its impact on the Local Plan development will be informed by these comments, and greater links will be included within the Local Plan to ensure proper links with the SEA and its findings.

Proposed Modification

Comments noted and will feed into future SEA work.

Objector Ref 465(SEA12)

Policy/site ref SEA Strategic Alternatives

Summary

Surprise expressed that the effects of the strategic housing alternatives on waste water treatment and water supply, and consequential environmental effects were not considered and reported on here. Would be helpful to explain the alternative approaches to identifying settlement boundaries for smaller settlements and consider their environmental effects.

CNPA analysis

The comments are noted, and future work on the SEA and the plan will take this into full account to ensure clarity.

Proposed Modification

chnages have been made to section 7 of the environetnal report to address the issues raised.

Objector Ref 465(SEA13)

Policy/site ref SEA Assessment

Summary

Welcome the detail contained in Appendix 2, and are pleased to see that the cumulative effects are predicted to be positive. Point out it is perhaps disappointing that there are no significant positive cumulative effects predicted.

CNPA analysis

The comment is noted and the findings will be reviewed to ensure that appropriate analysis has been undertaken and that future work on the SEA is not informed by misinformation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA14)

Policy/site ref SEA Assessment

Summary

Question the significant positive scores allocated as feel the policy provides little additional protection for water bodies than the current legislative framework that applies across Scotland. Concerned about the definition of 'best practice standards' and 'unreasonable', also about the potential for an increased number of private sewage treatment systems in the catchments of the River Spey and Dee SACs, and the associated potential for increased pollution. Advise that CNPA should consider the cumulative effects of existing and potential future private waste water systems in the appropriate assessment of the local plan.

CNPA analysis

The approach taken will be reviewed to ensure that future work on the SEA takes proper account of an appropriate scoring mechanisms. In terms of the wording of the policy, the text will be reviewed to improve clarity, and ensure that the wording is in line with national guidance whilst also providing an appropriate level of guidance to developers.

Proposed Modification

Comments noted and wording of policy reviewed to address these and other concerns.

Objector Ref 465(SEA15)

Policy/site ref SEA Assessment

Summary

Question the use of '?'s in the table, as the negative effects are sufficiently probable in many cases, in particular in relation to loss of priority habitats and disturbance to priority species at Boat of Garten and An Camus Mor.

Note that in many instances the impact minimisation and mitigation proposals in the Environmental Report are not reflected in the Local Plan itself, and so strongly advise remedying this. Local Plan proposals that should incorporate the findings of the SEA in terms of mitigation include AV/H3, GS/H2, BL/H1, KC/H1 and KC/H2.

The appropriate assessment of the Local Plan needs to consider the effects on the River Spey and Dee SACs both from disposal of waste waters, and from increased abstraction for water supplies to meet the needs of the plans proposals. It should also consider cumulative effects and not just abstraction related to proposals in the Local Plan.

CNPA analysis

The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects. In regard to the policy wording in the plan, the comments are noted, and better links and cross referencing will be undertaken to ensure the local plan takes full and proper account of the findings of the SEA. The wording within the local plan also be amended to highlight the findings of the SEA and any actions needed as a result of it during the delivery of the local plan. Appropriate Assessment will be undertaken to inform the development of policies and proposals in line with the corresponding legislation and before any modifications are finalised and published for consultation.

Proposed Modification

Comments noted, work is progressing and changes will be made before the plan is formally adopted.

Objector Ref 465(SEA16)

Policy/site ref SEA An Camas Mor

Summary

In view of the range of negative and uncertain environmental effects identified, recommend further emphasis on, and explanation of, the role of a detailed master plan for the new settlement, and this should incorporate measures to minimise and mitigate negative environmental effects.

CNPA analysis

The comment regarding An Camas Mor is noted, and the wording of the proposal will be amended to clarify the role of the masterplan, and the links which should be taken into account as a result of the SEA.

Proposed Modification

Comments noted, work is progressing and changes will be made before the plan is formally adopted.

Objector Ref 465(SEA17)

Policy/site ref SEA Boat of Garten

Summary

Given the nature conservation and landscape constraints associated with the proposed, and previously proposed housing sites, surprised that the alternative of 'no local land allocation' was not considered, along with links to An Camas Mor and better public transport links.

CNPA analysis

The comments are noted, and a review of the assessment will be revisited as work on the SEA continues to inform the development of local plan sites.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 465(SEA18)

Policy/site ref SEA Cromdale

Summary

As part of HI is an area of lowland heath, a BAP habitat, this should have a negative score against SEA objective 2, and consideration of options for mitigating this effect, for example, protecting the

area of lowland heath from development should be considered.

CNPA analysis

The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments noted, and assessment for Cromdale HI revised.

Objector Ref 465(SEA19)

Policy/site ref SEA Dalwhinnie

Summary

HI would have negative landscape effects o SEA objective 6 unless accompanied by screening planting.

CNPA analysis

The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments noted and requirement for screening planting will be addressed priir to Local Plan adoption.

Objector Ref 465(SEA20)

Policy/site ref SEA Grantown on Spey

Summary

AS HI contains paths used by residents, the likely effect on SEA objective 7 of the proposals is likely to be negative unless the effects are mitigated and specified as such is the GS/HI local plan proposal.

CNPA analysis

The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments noted and changes made to assessment of GS/HI.

Objector Ref 465(SEA21)

Policy/site ref SEA Kincaig

Summary

The proposal to incorporate the wetland area within HI into its sustainable urban drainage system deserves a negative score.Recommend that due to negative impacts on landscape, the mitigation required should be explained in the local plan proposals. Options include guidance on landscaping and design, and adjusting the straight boundaries of H1 and H2 to better reflect the local landform.

CNPA analysis

The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA. Site H2 removed and mitigation information provided for HI in line with the comments made.

Proposed Modification

Comments noted and changes made to H1 as a result.

Objector Ref 465(SEA22)

Policy/site ref SEA Braemar

Summary

Agree H2 will have negative effects on SEA objective 6, and also think that H1 will have negative effects on SEA objective 2 unless the ancient woodland on the site is protected during development.

CNPA analysis

The comments are noted, and a review of the assessment will be revisited as work on the SEA continues to inform the development of local plan sites.

Proposed Modification

Comments noted. Planning applications already submitted for sites H1 and H2.

Objector Ref 465(SEA23)

Policy/site ref SEA Cumulative Effects

Summary

Possible Cumulative Effects

- State that there will be significant cumulative effects on SEA objectives 1 and 2.
- Particular concerns about cumulative effects on Caledonian pine woodland and lowland heath habitats and species from proposals at An Camus Mor, Boat of Garten, Carrbridge and Nethy Bridge. Due to proximity, suggest considering the combined effects of these proposals on the scale, function and connectivity of pinewood and heath habitats and species, and whether any effects can be mitigated.

CNPA analysis

The assessments will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

comments noted and work progressing on assessments. This will be completed before the Local plan is adopted.

Objector Ref Name Susan Davies

465a Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness

Company Scottish Natural Heritage

Policy/site ref General

Summary

Once appropriate assessment is completed, strongly recommend ensuring that the findings are incorporated in relevant sections of the Local Plan itself.

CNPA analysis

Appropriate Assessment will be undertaken to inform the development of policies and proposals in line with the corresponding legislation. Work on this is ongoing in conjunction with SNH partner staff.

Proposed Modification

Work on appropriate assessment continues with assistance from SNH staff.

Objector Ref 465b

Policy/site ref Policy 02

Summary

Once the appropriate assessment is completed, strongly advise embedding the key findings into the Local Plan, especially if mitigation, conditions or further appropriate assessments are identified.

CNPA analysis

Appropriate Assessment work is ongoing with assistance from SNH staff.

Proposed Modification

No modification proposed as a result of this representation.

Objector Ref 465c

Policy/site ref Policy 01

Summary

Concerned about inconsistencies between policies 1, 4 and 7 and the National Parks (Scotland) Act 2000. Missed opportunities for linking the local plan to the delivery of the Park Plan and the Outdoor Access Strategy.

CNPA analysis

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. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, the Park Plan, and the Outdoor Access Strategy. Supporting text will also be added to clarify and highlight opportunities to link with these other plans and policies.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 465d

Policy/site ref General - wording

Summary

1.21 Support statement about need for development proposals to comply with all policies, but suggest making a more prominent statement to this effect.

Suggest referring to how plan should be used with regard to developments outside the Park that could affect the special qualities, and the types of development most likely to impact on the Park.

Suggest describing the new requirement for pre-application consultation for major development under the Planning etc (Scotland) Act 2006.

2. Suggest including more detail about the national planning context set out by NPPG 14 and the National Planning Framework, and the changes to development planning due to the Planning etc (Scotland) Act 2006.

2.9/2.12 For clarity, include a definition of 'Sustainable Development', so everyone reading the plan is clear what it means in the National Park. Suggest using the definition in the Park Plan. Suggest including the full vision from the Park Plan so as not to miss the contextual elements of it.

CNPA analysis

The comment is noted. The Local Plan relates to development within the Park. For comments on developments outwith the Park other documents would be considered including the National Parks Act, the National Park Plan and also national planning guidance. For clarification, further detail will be included in para 1.21 on how to use the plan and all its policies and the important role of pre application discussions in the development management process. The reference to sustainable development within the Context section is also noted and some further clarification will be added.

Proposed Modification

1.21 highlight need for pre application discussions.

2.1 expand to clarify the national context.

Objector Ref 465e

Policy/site ref Policy 01

Summary

Concerns expressed about Policy 1, the fact is is potentially internally contradictory, does not reflect the provisions of Section 9 (6) of the National Parks (Scotland) Act, and seems to conflict with parts of policies 3,4 and 7. Suggest the following as alternative wording:

Policy 1

Ia - Development in the Cairngorms National Park will be supported where the aims of the Park are collectively achieved in a co-ordinated way, or where the objectives of designation and the overall integrity of the area will not be compromised.

Ib - Development in the Cairngorms National Park that would have significant adverse effects on the special qualities for which the Park has been designated will only be permitted if these are clearly outweighed by social or economic benefits of national importance and will be mitigated to the satisfaction of the planning authority by the enhancement of qualities or features of equal importance to the National Park.

Ic - Development in the Cairngorms National Park that is likely to conflict with the first aim of the Park - to conserve and enhance the natural and cultural heritage of the area - notwithstanding that it would contribute towards the achievement of other aims of the Park - will only be permitted where the adverse effects on the first aim will be fully mitigated or compensated to the satisfaction of the planning authority.

Id - Development in the Cairngorms National Park that is likely to conflict with the second, third or fourth aims of the Park or lead to adverse effects on the Park's special qualities, will only be permitted where it is considered that these would be clearly outweighed by the development's likely positive contribution to one or more of the other aims and the Park's special qualities, and where satisfactory measures are incorporated to minimise, mitigate or compensate the adverse effects of the development. As the policy refers extensively to the Park's special qualities, it would be helpful to refer to the section of the Park Plan that defines these qualities.

Strongly recommend including a policy that embeds the precautionary principle into development decision making. This could perhaps be a further sub-part to Policy 1, or alternatively a separate policy.

CNPA analysis

The links between the Local Plan and the Park Plan are key to the success of the Local Plan and its delivery. Modifications within the Introduction and Context sections will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including the aims of the Park, and the Park Plan, and also national planning guidance. Throughout proposed modifications will endeavour to clarify while providing an appropriate level of guidance for developers and interested parties. The proposed wording will also be assessed in line with the above.

Proposed Modification

Revise policy I in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 465f

Policy/site ref Policy 02

Summary

Text of Policy 2 does not adequately deal with priority habitats or species, therefore, suggest using Scottish Exec model policy as set out below:

Any development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment in accordance with the Conservation (Natural Habitats &c) Regulations 1994 (as amended). Where an assessment is unable to ascertain that a development will not adversely affect the integrity of the site, development will only be permitted where –

(a) there are no alternative solutions; and

(b) there are imperative reasons of overriding public interest, including those of a social or economic nature.

Where the site has been designated for a European priority habitat or species, development will only be permitted where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).

recommend that paragraph 4.4 of the accompanying text specifically mentions the River SACs in the Park, because they are hard to depict clearly on maps being lines, rather than areas, and they potentially have wide-ranging implications for development management. The text should also explain about the implications of the Natura designation for permitted development rights.

CNPA analysis

The wording has been selected to reflect accurately the legislation regarding Natura 2000 sites. However in light of the comments, the policy wording will be reviewed to ensure it is accurate, clear and precise, whilst providing an appropriate level of guidance for developers.

Proposed Modification

Amend wording to accurately reflect Natura 2000 regulations.

Objector Ref 465g

Policy/site ref Policy 03

Summary

Strongly recommend that this Policy is expanded to cover the National Park designation. In addition, we recommend that part (b) is expanded to refer to the need to 'minimise impacts', in addition to mitigation. If National Parks are added, then the 'other' in the title is not needed. This policy will need to be considered in the light of any modifications made to policy I. Also recommend that the implications of the NSA designation with regard to certain permitted

development rights are explained in text accompanying this policy.

Para 4.14/15 should refer to the statement in the Park Plan that 'an equivalent level of consideration [to that in NSAs] will be given to landscape throughout the whole Park' (p38), and to any plans or aspirations to extend the protection given to NSAs more widely to all the Park's landscapes. Additionally, reference to the new provisions concerning National Scenic Areas contained in s263A of the Planning etc (Scotland) Act 2006 would be useful. In particular, subsection (2) says that for NSAs '...special attention is to be paid to the desirability of safeguarding or enhancing its character or appearance in the exercise, with respect to any land in that area, of any powers under this Act.'

CNPA analysis

The policy wording endeavours to link the requirements of national legislation regarding natural heritage designations and the responsibilities placed on CNPA with the aims of the park, and to provide an appropriate level of guidance to developers in line with SPPI. In light of the comments made, the wording will be reviewed to ensure that these intentions are achieved, and that the policy is clear, precise and accurate. Any additional information will be added to both policy and supporting text accordingly.

Proposed Modification

Amend to secure better balance between development and impact on natural heritage designations.

Objector Ref 465h

Policy/site ref Policy 04

Summary

Concerned that part b of this policy is contrary to section 9(6) of the National Parks (Scotland) Act 2000, and with the final paragraph in policy 1. Also concerned about reliance in part b on mitigation by providing features of equal importance to those lost. This is difficult or impossible in many situations. Suggest removing the policy and rely on the protection provided by a revised Policy 1. This approach would best be accompanied by a clear statement that ancient and semi-natural woodland, Geological Conservation Review sites and other regionally or locally important natural and earth heritage sites are key components of the Park's special natural heritage qualities.4.22 - It would also be helpful to show these local natural heritage sites, and Geological Conservation Review sites, on Map D.4.23/4.24 - Recommend taking into account options for mitigation and / or compensation when making decisions on proposals that could affect these sites, and recommend monitoring the success of any mitigation agreed when consenting development.

CNPA analysis

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. The additional comments regarding the level of detail are also noted and the modifications will endeavour to resolve this and clarify the position and intent of this policy.

Proposed Modification

In b) change 'equal' to 'commensurate or greater'. In 4.24 define 'commensurate'

Para 4.20 confirm that datasets are flawed and to comply with the policy site inspections of the qualities of sites may be required.

Objector Ref 465i

Policy/site ref Policy 05

Summary

Strongly recommend that the final part of this policy is extended to also protect species listed in Annexes II and V of the EC Habitats Directive and Annex I of the EC Birds Directive. It is not clear exactly what 'full consideration will be given to the protection of...' means, and so recommend that the wording is clarified. NPPG 14 (para 20), for example, refers to 'avoiding harm' to species. It would be useful to explain in text accompanying either Policy 5 or Policy 29 that all bats are European Protected Species, or alternatively to provide a list of all the species covered by Policy 5 in an Appendix.

4.25 - The final sentence about licences is misleading, and should be replaced with:

"For some species a licence is required before it, or its habitat can be disturbed and these licences are available from the Scottish Government. Licences for scientific, research or educational purposes are available from SNH."

CNPA analysis

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. Within this review the proposed wording will be assessed and appropriate changes made.

Proposed Modification

Modify policy to add annexes ii and v of the EC habitats directive and annex I of the EC Birds directive. 1st sentence change to 'development should avoid causing any harm to any European Protected Species wherever they occur...'

In a) wording is reflecting the regulations and will be changed to remove the comma after 'nature,'.

in b) change to 'there is no alternative solution'

in 4.27 add clarification that policy will also include consideration of cumulative impact.

Objector Ref 465j

Policy/site ref Policy 07

Summary

Support the first para, but seek slight changes to the wording as follows: All development proposals will be assessed in terms of siting, layout, design, construction materials and minimisation of light pollution, and will be expected to make a positive contribution to the special landscape qualities of the National Park.

.Concern expressed that the second para runs counter to Section 9(6) of the National Parks (Scotland) Act 2000 by indicating that significant adverse effects on the Park's special landscape qualities can be outweighed by social or economic benefits of importance to the aims of the National Park. This is also inconsistent with the final paragraph of Policy 1. Seek the removal of the whole 2nd para in Policy 7, and rely on a revised policy 1 to protect the special landscape qualities of the Park. This approach should be accompanied by a clear statement that landscape character, scenic qualities, natural beauty, amenity, historic landscape elements and qualities of wildness are key components of the Park's special natural heritage qualities. Recommend leaving the first paragraph of Policy 7, and adding some words to reflect the contents of paragraph 4.39 which appears to contain additional policy.

4.35 - refer here to the forthcoming work identifying where wildness can be experienced in the Park, and to the role the outputs will have in development management decisions and the forthcoming landscape management plan.

4.37 - Recommend that this paragraph explains about the preparation of a landscape management plan. The Park Plan indicates that the landscape management plan 'will form the basis of decisions related to planning control', so it is important to refer to it here.

CNPA analysis

The proposed rewording is noted and will be considered in a review of this policy. 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.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 465k

Policy/site ref Policy 13

Summary

Strongly recommend that the close links between this policy and the appropriate assessment of the cumulative effects of the Local Plan on the River SACs in the Park are identified and explained in the accompanying text. Need to emphasise that almost all of the Park lies within the catchments of 3 River SACs, and therefore almost all proposals that involve water abstraction and waste water treatment will need to comply with the requirements of the Conservation (Natural Habitats etc) Regulations 1994 (as amended).

4.62 - This para should refer to the Rivers Spey and Dee SACs catchment management plans.

CNPA analysis

Work on the Appropriate Assessment continues with assistance from SNH staff.

Proposed Modification

No modification proposed.

Objector Ref 465l

Policy/site ref Policy 14

Summary

Suggest splitting the policy into subparts, and to list those applicable to a greater number of development proposals (eg soils) before those applicable to fewer proposals (eg commercial peat extraction).

4.68 - Make clear that as well as being important natural resources, soils, minerals and peat are also important components of the Park's special natural and cultural heritage qualities.

4.76 - Suggest this para is at odds with Policy 14 which indicates that new commercial peat extraction will not be permitted.

CNPA analysis

The comments regarding layout are noted and the policy will be reviewed accordingly to ensure it is clear, reasonable and delivers the aims of the policy as detailed in the supporting text. The wording will also be amended to ensure it is not contradictory, and to add additional information where necessary to clarify issues such as components important to the natural and cultural heritage of the Park.

Proposed Modification

Amend layout to add numbers and to put Soil 1st

4.84 clarify role of soils to natural and cultural heritage

4.91 change 'hew' to 'further'. Add 'from existing sites' after extraction .

Objector Ref 465m

Policy/site ref Policy 16

Summary

Suggest splitting the policy into 3 parts, dealing separately with large scale commercial, small scale community, and then micro scale domestic renewable energy generation schemes. This would clarify the policy stance for large scale commercial development. Recommend including definitions for the 3 categories.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref 465n

Policy/site ref Policy 18

Summary

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

CNPA analysis

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 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.

Objector Ref 465o

Policy/site ref Housing (general)

Summary

Suggest placing this detailed justification in an annex.

CNPA analysis

The level of detail included in the deposit plan reflects the importance placed on this issue. However, in the revised plan explanatory detail at this level may not be necessary and consideration will be given to the suggestion made.

Proposed Modification

Move definition of affordable housing to appendix.

Objector Ref 465p

Policy/site ref Policy 25

Summary

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

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 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.

Objector Ref 465q

Policy/site ref Policy 26

Summary

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

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 Modification

Include the necessary punctuation to clarify.

In b) add 'Where relevant the above criteria will be secured through conditions or agreements'

Objector Ref 465r

Policy/site ref Policy omission

Summary

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

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 Modification

Add policy 22 regarding housing development within settlements.

Objector Ref 465s

Policy/site ref Policy 30

Summary

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

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 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.

Objector Ref 465t

Policy/site ref Policy 31

Summary

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

The comments regarding additional information are noted, and further information will be included within the supporting text to expand on the issues raised.

Proposed Modification

Include in background the reference to concealment, camouflage and disguising techniques as in PAN 62

Objector Ref 465u

Policy/site ref Policy 33

Summary

Recommend that this policy notes the 'desirability of spreading the benefits of tourism across different areas of the Park' as a factor to be considered in determining planning applications. The Local Plan could contribute even more to the delivery of the Strategic Objective for sustainable tourism if sites suitable for tourist development were identified on maps of settlements in less-visited parts of the Park.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

Proposed Modification

In implementation of policy refer specifically to the objectives in the Park Plan.

Objector Ref 465v

Policy/site ref Policy 34

Summary

Seek additional element in this policy that promotes provision of paths to important local public spaces and places as an integral part of new housing developments.

CNPA analysis

The wording of the policy and the references made to an open space strategy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way.

Proposed Modification

Add reference to paths from housing developments in implementation para 6.16.

Objector Ref 465w

Policy/site ref Policy 35

Summary

Recommend that paragraph a) is expanded slightly to ensure that only appropriately located and designed formal facilities are likely to be approved.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park. The policy should also be read in conjunction with the other policies in the plan, in particular those regarding landscape and visual setting, developments impacting on natural heritage etc. additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development.

Proposed Modification

Include reference to location in policy .

Objector Ref 465x

Policy/site ref Policy 36

Summary

Clarification sought as to whether the 'strategic sites' referred to in the first paragraph comprise all the proposed allocations indicated on settlement maps, or just the open space allocations.

CNPA analysis

The comment is noted, and the appropriate modifications will be made to the Proposals maps and supporting text to clarify this position.

Proposed Modification

Amend wording to clarify this is for allocated development sites, and not open space sites.

Objector Ref 465y

Policy/site ref Policy omission

Summary

Policy gap: awareness and understanding - Delivery of the National Park Plan objectives and actions concerned with raising awareness and understanding of the Park would be enhanced by policies and/or proposals that support developments that would deliver Park Plan

Awareness and Understanding Actions 2b, and 2d (and probably 1a – 1d).

CNPA analysis

The links between the Park Plan and its objectives and the Local Plan are highlighted within the justification for each policy. The approach taken will however be reviewed to ensure the links between the documents is clear enough. Confirm that the local plan is intended to achieve the aims of the Park and the objectives of the Park Plan and this underlies all the policies, there is no need therefore for a specific policy to state this.

Proposed Modification

No modification proposed.

Objector Ref 465z-a

Policy/site ref Policy omission

Summary

Seek reinstatement of policy on Upland Vehicle Tracks, which was present in the Consultative draft local plan, subject to amendments recommended by SNH in letter of 28 Feb 2006.

CNPA analysis

In regard to tracks the comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight such developments within separate policies. 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. Confirm the issue of tracks would be considered under all policies of the plan including specifically those regarding 'conserving and enhancing' and not under a particular policy regarding tracks. All policies of the plan must be complied with where relevant to gain permission, therefore a topic specific policy is not considered appropriate.

Proposed Modification

No modification proposed.

Objector Ref 465z-b

Policy/site ref Maps

Summary

Seek changes to the shading for NSA's to make their area clearer; identification of Rights of Way and Long Distance Routes; and identification of ancient and semi-natural woodland.

CNPA analysis

The presentation of the maps will be reviewed and modified to ensure correctness of information and ease of understanding. Retain ancient and semi natural woodland on MapD.

Proposed Modification

Review the shading for NSAs.

Remove core paths to avoid confusion.

Objector Ref 465z-c

Policy/site ref SEA

Summary

The SEA Environmental Report identifies a number of instances where mitigation will be needed to minimise or avoid negative environmental effects, and we strongly recommend indicating clearly in the settlement statements what mitigation will be needed in which locations.

CNPA analysis

The comments are noted, and better links and cross referencing will be undertaken to ensure the local plan takes full and proper account of the findings of the SEA. The wording within the local plan also be amended to highlight the findings of the SEA and any actions needed as a result of it during the delivery of the local plan. Work is ongoing and will be finalised before the Local plan is adopted.

Proposed Modification

work is progressing on this, and will be finalised before the Local Plan is adopted.

Objector Ref 465z-d

Policy/site ref Settlements - Aviemore

Summary

Seeks clarification of the role of the Aviemore Masterplan will be in relation to development planning and management.

CNPA analysis

The Aviemore Masterplan will ultimately be adopted as supplementary guidance and support the local plan in the decision making process. This will be clarified in the wording within the settlement proposal.

Proposed Modification

Add para to confirm new masterplan and its status as material and adopted SPG

Objector Ref 465z-e

Policy/site ref Settlements - An Camas Mor

Summary

Agree with your assessment that this proposal could have significant effects on the River Spey SAC, and note that development will only be permitted if it will not adversely affect the integrity of this site. The impacts of the roads and other infrastructure and services to this proposed settlement could be as significant as the impacts of the settlement itself. These associated impacts should also be considered in determining effects on the natural heritage.

Given the location within the Cairngorm Mountains NSA and in accordance with an appropriate and detailed masterplan, sensitive and very high quality settlement and building design, layout and siting, including woodland management will be needed.

CNPA analysis

The development of the site will require many detailed assessments including the preparation of a masterplan to establish the break down of various land uses within the settlement, and a transport assessment to assess the impact on the surrounding area. The wording of the settlement proposal will be amended to reflect this.

Proposed Modification

Add sentence to final para to confirm that only the highest standards of design will be acceptable.

Objector Ref 465z-f

Policy/site ref Settlements - Kingussie

Summary

Support the proposal for OSI, which may have positive effects on the River Spey SAC.

CNPA analysis

No modification considered necessary as a result of this representation. Confirm support for allocations and update if any future amendments to it are proposed in mods

Proposed Modification

No further action required.

Objector Ref 465z-g

Policy/site ref Settlements - Boat of Garten

Summary

Welcome the removal of earlier proposals for housing to the north of the village. There is likelihood of significant negative effect on Natura interests, arising from allocation H1. We therefore note that development will only be permitted if it will not adversely affect the integrity of these interests.

CNPA analysis

The comments are noted, and the site will be assessed in terms of the impact any development would have on the Natura interests in line with the relevant legislation. This assessment will be done prior to future modifications and the appropriate changes made at that stage.

Proposed Modification

Include reference to mitigation required by SNH as result of appropriate assessment of H1.

Objector Ref 465z-h

Policy/site ref Settlements - Carr-bridge

Summary

Support the proposal for OSI, which may have positive effects on the River Spey SAC.

CNPA analysis

No modification considered necessary as a result of this representation. Confirm support for allocations and update if any future amendments to it are proposed in mods

Proposed Modification

No further action.

Objector Ref 465z-i

Policy/site ref Settlements - Cromdale

Summary

Support the proposal for OSI, which may have positive effects on the River Spey SAC.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 465z-j

Policy/site ref Settlements - Kincaig

Summary

welcome the removal of earlier proposals for housing west of the B9152.

CNPA analysis

No modification considered necessary as a result of this representation. Confirm support for change and update if any future amendments to it are proposed in mods

Proposed Modification

No further action required.

Objector Ref 465z-k

Policy/site ref Settlements - Braemar

Summary

Seeking identification of sites for managed campsites at Braemar and in the Angus Glens, in line with the Cairngorms Outdoor Access Strategy.

CNPA analysis

The comment is noted, and the plan aims to provide adequate development land to meet the economic and tourism aspirations of the community. In line with this an assessment will be undertaken to identify a site within the village.

Proposed Modification

Identify camp site as having potential to support economic growth.

Objector Ref 465z-l

Policy/site ref General - Glossary

Summary

Seeks inclusion of European Protected Species and National Scenic Areas in the glossary.

CNPA analysis

The proposed amendment will be added to the Glossary.

Proposed Modification

Add European Protected Species and National Scenic Areas to the glossary.

Objector Ref Name WKW Partnership Ltd
466a

Agent Leslie Hutt
3 View Place
Inverness
IV2 4SA

Company WKW Partnership Ltd

Policy/site ref Settlements - Grantown on Spey

Summary

Seeks changes within Grantown, making better use of opportunities for development within the existing town boundaries, before looking to extend the town outwards, onto sites H1, H2 and OSI.

CNPA analysis

The allocated sites within Grantown on Spey will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of other potential development sites within the settlement boundary to ascertain their qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. In addition it should be noted that proposals for development within the settlement boundary will be considered on their merits, regardless of their status as an allocated proposal site, and the text within the policies applicable will be amended to clarify this position. Confirm position regarding infill development and conversions.

Proposed Modification

No modification proposed.

Objector Ref 466b

Policy/site ref Settlements - Aviemore ED3

Summary

AV/ED3 – the “proposal” is inconsistent with the current situation. The statement that “Aviemore Highland Resort will continue to develop and enhance its facilities” is an assumption on the part of the Cairngorms National Park Authority. It cannot therefore be a “proposal”. There have been a number of planning consents granted in relation to AHR which need to be consolidated in relation to current proposals and the revisions considered publicly. Clarification of the various conditions associated with the different applications and consents is required. A consolidated strategic approach by AHR is now required to give clarity of their intentions before any proposals are considered for Aviemore.

CNPA analysis

The comments are noted, and the ongoing work on the wider Masterplan is trying to draw this work together. Additional information will be added to the supporting text to ensure that an appropriate level of information is provided, or guidance is included to point those interested to the relevant planning permissions. Confirm approach being taken through masterplan to consolidate the position for future development.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined including those relating to AHR.

Reflect accurate boundaries of development sites in proposals maps.

Objector Ref 466c

Policy/site ref Settlements - Aviemore C2

Summary

Questions the proposed public park within AHR, and the owner of the site perceives it as a "private resort".

CNPA analysis

The comment is noted, but CNPA are working closely with the landowner in question to provide, within the site, land which is accessible by the public and adds to the overall variety of facilities within Aviemore. The ongoing work to revise the Aviemore Masterplan is also endeavouring to create greater links between the resort site and the rest of the settlement. No modification is therefore considered necessary as a result of this representation.

Proposed Modification

Include up to date position regarding extant permissions and submitted applications yet to be determined including affecting AHR. Reflect accurate boundaries of development sites in proposals maps.

Objector Ref 466d

Policy/site ref Settlements - Aviemore OSI

Summary

Questions why AV/OSI and 2 is protected as open space. States that Aviemore is surrounded by natural beauty and that developing OSI would not encroach on that.

CNPA analysis

Land has been allocated within Aviemore as open space to protect the character of the settlement and ensure that the amenity enjoyed by residents is protected from unacceptable levels of new development. The settlement is one characterised by its landscape setting and drawing areas of open space into the settlement helps to enhance this. It would not therefore be appropriate to develop all the land allocated as open space for development. No modification is therefore considered necessary as a result of this representation. Areas of open space are allocated to protect the amenity and setting of the village. Areas are not therefore always used as public open space.

Proposed Modification

No modification proposed.

Objector Ref Name Lily Linge

467a

Historic Scotland

Longmore House
Salisbury Place
Edinburgh, EH1 1SH

Company Historic Scotland

Policy/site ref General

Summary

Confirm that for our statutory historic environment interests we are content with the deposit plan as drafted and have no further comments, representations or objection to offer. Note that a small number of land allocations lie in the wider vicinity of some historic environment features and have considered the issue of potential impact on their setting. Confirm no objection to the principle of any of these land allocations and are content that any adverse impacts on setting can be avoided through the detailed design process for developing these sites.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 467b

Policy/site ref SEA Report

Summary

In general, and as noted in part 1 of this letter, we are content that adverse effects on the historic environment can be avoided through the application of the protective policies in the Local Plan to development proposals and through the detailed design process. We understand that a Masterplan and Development Briefs will be prepared for some of the proposals included in the Local Plan and we consider that historic environment issues should be carefully addressed in these documents and in any other relevant supplementary guidance.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 467c

Policy/site ref SEA objectives

Summary

Pleased to note that our comments made on the indicators included in the previous draft of the Environmental Report have been incorporated into the set of indicators in Figure 6.3. We are content with the indicators that are relevant to the historic environment (SEA objectives 6, 10 and 14).

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 467d

Policy/site ref SEA Strategic Alternatives

Summary

Note that few significant strategic alternatives were considered in the development of the finalised Local Plan, and have no detailed comments to offer on this section.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 467d

Policy/site ref SEA Assessment of policies

Summary

Welcome methodology applied and how described in the environmental report.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 467e

Policy/site ref SEA - Energy Generation

Summary

Seek reassurance that the supplementary guidance produced on small scale and microgeneration schemes will address the potential effects of the developments on the historic environment.

CNPA analysis

The comment regarding policy I6 is noted, and the wording of the SPG on renewable energy will clarify the position on the historic environment.

Proposed Modification

Comments noted and will be taken into account in future work on SEA.

Objector Ref 467f

Policy/site ref SEA An Camas Mor

Summary

Seeks clarification that potential impacts on the historic environment have been considered in the assessment of An Camas Mor. Also seeks inclusion as a mitigation measure impacts on Rothiemurchus scheduled ancient monument.

CNPA analysis

The comment regarding An Camas Mor is noted, and the wording of the assessment will be amended to clarify the position on the historic environment.

Proposed Modification

Comments noted and assessment amended to address this.

Objector Ref 467g

Policy/site ref SEA Ballater

Summary

SEA should note that Ballater Old School is C (S) Listed, and that all of the proposals for Ballater are within the Conservation area, and so all development of these sites should be in keeping with the character of the area.

CNPA analysis

The listing of the building will be included along with the existence of the conservation area in future work on the SEA.

Proposed Modification

comments noted and modifications proposed to rectify concerns.

Objector Ref 467h

Policy/site ref SEA Ballater HI

Summary

Seek inclusion in the Masterplan for HI of mitigation for adverse effects on B Listed Monaltrie House.

CNPA analysis

The impact on the listed building will be highlighted in future work on the SEA and also within any masterplanning work carried out for HI.

Proposed Modification

comments noted and modifications proposed to address concerns,

Objector Ref 467i

Policy/site ref SEA Braemar

Summary

Seek avoidance of significant adverse impacts from H2 and H3 on both the Braemar conservation area and key listed buildings in the village by ensuring development complies fully with local plan policies and sustainable design guide / checklist.

CNPA analysis

The comments are noted, and a review of the assessment will be revisited as work on the SEA continues to inform the development of local plan sites. H3 has been removed.

Proposed Modification

Comments noted and modifications proposed to deal with the issues raised.

Objector Ref 467j

Policy/site ref SEA Tomintoul

Summary

Seek to see adverse effects of H3 on the setting of St Michael's Roman Catholic Chapel avoided through the detailed design process.

CNPA analysis

The assessment will be revisited to ensure that a consistent and clear approach has been taken to the assessment of effects which will then be used to inform future work on the SEA.

Proposed Modification

Comments noted and change made to assessment to reflect concerns raised.

Objector Ref 467k

Policy/site ref SEA Mitigation measures

Summary

It would be helpful if the SEA Adoption Statement clearly identifies the environmental issues that require further consideration as the Local Plan is implemented, and provides details of the proposed mitigation measures, such as the sites for which Masterplans / development briefs will be required to give further detail about historic environment issues and others.

CNPA analysis

The comment is noted and will be fed into the ongoing work towards adoption of the SEA.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref 467l

Policy/site ref SEA Future Developments

Summary

Note that the SEA will be integrated into the remaining steps of the Local Plan process.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Comments noted. No modifications needed at this stage.

Objector Ref Name Gordon Pyper

468a Development Plan Manager
Angus Council, County Buildings
Market Street
Forfar, Angus

Company Angus Council

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref 468b

Policy/site ref Policy 25

Summary

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

The comment is noted. No modification proposed as a result of this representation.

Proposed 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.

Objector Ref 468c

Policy/site ref Policy 26

Summary

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

The comment is noted. No modifications proposed as a result of this representation.

Proposed 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.

Objector Ref Name Planning, Environment and Development

469a The Highland Council

Company The Highland Council

Policy/site ref General - Vision

Summary

The vision is more of a mission statement than a true vision for the long term aspirations of the Park. It should instead include reference to the role of the Park linking the Highlands with the south, the role of its settlements linking with key settlements outside its boundaries, and the role it has to play in the local, regional and national economy. Reference should be made to physical characteristics, land uses, demographics and infrastructure in line with the Planning etc (Scotland) Act 2006. Additionally reference should be made to the role of the Park in sustaining communities, and supporting the economy.

CNPA analysis

A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 469b

Policy/site ref Policy 01

Summary

Clarification is needed to confirm that matters of national infrastructure which pass through the Park and could have a significant impact on the economic prosperity in the Highlands, need not be compromised by Policy 1 and that they are in fact integral to a “vision” for the Park. The policy and its caveats must not weigh against important development and infrastructure, for example An Camas Mor and the impact this scale of development will have of the future supply of water to Badenoch and Strathspey.

CNPA analysis

A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all. The links with Policy 1 and the strategic role of the National Park in the wider economic prosperity of the Highlands will also be developed.

Proposed Modification

Revise policy 1 in total to reflect the various comments made and make better links with the aims of the Park.

Objector Ref 469c

Policy/site ref General

Summary

The policies in sections 4 and 6 are clear and indicate how they will be implemented and monitored.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 469d

Policy/site ref Housing (land supply)

Summary

The regeneration of communities should be founded on a balanced approach to growth in population and economy. There would be merit in a fuller explanation of the key forecasts and the implications for the economy. There should be a clear understanding about such key forecasts and their implications, since population change and economic prosperity will depend on the level of immigration sustained and in large part, the employment and housing opportunities which support it. A

certain level of growth is needed to sustain the core workforce at the present level and would depend on access for residents of the Park to additional jobs, whether or not these are located within or outwith the Park.

The local plan (and park plan) has been amended to reflect the importance of proximity of Inverness, the Inner Moray Firth and the A96 growth corridor as a driver for economic regeneration. The Park should build on established commuter transport services, share in prosperity and derive from it a contribution to long term sustainability. This economic dimension should be positively promoted in support of land allocations and house-building aspirations. It is essential also that the opportunity to promote a position of economic advantage for local communities, is fully embraced.

With regard to Table 2, in terms of building in a degree of flexibility into projections for growth and demand for housing, the Council would normally apply a 25% "flexibility" component, raising the land capacity requirement to the equivalent of 1,780 units. Since there has been a measure of uncertainty about the deliverability of housing land in the past, an adjustment to the Plan is recommended in this respect. The reference to "EU Accession Countries" is not appropriate in this context.

CNPA analysis

A detailed paper outlining the background to the housing land requirement calculations and land supply requirements will be prepared to clarify the rationale behind the housing policies. Links will be made within this to the need for a more strategic approach to employment and sustainable communities. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made. In regard to the comments on economic development land, further work is being undertaken to take such land allocations forward, in particular with the Chamber of Commerce and Business sector.

Proposed Modification

Amend % to 25 and 40 to reflect national benchmark and findings of 3Dragons.

Remove reference in table 2 to EU countries.

Objector Ref 469e

Policy/site ref Housing (land supply)

Summary

The current allocations and phasing seems to rely on Scottish Water to rectify present water supply constraints which limit building to 500 homes, as well as serious waste-water deficiencies at Grantown-on-Spey, Kingussie and Newtonmore, as part of its priorities to 2010. Subject to this, however the land allocation is reasonable in numerical terms, allowing growth in all communities and an element of choice in most. However it is the release of land for development and its attractiveness to the market which will bear most significantly on local prospects. Concern has been expressed over the reliance on An Camas Mor and reassurances that this land will become available would be welcomed. Careful monitoring of the take-up of land for development consistent with the Council's Housing Land Audit will be needed. In addition it would be useful to identify economic development land in strategic positions. Particular reference is made to Aviemore, An Camas Mor and Kingussie/Newtonmore axes. A business land bank is important in responding positively to investment interest as it arises. The choice of land for other uses in these locations in particular, gives ample scope for suitable initiatives whether bespoke land allocations or provisions to integrate economic development with other activities. For development management purposes, such

provisions enable restraint of damaging piecemeal pressures.

CNPA analysis

The comments in regard to Scottish Water are noted. The land allocations do rely on the effectiveness of An Camas Mor and further information regarding the timescales for its commencement will be sought from the landowner. In regard to the comments on economic development land, further work is being undertaken to take such land allocations forward, in particular with the Chamber of Commerce and Business sector.

Proposed Modification

Identify employment land within proposals maps.

Objector Ref 469f

Policy/site ref Settlements - An Camas Mor

Summary

The plan relies on the development commencing before 2011, which in itself depends on substantial infrastructure investment. If for any reason, for example, the affordable housing provision burden, the development is not feasible, major impact will be had on the housing and economic development needs for the Badenoch and Strathspey area. The policies of the plan should therefore take full account of the possibility of delays or unforeseen issues arising. Lessons can be learnt from the Highland Council experience at Whiteness Head.

CNPA analysis

The comments are noted, and the proposal will be reviewed in light of additional information being sought from the developer/landowner on timescales, the preparation and production of a masterplan for the site, and the economic implications on the development as a result of other policies in the plan. CNPA working very closely with the development team to ensure project moves forward in line with the projected timescales. Lessons from Highland council will be investigated.

Proposed Modification

No further action required.

Objector Ref 469g

Policy/site ref Housing (affordable)

Summary

The levels of affordable housing and the balance of house sizes proposed is a bold response to the problem but there is insufficient evidence to support the argument that this approach will deliver an appropriate number of houses. The approach risks creating a two tier regime of affordable and other forms of housing, and may place developers within the Park at a disadvantage. Closer reference should be made to the provisions of PAN 74 to provide variable contributions where exceptional circumstances exist. The balance of houses types sought would be provided by the market if the demand existed. If this does not exist, it may result in a slowing of all houses delivered. It is considered that if this policy continues, it should contain reference to the need to integrate affordable houses within the overall scheme. The reference to monitoring these policies is also of concern as it may indicate flexibility to the advantage of developers. In terms of the wording of the supporting text, there is need for additional clarity and definition throughout the housing section, to ensure that all those involved in housing delivery are clear on what is expected as a result of the policies. Particular mention is made to para 5.35, 5.49, 5.52, 5.53, 5.56. The wording of the objectives on delivery should also be clarified to reflect the fact that the CNPA will work with housing providers to ensure an allocations policy that is responsive to need.

CNPA analysis

Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Policy 21 modified to reflect work of 3Dragons report and findings.

Modifications to iparas 5.35-5.40 to clarify requirement and supply issues.

Add consultants reports to the web page for general viewing.

Objector Ref 469h

Policy/site ref Policy 19

Summary

The policy should recognise the role of local councils as providers of several of the services set out in Table I. 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

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 I 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 Modification

Add further information in supporting text.

Objector Ref 469i

Policy/site ref Settlements - Aviemore

Summary

In Aviemore (page 62), it is essential that the Plan incorporates reference to the 1993 Urban Design Strategy as a basis for continuing regeneration and design quality. Whilst the principle of a public park is an “absolute” as part of an updated masterplan for the Aviemore Highland Resort, the Park Authority should be satisfied that its identification on the Proposals Map (C2) is not prejudicial to an acceptable urban design outcome, and the need for flexibility and innovation in that regard.

CNPA analysis

The masterplan for Aviemore is currently being reviewed and once complete and agreed will form supplementary guidance to support the local plan policies. The proposals maps will be amended to reflect the finds of the current work, and progress within the AHR site on the development of its own masterplan for clarity.

Proposed Modification

Add para to confirm new masterplan and its status as material and adopted SPG

Objector Ref 469j

Policy/site ref Settlements - Kingussie

Summary

Land allocations in Kingussie are indicated to require access from the A86. Whilst this may be preferable, it would be desirable not to discourage full and careful consideration of other options, including phasing development, lest any difficulties with land assembly arise.

CNPA analysis

The comments are noted, and the site will be reviewed to assess the various options for phasing future development of the site and access to it. Where this information clarifies the position additional text will be included within the proposal.

Proposed Modification

include need for phasing to take into account access restrictions, and work within the limitations of the existing road network. Include need for development brief to be produced to ensure effective provision on site in line with table 4.

Objector Ref 469k

Policy/site ref Settlement omissions

Summary

Whilst acknowledging the benefits of a flexible framework and application of the principles of good design, the absence of a defined “footprint” for some smaller settlements is creating uncertainty about the recognised building pattern and difficulties in resisting piecemeal development which may affect their character and setting. Consideration should be given to rectifying this to assist development management, whether by an adjustment to the Proposals Map or an appropriate policy statement for development located on the edge of communities.

CNPA analysis

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 Modification

Include smaller settlements for clarity and picture of proposals across the Park.

Objector Ref 469l

Policy/site ref Policy omission

Summary

The Cairngorms National Park Local Plan is the appropriate framework within which to convey the Park Authority’s strategic approach and planned response to the provision of A9 services and to have due regard to national safety aspects and the implications for communities and the economy. It is recommended that consideration should be given to reflecting the principle and an acceptable scale of development at key locations namely, at Dalwhinnie to coincide with the planning permission to 05/331 FULBS for tourist information, restaurant and shop (March 2006); at Ralia, where refreshments are presently available and at Carrbridge.

CNPA analysis

The reference to the scale and nature of development in the representation is noted, and consideration will be given to the inclusion of a policy regarding strategic forms of development which may occur within the Park to the benefit of the wider Highland region. Confirm that proposals such as the one mentioned will be considered on their merits, and judged against all policies in the Plan. A site has not been specifically identified as the Plan does not wish to hamper the selection of a site for any such development. The wording of the policy is therefore considered suitably supportive to assist in the development of the project if it comes forward.

Proposed Modification

No modification proposed.

Objector Ref Name Kirsty Cameron, Archaeology

470a The Highland Council

Company The Highland Council

Policy/site ref General - Links to Park Plan

Summary

Welcome outcome ix on page 10, but would prefer Action Programme point 2d to state 'Identify and Safeguard the features and landscapes of archaeological, historical and cultural heritage interest through planning and development control including design guidance and identification of buildings at risk'.

CNPA analysis

The comment is noted. However the wording referred to is a quote from the National Park Plan which has now been adopted. The consultation undertaken here relates to the wording within the local plan rather than cross references to other documents. No modification considered necessary as a result of this representation.

Proposed Modification

No modifications proposed.

Objector Ref 470b

Policy/site ref Policy 07

Summary

Welcomes inclusion of historic landscape in Policy 7. Seeks reassurance that any historic landscape not falling within the remit of Policy 8, specifically, only those G&DL recognised by Historic Scotland, would fall under Policy 7.

CNPA analysis

The policy regarding landscape will be used when assessing any development proposal which would make an impact on the special landscape qualities of the Park. This would be in addition to policy 8 rather than instead of it. 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 Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wilderness should also be clarified in 4.40 and 4.41. Light pollution

should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 470c

Policy/site ref Policy 08

Summary

Para 4.45 add 'yet' to 'not recorded'. As all such features should be reported to and recorded on the SMR/HER once identified – the maintenance of a SMR/HER is an ongoing process and sites will continually be added as they are identified within the Park and its landscapes.

CNPA analysis

The proposed amendment to the wording of para 4.50 will be added as a modification.

Proposed Modification

4.50 add not 'yet' last line.

Add final sentence - 'all such sites/features will be reported to and recorded on the SMR/HER which is continually updated by the local authorities for the benefit of all'r.

Objector Ref 470d

Policy/site ref Policy 09

Summary

Seeks amendment of third para to use the word 'appraisal' instead of 'evaluation' as this would adequately cover both desk-based and field work required in advance of determination. Seeks changes to paras 4.47 and 4.48 so that they mention the potential for the survival of further sites not yet recorded either in the NMRS or the SMR/HER

CNPA analysis

The comments regarding the proposed rewording are noted. In para 3 of the policy the change will be included as a modification proposal. In paras 4.47 and 4.48 the appropriate alterations will be made to make reference as suggested.

Proposed Modification

Change 'evaluation' to 'appraisal'.

Before 'Many' add wording in line with comment.

Objector Ref 470e

Policy/site ref Policy 12

Summary

Welcome explicit inclusion of the setting of a site within this policy. Change para 4.58 to add 'yet' before 'protected'. Change para 4.60 to read '...impact on recognised or potential sites of features of cultural heritage significance...'

CNPA analysis

The proposed wording is noted and the appropriate modifications will be added to the supporting text.

Proposed Modification

4.69 add 'yet'

4.73 add 'or potential'

Objector Ref 470f

Policy/site ref Policy 27,28

Summary

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

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 Modification

No modification proposed.

Objector Ref 470g

Policy/site ref Maps

Summary

Suggest revising para 7.14 last sentence to read 'Accurate data regarding these and other non-designated cultural heritage sites can be obtained directly from the CNPA, the relevant Local Authority, Historic Scotland and RCAHMS.'

CNPA analysis

The proposed wording is noted and some form of amendment will be added to clarify the sources of information available to support the Local Plan.

Proposed Modification

7.15 modify to refer to other cultural heritage sites

Objector Ref 470h

Policy/site ref Settlements - Aviemore

Summary

Welcome the fact that with the exception of Aviemore (Proposals H2 & H3), the settlement proposals have managed to avoid any currently recorded sites of cultural heritage. However, noted that most of the proposal areas have a moderate to high potential for the survival of buried features and as such it is likely that they will require to be the subject of archaeological evaluation/appraisal as per Policy 9.

CNPA analysis

The comment is noted, and through the implementation of policies in the plan regarding cultural heritage it is hoped that the appropriate level of protection and/or recording will be included within any permissions granted. No modification considered necessary as a result of this representation. Confirm such evaluations will be required in line with policy regarding archaeology.

Proposed Modification

no modification proposed.

Objector Ref Name Housing and Property Services

471a The Highland Council

Company The Highland Council

Policy/site ref Housing (land supply)

Summary

Welcome the proposals in principle and think that they may make a significant contribution to meeting housing needs. Stress the need for realistic allocations of economically deliverable land due to the possible impact of restrictive policies and also the consequent impact on house prices and housing need.

CNPA analysis

Amend approach to reflect 3Dragons work.

Proposed Modification

Amend policy 21 to reflect 3Dragons work.

Objector Ref 471b

Policy/site ref Housing (affordable)

Summary

Seek the removal of the statements made in 2nd and 3rd sentences in para 5.35. States there is no evidence for either statement, and also that they do not justify the use of the affordable housing policy and therefore may lead to developers challenging the policy.

CNPA analysis

Clarification of the wording highlighted will be included.

Proposed Modification

Amend para 5.34 to clarify the housing dilemma faced in the Park by those seeking to secure a house.

Objector Ref 471c

Policy/site ref Housing Table 2

Summary

Agree that future projections include projections for in-migration (as well as backlog) we can see no reason why workers from the EU

Accession Countries are specifically mentioned and are concerned that this may contribute to a negative view and anxiety by individuals and communities re. particular ethnic minority groups.

CNPA analysis

Confirm amendment will be made in line with comment.

Proposed Modification

Replace with reference to in-migration.

Objector Ref 471d

Policy/site ref Housing Tables 3-4

Summary

Questions whether or not the land supply calculations are realistic given experience and past

trends of land availability / economically deliverable land availability?

CNPA analysis

The figures are based on studies undertaken by consultants which are available on line for information. The view is maintained that sufficient land is included to meet this need, and no additional land is therefore required.

Proposed Modification

No modification proposed.

Objector Ref 471e

Policy/site ref Housing Table 4

Summary

Comment made that as long as affordable housing investment does not drop significantly, there is likely to be subsidy available to support the 50% affordable housing target.

CNPA analysis

Amend policy 21 to reflect work of the 3Dragons to ensure appropriate level is set.

Proposed Modification

Confirm the reduction of % in policy 21 to 40%

Objector Ref 471f

Policy/site ref Policy 24

Summary

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

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

Proposed 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.

Objector Ref 471g

Policy/site ref Policy 24

Summary

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

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

Proposed Modification

Include definition in appendix on housing.

Objector Ref 471h

Policy/site ref Policy 24

Summary

Questions does this include self build?

CNPA analysis

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 Modification

No modification proposed.

Objector Ref 471i

Policy/site ref Policy 24

Summary

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

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

Proposed Modification

Include the site breakdown and provision on a site by site basis and move to appendix.

Objector Ref 471j

Policy/site ref Policy 24

Summary

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

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

Proposed Modification

Include the site breakdown and provision on a site by site basis and move to appendix.

Objector Ref 471k

Policy/site ref Policy 24

Summary

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

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 Modification

Move revised definition to appendix.

Objector Ref 471l

Policy/site ref Policy 24

Summary

Welcome reference to community needs surveys, but suggest a broader community needs assessment may be more appropriate.

CNPA analysis

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 Modification

5.49 include reference to community needs assessments

Objector Ref 471m

Policy/site ref Policy 24

Summary

Seeks a broader explanation of when s75 agreements will be required.

CNPA analysis

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 Modification

5.47 expand to clarify the use of Sec 75.

Objector Ref 471n

Policy/site ref Policy 24

Summary

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

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

Proposed Modification

Revise approach to waiting lists in appendix on housing. .

Objector Ref 471o

Policy/site ref Policy 24

Summary

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 applicants.

CNPA analysis

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

Proposed 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.

Objector Ref 471p

Policy/site ref Policy 24

Summary

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

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 Modification

5.50 clarify position regarding single houses and policing waivers.

Objector Ref 471q

Policy/site ref Policy 24

Summary

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

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 Modification

5.51 Delete sentences in line with comment.

Objector Ref 471r

Policy/site ref Policy 26

Summary

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

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 Modification

No modification proposed.

Objector Ref Name Fred Mackintosh

472a The Highland Council

Company The Highland Council

Policy/site ref Policy omission

Summary

It is strongly recommended that the current Highland Council Policy with regard to road adoption, "the 4 house rule", is adopted by the Park Authority. Subject to the provision of a suitably robust management and maintenance agreement, a road serving a new development, particularly a smaller

development, need not be adopted. However, for any development in excess of four dwellings the road serving the development should be designed and constructed to a generally adoptable standard, in compliance with the requirements of Highland Council's Road Guidelines for New Developments.

Significant improvements to the existing public road network will be required to mitigate the impact of larger developments; whether residential, commercial or industrial, including mineral extraction sites and renewable energy schemes. Such improvements should ideally be carried out by the developer, to the satisfaction of the Roads Authority, but in certain circumstances financial contribution by the developer may be more appropriate.

Account must also be taken of the cumulative impact of smaller scale rural developments, including conversion of redundant buildings or replacement of uninhabited dwellings. It is recommended that a suitable mechanism is established to deliver consistent and equitable levels of planning gain relative to such developments.

CNPA analysis

The issue of the '4 house rule' is a technical one which can be addressed by way of planning condition where needed and appropriate. It is not considered necessary to include this level of detail and impose it across the 4 local authorities. Further information will however be added within the Plan to provide additional guidance on roads issues, guiding developers on the expectations of the policies and work will continue with the 4 local authority road departments to ensure an appropriate level of guidance is available for developers. Confirm impact of developments on roads will be assessed on application and in consultation with the relevant roads authority. CNPA staff will continue to work with partner local authorities to achieve consistency across the Park.

Proposed Modification

No modification proposed.

Objector Ref 472b

Policy/site ref Policy 13

Summary

Highland Council supports the incorporation of Sustainable Urban Drainage Systems (SUDS) within new developments and will consider adopting SUDS measures dealing exclusively with road water that are of a suitable standard. Particular attention should be given to minimise the long term maintenance requirements of such measures. Nationally, the responsibility for the adoption and maintenance of shared drainage systems (that also accept roof and curtilage water) is not clear at present and remains to be clarified at a national level.

CNPA analysis

The comment is noted. The Local Plan will include any new national guidance if it is produced prior to adoption. No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 472c

Policy/site ref Policy 14

Summary

Policy supported.

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No further action required.

Objector Ref 472d

Policy/site ref Policy 30

Summary

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

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 Modification

Amend policy to give clear approach for new development in line with SPP17.

Expand background para regarding the use of transport assessments what they are and when they are needed.

Objector Ref 472e

Policy/site ref Policy 30

Summary

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

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 Modification

No modification proposed.

Objector Ref 472f

Policy/site ref Settlements - Aviemore

Summary

Seeks the full implementation of the existing Highland Council Masterplan for Aviemore.

CNPA analysis

The Aviemore Masterplan will ultimately be adopted as supplementary guidance and support the local plan in the decision making process. This will be clarified in the wording within the settlement proposal.

Proposed Modification

Add para to confirm new masterplan and its status as material and adopted SPG

Objector Ref 472g

Policy/site ref Policy 21

Summary

Recommend detailed and thorough transport assessments be required for all proposed large scale developments.

CNPA analysis

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 Modification

No modification proposed.

Objector Ref 472h

Policy/site ref Policy 28

Summary

Seek the inclusion of the current Highland Council Policy for road adoption (the 4 house rule) for all new developments.

CNPA analysis

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 Modification

No modification proposed.

Objector Ref 472i

Policy/site ref Settlements - An Camas Mor

Summary

In relation to the An Camas Mor, suggest considering the provision of a northern link road to connect the new settlement with B9152.

CNPA analysis

The development of this site will require many detailed assessments including a transport assessment which should assess all options to link the settlement to the existing road network and neighbouring settlements. The wording of the supporting text will be amended to clarify the position.

Proposed Modification

Add sentence to road network and linkages to 3rd para.

Objector Ref 472j

Policy/site ref Settlements - Kingussie

Summary

Concern expressed over the level of development proposed at Kingussie. Concerns over drainage and provision of a suitable road network. Suggest number of units is limited to the figure included in the current local plan.

CNPA analysis

Land allocations in Kingussie are indicated to require access from the A86. Whilst this may be preferable, it would be desirable not to discourage full and careful consideration of other options, including phasing development, lest any difficulties with land assembly arise.

Proposed Modification

Clarify wording in H1 to require masterplan which addresses key issues such as infrastructure. Also confirm that 1-5 year supply in table 4 is for 75 units.

Objector Ref 472k

Policy/site ref Policy 18

Summary

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

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 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.

Objector Ref Name Maurice Stack

473 Aberdeenshire Council, Planning and

Company Aberdeenshire Council

Policy/site ref Policy 23

Summary

Support for Policy 23

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

Move to supporting text of policy 21, para 5.45.

Objector Ref 473a

Policy/site ref General - Links to Park Plan

Summary

Welcome support for Park Plan approach to innovative design.

Welcome action programme to improve outdoor access opportunities, however concern about lack of funding for removing barriers to access.

Welcome action programme for affordable housing. Encourages CNPA to work with a range of partners to help ensure a realistic level of affordable housing can become a reality. Concern that lack of affordable housing is a perceived barrier to social and economic development in some of the Park's communities, especially for the younger generation.

CNPA analysis

Comments regarding design, and access are noted. Further clarity will be considered in regard to the implementation of Policy 34.

Confirm by letter the ongoing work to secure partnership buy in for the local plan and its approaches.

Proposed Modification

No modifications proposed.

Objector Ref 473b

Policy/site ref Policy 04

Summary

Suggest either plotting SINS on a map, or including a list of sites in the Local Plan.

CNPA should note that Aberdeenshire Council is considering a review of its SINS sites.

Questions if 'earth' is the most appropriate word to use? Surely nature conservation also encompasses geological sites?

CNPA analysis

The comments regarding the links with work ongoing in Aberdeenshire Council are noted. In regard to natural heritage designations, the view has been taken that since the area as a whole has been designated as a National Park, other local designations would not be used, so avoiding any possible inference that some areas of the Park are of more natural heritage value than others. However the proposals maps will take cognisance of such designations in the 4 local authorities. Further discussions will be required with Council representatives to ensure that there is no conflict in the work being undertaken, and that appropriate levels of protection are included within the National Park Boundary.

Proposed Modification

No modification proposed.

Objector Ref 473c

Policy/site ref Policy 07

Summary

Recommend that Policy 7 includes a requirement for a design statement for all new development at pre-application stage. Recommend inclusion of information on general development/ landscape design principles to ensure they are addressed in planning applications. Concern expressed that Policy 7 is too vague, and that a design guide is required to provide extra guidance on what would be acceptable. Concern also expressed that development with adverse effects appears to be permitted if there are social or economic benefits and mitigation.

CNPA analysis

The issue of design statements is a valid point and will be considered under Policy 18 - design standards. Also note the comment regarding information displayed on the proposals maps and this will be reviewed for future plans. The importance of Policy 7 in terms of guiding development to the most appropriate landscape setting has been highlighted in the consultation process, and the wording of the policy will be reviewed to ensure it contains sufficient detail to allow for the implementation of the policy as intended. The links between the importance of landscape setting and other benefits including social and economic growth will be included within this.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wilderness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 473d

Policy/site ref Policy 10

Summary

Suggest that the Plan address the issue of enabling development in relation to listed buildings in order to avoid misinterpretation of the intentions of national policy guidance (NPPG 18).

1st para - Should add "possessed" as well as "possesses" – it may not possess many features of interest any more but there is an opportunity through development to try to restore those which it did have.

Questions who decides what is a reasonable price for the marketing?

CNPA analysis

The comments regarding enabling development and marketing are noted. Further work is needed

to clarify how policies will be implemented, including occasions such as this and the wording must ensure that the policy is not open to unnecessary interpretation. The additional comments regarding wording are also noted and the policy will be revised to ensure that it is clear and provides the appropriate level of guidance for developers.

Proposed Modification

Add para on role of enabling development for listed buildings in line with NPPG

Add supporting text to highlight that input from the DV may be needed to assess para a)

Objector Ref 473e

Policy/site ref Policy 11

Summary

Concern that it is actually not possible to require full planning applications for all development in conservation areas, and thinks this is too restrictive.

CNPA analysis

The comment is noted and legal advice will be sought to ensure the wording complies with the requirements of local plan policies as established in national guidance and advice.

Proposed Modification

No action required.

Objector Ref 473f

Policy/site ref Policy 12

Summary

Question who would objectively assess the significance of the feature. Concern that the policy will be used by objectors to stifle the planning process, and that mitigation measures could make developments unviable.

CNPA analysis

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 Modification

Add para 4.70 and 4.72 to clarify.

Objector Ref 473g

Policy/site ref Policy 13

Summary

Welcome Policy 13 in relation to the increasing importance of abstraction issues for the River Dee (SAC). Questions what is a "significant" risk of flooding?

CNPA analysis

The comment is noted. The wording of the policy will be reviewed to ensure it is clear and provides an appropriate level of guidance for developers and interested parties. 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 Modification

Clarify in layout that flooding is particular consideration. Include additional detail as suggested by SEPA.

Objector Ref 473h

Policy/site ref Policy 14

Summary

Welcome the inclusion of information on soils.

Suggest replacing 'earth' with 'minerals' as this is the commonly used terminology and accords with National Policy.

Concern expressed over the reference to the need for a market within the Park for recycled materials. This could be a limitation for a business located in the more accessible areas of the Park, and who want to produce recycled goods for a wider market.

CNPA analysis

The rewording suggested is noted and the appropriate modification will be made. The general tone will also be revisited to ensure that it is reasonable and delivers the aims of the policy as detailed in the supporting text.

Proposed Modification

Include Minerals in the title

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 473i

Policy/site ref Policy 16

Summary

Recommend expanding Policy 16 – Wind Energy to address community wind energy schemes. The policy should address the issue of potential community wind energy schemes which could feature one or more commercial size wind turbines.

Questions what is meant by "small scale"? And whether the policy is referring to the size of structure or the number of units?

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly. 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 Modification

Remove 'small scale' and 'micro' from the wording. Add phrase to the end of the policy 'or detrimental impact on the environment'

Objector Ref 473j

Policy/site ref Policy 17

Summary

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

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 Modification

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

Objector Ref 473k

Policy/site ref Policy 18

Summary

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

CNPA analysis

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 Modification

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

Objector Ref 473l

Policy/site ref Policy 19

Summary

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

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 I 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 Modification

Add suggested wording into supporting text of policy.

Amend table I in line with comments.

Objector Ref 473m

Policy/site ref Policy 19

Summary

Table I: 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

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 Modification

Reword table in line with comment.

Objector Ref 473n

Policy/site ref Policy 21

Summary

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

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 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.

Objector Ref 473o

Policy/site ref Policy 20

Summary

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

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 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.

Objector Ref 473p

Policy/site ref Housing (land supply)

Summary

While housing development based on a 5 year land supply as described in the plan is welcomed, ongoing analysis of population change, coupled with increasing demand for economic development opportunities, will require to be considered, as the life of the plan progresses. While conservation of the special qualities of the Park is key, the increasing awareness and attractiveness of the Park will result in greater demand for housing, plus business development to service communities over time. The Cairngorms National Park is well placed to demonstrate that social and economic sustainable development can go hand in hand with conservation and enhancement of the natural and cultural heritage combined with sustainable use of the natural resources

CNPA analysis

Continue to work with Local Authorities to ensure most accurate and up to date information is available.

Proposed Modification

No modifications proposed.

Objector Ref 473q

Policy/site ref Housing (land supply)

Summary

There seems to be a discrepancy between the housing figures quoted for Ballater and Braemar in the housing land requirement and supply information.

CNPA analysis

The tables will be revisited to ensure they are accurate, clear and easy to understand.

Proposed Modification

Amend tables to ensure correct and clear.

Objector Ref 473r

Policy/site ref Policy 24

Summary

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

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

Proposed 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)

Objector Ref 473r

Policy/site ref Policy 19

Summary

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

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 Modification

No modification proposed.

Objector Ref 473s

Policy/site ref Policy 25

Summary

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

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 SPPI 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 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'

Objector Ref 473t

Policy/site ref Policy 26

Summary

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

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 SPPI. 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 Modification

Revise groups policy to groups of 3.

Objector Ref 473u

Policy/site ref Policy 27

Summary

Suggest that if 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

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 Modification

No modification proposed.

Objector Ref 473v

Policy/site ref Policy 28

Summary

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

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 Modification

No modification proposed.

Objector Ref 473w

Policy/site ref Policy 29

Summary

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

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 Modification

No modification proposed.

Objector Ref 473x

Policy/site ref Policy 30

Summary

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

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 Modification

Expand background para regarding the use of transport assessments and also clarify the term 'transport network'

Objector Ref 473y

Policy/site ref Policy 33-36

Summary

Welcome policies 33 to 36

CNPA analysis

No modification considered necessary as a result of this representation.

Proposed Modification

No modification proposed.

Objector Ref 473z

Policy/site ref Policy 33

Summary

Would like to see reference to links to public transport networks.

Concerns over the ease of getting permission for tourism related development, and the option people then have to run the business badly in the short term, in order to argue it isn't viable and hence seek to turn it into a private home.

CNPA analysis

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm Policy 33 is intended to protect uses which support tourism such as small hotels and B&Bs

Proposed Modification

No modification proposed.

Objector Ref 473zi

Policy/site ref Policy 35

Summary

Questions why the footprint of the affected area has to remain the same as currently permitted, and also if it is feasible for the policy to apply to extensions to existing businesses.

CNPA analysis

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Proposed Modification

Delete b) from policy

Objector Ref 473zii

Policy/site ref Policy omission

Summary

The plan would benefit from a general development policy dealing with parking, servicing and accessibility. This would help to ensure interpretation of the policies is consistent.

The plan also needs guidance on infill developments/feu splits.

CNPA analysis

The comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight such developments within separate policies. 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. 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 that protocol guidance will be produced to support the local plan on issues such as those raised.

Proposed Modification

Add additional policy 22 in housing section regarding development within settlements.

Objector Ref Name Stuart Robertson

474a

Planning Gain Co-Ordinator

Aberdeenshire Council
The Square
Banchory

Company Aberdeenshire Council

Policy/site ref Housing (affordable)

Summary

Seeks a consistent approach across all Council areas within the Park is desirous for the industry and for infrastructure provision. Suggest doubling land allocation, but keeping same number of units required in order to help hold down land values. Suggest allowing public sector employers and tourism related employers to build or convert buildings on their sites for rented accommodation. These units could then be managed by RSLs.

CNPA analysis

Two background papers undertaken by consultants relating to population figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be made to the introduction to the housing section to clarify the need for housing in the Park.

Proposed Modification

Amend policy 21 in light of 3Dragons findings.

Modifications to introduction to housing section to clarify need and approach to affordable housing. Also include appendix to add further detail.

Add consultants reports to the web page for general viewing.

Objector Ref 474b

Policy/site ref Settlements - Ballater

Summary

Extend Ballater settlement boundary to include the Golf Course.

Extend H1 eastwards to include the full site as proposed by the Prince's Foundation.

Consider the following to allay flooding concerns:

-Engineering compensatory areas on the south east side of the River Dee

-Raise ground floor levels, either with use of more hardcore, or by designing in basements

-Applying a code of construction to all the site making it obligatory to construct all ground floor accommodation in all buildings with tiled solid concrete floors with valve controlled floor drainage outlets to expel water when flood event recedes, solid construction to internal walls with tiles or similar waterproof finishes to dado height. All electrical circuits above dado height, concrete staircases to first floor.

CNPA analysis

The comments are noted and further work will be done on both the boundary of the settlement and the level of detail included within the proposal sites, to clarify the development potential, and highlight constraints including flood risk. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. Confirm ongoing work on flood risk assessment being undertaken by potential developer of H1.

Proposed Modification

Include golf course as open space. Include support for Princes Foundation mixed use approach in

text and amend boundary of H1 accordingly.

Objector Ref 474c

Policy/site ref Settlements - Braemar

Summary

H2 - Flooding issues could be dealt with the same as H1 in Ballater. CNPA could consider the field opposite the caravan park on A93, and the fields to the north of the Invercauld Arms as alternatives or in addition to H1 as they are outwith the main flood risk areas. The field south of the settlement on the West side of Gold Course road could also be developed without the same inherent flood risks as H2. However, in order to achieve levels of planning gain required to provide infrastructure / affordable housing provision, a larger number of housing units is required in Braemar. These proposals should help retain a mix demographic in the settlement, and hence assist in sustaining the established business in the settlement throughout the year.

CNPA analysis

The comment is noted, and the current planning application for the site will be carefully monitored to ensure that the proposal map accurately reflects the position in the event the permission is granted. Due to the timescales the current application it will be determined in line with the policies in the Aberdeenshire Council Plan. In the event that the detailed application is refused, the situation will be revised. Confirm position of infill sites such as those mentioned but that sufficient land has been included.

Proposed Modification

Include up to date info on outstanding applications and extant permissions.

Objector Ref 474d

Policy/site ref Settlements omissions Dinnet

Summary

Up to 30 additional houses should be provided for at Dinnet, in order to support potential future commercial activity, and to help restrict Dinnet from an aging population. The eastern approach to the National Park would benefit from a more lively settlement with a variety of residential infrastructure, and commercial activity.

Dinnet settlement boundary should be extended to include the listed steading at Clarrack to the West and land to the south of the former Dinnet Station.

CNPA analysis

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 Modification

Identify Dinnet within settlement proposals.

Objector Ref Name Jan Semple

475

1 Lettoch Road

Nethybridge
Inverness-shire
PH25 3EJ

Company

Policy/site ref General - Consultation

Summary

Commends the consultation process. Expresses confusion over the role of Community Councils.

CNPA analysis

The comment is noted. The consultation process is designed to gain a full understanding of all views within the Park and does not place additional emphasis made by any particular individual or group. All representations are considered of equal importance. No modification considered necessary as a result of this representation. In regard to the role of Community Councils, members are elected to represent the views of their community and form an important role in the complex network of bodies which feed into the Local Government process. No modification considered necessary as a result of this representation.

Proposed Modification

No modification needed .

Objector Ref Name Hank Dittmar
476a The Prince's Foundation
19-22 Charlotte Road
London
EC2A 3SG

Company The Prince's Foundation

Policy/site ref Policy 18

Summary

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

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 Modification

No modifications considered necessary

Objector Ref 476b

Policy/site ref Policy 19

Summary

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 Plan, 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

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 Modification

No modification proposed

Objector Ref 476c

Policy/site ref Policy 14

Summary

Include a clause to actively promote the extraction of dimensioned stone for local development and conservation use, provided that it minimises environmental impacts. To help reduce cost and increase usage, the extraction of stone for local uses should be exempt from b) that mineral developments will only be permitted where no suitable and reasonable alternatives to the material are available. The sustainable use of timber and other materials such as clay from within the Park for local construction purposes should be encouraged, and provision made where possible for local processing and working of these materials. Localised construction skills training as part of the larger development proposals should be encouraged as an additional benefit to the Park.

CNPA analysis

The issue of local materials for local conservation and restoration projects is an interesting one and the wording of the policy will be reviewed to ensure appropriate provision is made for such extraction.

Proposed Modification

Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.

Objector Ref 476d

Policy/site ref Policy 24

Summary

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

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 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.

Objector Ref 476e

Policy/site ref Settlement maps

Summary

The delineation of the settlement proposals is in general an improvement over the last draft, however to promote vibrant walkable mixed use communities there should not be a distinction between use types (community, economic development and housing), as used on the settlement maps. These uses should coexist and proposals should be simply designated as 'development areas'. An appropriate mix of uses might be stipulated on a & basis for larger development areas and settlements in the round (with perhaps a maximum for housing and a minimum for other uses), to allow greater flexibility and sophistication in the design process and allow the Park Authority to assess proposals on their merits.

CNPA analysis

The comments regarding land use allocations is noted and an alternative way to promoting mixed use within settlements would be an interesting option to explore. Consideration to how this could be addressed in proposals maps and text will therefore be explored and amendments made accordingly.

Proposed Modification

Include para 7.4 in intro to cpt re mixed uses on site, and need to promote sustainable communities.

Objector Ref 476f

Policy/site ref Settlements - Ballater H I

Summary

The Prince's Foundation is committed to working with all key players and agencies to ensure that environmental and flooding concerns are carefully considered and that the aspirations of the Enquiry by Design workshop are rigorously followed with the aim of achieving exemplary standards of development.

The EbDesign proposal exceeds the time frame of the Local Plan, but in the allocation BL/HI does not cover the entirety of the masterplan vision. To allow for the possibility of completing the full plan in the future, the complete extent of the masterplan framework on site BL/HI should be safeguarded in outline for future development. Based on the existing layout and pattern of buildings in Ballater, the suggested capacity of 250 units (p.72) is approximately the number that would be needed to establish development of a similar character. We would also seek clarification in the Plan that these numbers would include provision for business units, shops and other uses. In order to maximise wider community benefits, improvements to Monaltrie Park and ensure a quality public realm, sufficient critical mass will be needed in the initial, and most costly, stages of development. 90 houses in the first 5 years may be too low (Table 4, page 44). We object to the zoning of site BL/ED2 for economic development for reasons as stated above and would suggest that future uses of site BL/ED1 are not necessarily restricted to business, particularly as these sites feature prominently on the riverside approach into Ballater and have the potential to make a more positive contribution to the street.

CNPA analysis

The allocated site at Ballater will be reviewed in light of additional information being sought from the Prince's Foundation. Additional information may then be added to reflect the findings of this study and provide a level of detail regarding mixed uses, access, densities, and areas to be protected from development. Further consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm CNPA are keen to work with Princes Foundation to ensure good development is realised.

Proposed Modification

Amend boundary on plan to account for Games Park and Princes Foundation proposals.

Objector Ref Name Dr Alister Scott

477a University of Aberdeen
Department of Geography and Environment
Elphinstone Road
Aberdeen

Company

Policy/site ref General

Summary

The wording of para 1.5 places insufficient weight on the purpose of the local plan in conserving and enhancing the natural and cultural heritage - this should be clarified.

The plan also needs to consider the impact of development outwith the Park which could affect its special qualities, in particular wind farms and the impact of development on the landscape.

CNPA analysis

The role of the local plan will be clarified in terms of its role in delivering the 4 aims of the Park. Within the introduction the wording will be clarified to ensure the appropriate level of consideration is given to all forms of development which affect the Park and its special qualities. However clarify that the local plan could not be used to impact on developments over which we have no control. In providing advice to neighbouring authorities on applications which affect the special qualities the 4 aims of the Park and the special qualities themselves are paramount.

Proposed Modification

Modify introduction to clarify wording on links between LP and 4 aims of the Park in revised para 2.11-2.17

Clarify to explain the use of the Plan and all its policies in the decision making process in revised para 1.20.

Objector Ref 477b

Policy/site ref General - Context

Summary

The role of national guidance and the NPF2 should be clarified. Cross referencing to these documents should be included throughout.

CNPA analysis

In section 2 add clarification of the role of the Plan in context with national guidance and NPF.

Proposed Modification

Modify 2.1 - 2.3 to clarify national context.

Objector Ref 477c

Policy/site ref General - Vision

Summary

The vision statements for the Park Plan and Local Plan refer to sustainable development but there is no clarity on the term. The plan as written is too focused on economic and social sustainability and there should be a better balance on the opportunities and costs of such an approach. The Vision is too limited and should include the environment explicitly.

CNPA analysis

A review of the Vision will be undertaken to ensure that it gives an appropriate level of imaginative and coherent guidance for the future of the Park, and promotes a level of partnership working which is accepted by all.

Proposed Modification

para 2.14-2.15 Amend vision to expand the issues it considers, and wording to be visionary explaining the aspirations of the plan for the area.

Objector Ref 477d

Policy/site ref Policy 04

Summary

para 4.14/15 - Reference should be made to the Park Plans reference to NSAs. The wording should also be revised as currently it allows social and economic benefit to override in the decision making process. The wording should better reflect section 9(6) of the Act.

CNPA analysis

The para on NSAs will be clarified to ensure the level of protection if offered. The reference to social and economic benefit within the policy will also be removed.

Proposed Modification

The para on NSAs will be clarified to ensure the level of protection if offered. The reference to social and economic benefit within the policy will also be removed.

Objector Ref 477e

Policy/site ref Policy 07

Summary

The policy is weak when compared to policy 6. There should be a focus that developments must be of national importance to override this policy. Also the previous reference to NSAs is unhelpful and creates a two tier system for the landscape. The role of landscape character assessments should be clarified.

4.37 refer to ongoing work to update the LCA and HCLA and preparation of landscape management plans. Also this should refer to the Park Plans reference to management plans.

CNPA analysis

The wording of the supporting text and the policy will be clarified to ensure the landscape is seen in its correct context as a special quality. Also the work on LCAs and management plans will be included.

Proposed Modification

Modify 1st para to ensure positive contribution is made to the landscape character. Add 'significant' and 'character' in 2nd para. Add a) and b) to ensure alternatives are considered and adverse effects minimised. Supporting text modified to ensure all development respects the landscape character of the national park. The role of wildness should also be clarified in 4.40 and 4.41. Light pollution should be retained in 4.42 and the role of landscape character assessments explained.

Objector Ref 477f

Policy/site ref Policy 16

Summary

Definitions need to be included for clarity, which should reflect SPP6. Greater clarification also needs to be included regarding small scale schemes. The Park needs to state what form of development it would want.

CNPA analysis

The approach to renewable energy production will be reviewed in light of comments received. Any proposals must be assessed against the policies in the Local Plan and the Park Plan and also the aims of the Park and the policy regarding energy production must be worded to ensure that this is done correctly.

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 Modification

Remove the reference to small and micro, and clarify the need for SPG to provide the appropriate level of guidance.

Objector Ref 477g

Policy/site ref Policy 17

Summary

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

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 Modification

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

Objector Ref 477h

Policy/site ref Housing (general)

Summary

The detail included in support of housing policies exceeds the other topics and should be included as an appendix. Also all other policies should include data to provide a similar level of evidence.

CNPA analysis

The level of detail included in the supporting text will be reviewed and the appropriate changes made to better the balance. However the issue of provision of affordable housing remains a key issue with the National Park.

Proposed Modification

Move definition of affordable housing to appendix.

Objector Ref 477i

Policy/site ref Policy 31

Summary

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

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 Modification

Include reference to exemplar design in supporting text.

Objector Ref 477j

Policy/site ref Policy 33

Summary To deliver sustainable tourism objectives the policy could focus on spreading the benefits of tourism across different areas of the Park as a material consideration. The Plan could contribute more to this if sites were identified on proposal maps.

CNPA analysis Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special

qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm sites have not been specifically on the proposals maps as they are so numerous and in some cases very small in scale, but key to the tourism sector in that area. The policy is therefore worded to ensure that all tourism developments are considered equally and throughout the plan and all its policies, the objectives of the Park Plan and the aims of the Park are key in decision making and underlined through policy 1.

Proposed Modification

No modification proposed.

Objector Ref 477k

Policy/site ref Policy omission

Summary Delivery of the National Park Plan objectives and actions concerned with raising awareness and understanding of the Park would be enhanced by policies and/or proposals that support developments that would deliver Park Plan Awareness and Understanding Actions 2b, and 2d (and probably 1a – 1d).

CNPA analysis The comments are noted but the reference to Park Plan outcomes is for information only and cannot be modified through this process. Confirm that the local plan is intended to achieve the aims of the Park and the objectives of the Park Plan and this underlies all the policies, there is no need therefore for a specific policy to state this.

Proposed Modification

No modification proposed.

Objector Ref 477l

Policy/site ref Policy omission

Summary Climate change should have a separate policy and the plan should use the Merton Rule.

CNPA analysis The Merton Rule is currently under review and although a commendable approach is not appropriate in this situation. The CNPA will however continue to work with building standards officers to raise standards, and will also produce the design guide through policy 18 to raise the bar on this issue. Confirm the issue of climate change will be considered under policies 17/18 and will be inherent in the Sustainable design guide.

Proposed Modification

No modification proposed.

Objector Ref 477m

Policy/site ref Settlements - Aviemore

Summary P62 Aviemore - It would be useful to explain more clearly what the role of the Aviemore Masterplan will be in relation to development planning and control.

CNPA analysis Clarify the role of the Masterplan as SPG in the decision making process.

Proposed Modification

Add para to confirm new masterplan and its status as material and adopted SPG