

Representation, summary and analysis – General

Policy General

Name Roy Turnbull

Company

Objector Ref 390a

Representation

In general I found the Deposit Local Plan represents a profound retreat from the high hopes that accompanied the establishment of the national park. The CNPA appears to have capitulated to the demands of developers and large landowners and abandoned any real commitment to the first aim of the park.

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.

Policy General

Name Nick Halfhide

Company Deer Commission

Objector Ref 001

Representation

I am writing to thank you for providing the Deer Commission for Scotland with the opportunity to respond to the 'Cairngorms National Park: Local Plan - Deposit for Consultation'. DCS considers that it has no comment to make at the present time but would wish to be kept informed of developments. We would also be grateful if we could receive any future consultation documents electronically to help reduce the amount of paper copies circulated.

Summary

No comments to make

CNPA analysis

No modification considered necessary as a result of this representation.

Policy General

Name Robert Maund

Company Scottish Council for National Parks **Objector Ref** 434s

Representation

In conclusion, we have to say that the Deposit Local Plan has left us with a feeling of disappointment. The Consultative Draft was clearly a work in progress but its tone was more positive and gave a clear indication that the importance of the Cairngorms was understood and would be both promoted and protected. The tone of policies in the present document doesn't give us the same confidence but we will continue to support those objectives.

Summary

Cairngorms National Park Deposit Local Plan – Analysis of consultation – Section 1 General Comments

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.

Policy General

Name Phil Rowsby

Company SRPBA

Objector Ref 429a

Representation

The SRPBA welcomes the opportunity to comment on the Cairngorms National Park Authority (CNPA) Deposit Local Plan (LP) on behalf of members in the area, and at the outset, would like to acknowledge the following:

- The time and effort which CNPA have put into developing of the Local Plan.
- The amount of time spent on the section concerning diversification. This is much more detailed than other LPs.
- The range of options included for affordable housing including the proposed SRPBA grant for private landowners.
- The amount of work which the CNPA has put into Policy 24 concerning affordable housing.
- In general terms, we welcome the LP and recognise its value and what it hopes to achieve for the National Park.

As you aware, the SRPBA held a member event on, 21 August 2007, to discuss and formulate opinion on the LP. The following responses to the policies have been developed from this event and are presented in order of importance to members, rather than in numerical order.

General Comment:

The SRPBA believe that the readers understanding would be increased if the terminology used was clearer.

In connection with this, we would like to make particular reference to the Aims of the LP. Members were at times confused as to whether or not these related to CNPA Aims or more generally to all National Parks. Due to this confusion it was also recognised that the LP would benefit from a clearer explanation as to what constituted the aims and objectives of the LP, members felt at time these overlapped with one another. SRPBA members recognised that a number of sections in the LP related to National Planning Guidance, where this is the case, the plan would benefit from making cross-references. Members noted that references to the National Park Act or to the relevant local authorities have not been made in the document.

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.

Representation

This response has been produced on behalf of the owners and staff of Alvie & Dalraddy Estates which extends to 5350 hectares (13,215 acres) of which 2,075 hectares (39%) is within the Cairngorms National Park. The Estates are within the Kincaig & Vicinity Community Council area. Alvie & Dalraddy Estates provides accommodation for 57 residents and is the principle place of employment for 33 full time equivalent jobs within the Kincaig & Vicinity Community Council area. Kincaig & Vicinity Community Council represents 557 residents (In 2001. A Profile of the Kincaig area as produced in 'Have your say', CNPA, 2004). In 2001 there were 283 people living in the area in employment (Ibid).

More than a third (In 2001. A Profile of the Kincaig area as produced in 'Have your say', CNPA, 2004)(186) of the residents in the Kincaig & Vicinity Community Council area lives in rented accommodation. Alvie & Dalraddy Estates provides housing for around 10% of the Community Councils residents; this is 27% of the area's residents who are in rented accommodation. The private sector, which includes Alvie & Dalraddy Estates, provide nearly three quarters of all rented accommodation in the area, The Highland Council provides a fifth of the rented accommodation in the area (Ibid).

Summary

We object to many of the policies proposed in the Cairngorms National Park Deposit Local Plan. The policies as proposed will not meet the aims of the National Park as set out in the National Parks (Scotland) Act 2000, it will not meet the aspirations and needs of communities and businesses within the Park and it will not achieve the vision to make housing more affordable and sustainable as stated in the Park Plan.

The Cairngorms National Park Deposit Local Plan gives undue weight to the natural heritage at the expense of the cultural heritage of the Park. It will not "conserve and enhance the natural and cultural heritage of the area" which is the first aim of the Park.

The development policies as stated are unreasonably prescriptive and restrictive to the extent that they will stifle further economic development within the Park. They are a "top down" approach, government planners deciding on plans and regulations for the community. We would prefer to see a "bottom up" approach where the Park Plan provided a less prescriptive strategic framework within which local communities and residents were encouraged to develop their own plans based on their own needs and aspirations.

We do not believe that the further promotion of tourism and nature conservation at the expense of other rural economic activities within the Park is within the best interests of the area.. The policies as stated will not "reduce the gap between housing need and supply'. The policies as proposed will provide subsidised poor quality houses and even more expensive and unaffordable open market houses that will be occupied by commuters working elsewhere, households from outside tie area seeking lifestyle changes and second homes. We recommend that the Local Plan should concentrate instead on meeting the demand for additional housing from residents and their dependents within the Park, those working in the Park and those seeking to contribute positively to the economy within the Park.

The policies will exacerbate an increasing gap between subsidised 'affordable" homes and homes sold on the open market. Few

economically active residents within the Park will be able to move up the housing ladder as their circumstances improve due to the large gap in value between subsidised and open market homes.

The policies do not encourage "... good quality private rented sector accommodation available at affordable rents to meet local demand." We believe the policies as stated will further damage our cultural heritage and the rural character of our settlements. We believe there should be more emphasis and encouragement on building additional houses to rent rather than buy.

We believe the Local Plan should concentrate more on meeting the needs of those resident and economically active within the Park and less on meeting the aspirations of those living or working elsewhere. The Local Plan should meet the needs and aspirations of local communities and residents, not those outside the Park who seek to utilise the Park for their recreation or life style changes. We are concerned that reducing the value of houses within the Park through "affordable" housing schemes relative to properties elsewhere in the UK will make owning a home within the Park even more attractive, thereby further fuelling demand.

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.

Policy General

Name Rona Main
Agent Steve Crawford

Company Scottish Enterprise Grampian **Objector Ref** 425a

Representation

General Observations

It is important to note that the Local Plan, regardless of the comments in this report, has been well written and that the policies are generally framed very well. Overall, however SE Grampian believe that The Local Plan has a heavy concentration of economic development towards the west of the Park and does not consider the future of the eastern settlements and areas in enough detail to enable their viable future as thriving communities or as tourist destinations. It is light on specific proposals for important park 'gateway sites' such as Dinnet and Glenshee, and other settlements in Aberdeenshire.

Recognition in the Local Plan that economic development is a key driver within the Park is welcomed but the Local Plan is missing an explicit economic development strategy. We would wish to see this developed as part of the Plan.

SE Grampian would also suggest that the Local Plan's vision of 'The Cairngorms National Park as an exemplar of sustainable development where people and place thrive together' (section 2.12) is too narrow a vision and does not reflect the key aims of the National Parks (Scotland) Act 2000. It suggests a conservationist approach rather than the controlled growth approach set out by the National Parks Act. If this vision is to direct planning policy then we believe that it should clearly intimate that growth in settlements and some bespoke tourism investment opportunities outside of settlements are necessary to enable the Park to provide the level of quality and recognition that it strives for.

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 Dinnet 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.

Policy General

Name Roger Muhl

Company Mountain Bothies Association **Objector Ref** 031

Representation

We have not identified any issues that give rise to concern about the work of our organisation and so we have no further comment to make.

Summary

No issues raised.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy General

Name Susan Davies

Company Scottish Natural Heritage **Objector Ref** 465a

Representation

Summary of SNH's position

There is much in the Plan that we support. However, there are a number of key issues that we strongly recommend you address through

modifications to the Plan. These are highlighted in bold at Annex 1. In addition, once you have completed the appropriate assessment, we strongly recommend ensuring that the findings are incorporated in relevant sections of the Local Plan itself.

Scope of this response

This response includes our advice on all the significant natural heritage implications of the Plan Policies. In relation to the settlement Proposals, our response follows the roles set out in SNH and CNPA's agreement on roles in casework. This means that we have only advised on effects on Natura features, protected species and Sites of Special Scientific Interest. Your colleagues in the Natural Heritage and Land Management Group will advise on the implications of the settlement proposals on landscape, wider biodiversity interests, and on interests linked to the National Park designation. We did, however, include advice on these latter types of interest in our response to the Consultative Draft Local Plan, and you may wish to refer to this response as you consider modifications to the Plan.

As Local Plan and the SEA Environmental Report are integrally linked, this response should be read alongside our response to consultation on the Environmental Report, which we are sending separately via the Gateway. In order to reduce duplication between our two responses, there are cross-references between them.

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 and before any modifications are finalised and published for consultation.

Policy General

Name Kay Briggs

Company Mid Deeside Community Council

Objector Ref 095

Representation

I am replying on behalf of the Mid Deeside Community Council, to make the simple comment that we are in support of the Deposit Local Plan policies.

Summary

Support for the policies of the deposit local plan.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy General

Name Lily Linge

Company Historic Scotland

Objector Ref 467a

Representation

We are content that this redraft has taken full account of our earlier comments on the consultative draft plan. In addition we are

content that the redrafting of this plan has not introduced any further issues on which we feel we need to make comment. In summary, I can 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.

In reaching this conclusion we have taken account of both the balance of policies and the identified land allocations. We are aware 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. We have 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. We have covered this issue in our response to the Environmental Report (Part 2 of this letter and the accompanying annex

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.

Policy General

Name Planning, Environment and Development

Company The Highland Council

Objector Ref 469c

Representation

As regards chapters (4) and (6) of the Plan, which deal with Conserving and Enhancing the Park and Enjoying and Understanding the Park, the opportunity should be taken to commend the Park Authority on the clarity of its policies - and for explaining the terms on which they will be implemented and monitored. These provisions are geared to conserving and enhancing the natural and cultural heritage, sustainable use of resources, integrated land, tourism and recreational management and visitor pressures and interpretation. In common with the approach of many authorities in Scotland - including the Council - these set out the terms on which the impact of proposals will be assessed with their acceptability, a matter for judgment case by case. For interest, these provisions embrace landward activities including mineral extraction, waste and energy, declared respectively in terms which discourage large-scale schemes.

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.

Policy General - Consultation **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025e

Representation

In terms of development of the Local Plan we welcome the detail on consultation processes outlined in paras 1.8 to 1.10 and the use of existing local authority Local Plan proposals and community consultation to draw up settlement proposals at 7.1. A statement on how local development forums contribute to the Local Plan would also be useful.

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. Further clarification regarding Local Development Forums will be added to Section 1.8-1.12.

Policy General - Consultation **Name** James Hall **Company** **Objector Ref** 371

Representation

The Deposit Local Plan has ignored comments on the Draft Local Plan formally submitted by Newtonmore & Vicinity Community Council. Proposed modifications to resolve objection: Either delete all references to community engagement or engage the Newtonmore & Vicinity Community Council in a meaningful way.

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.

Policy General - Consultation **Name** William Stuart Paterson **Company** **Objector Ref** 409a

Representation

I would like to know how much emphasis is put on the Community Council of Nethy Bridge. This is an unelected body of local people who have close links with local landowners. They have had no training and appear to support the sale of land on the peripheral of the village to the highest bidder precluding the use of that land for affordable housing.

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

Policy General - Consultation

Name Jan Semple

Company

Objector Ref

475

Representation

I write to commend the National Park in its recent, very thorough consultation process. I found it impressive – well planned, patiently executed and thoroughly comprehensive in reaching out to ascertain what really is in people's minds. The National Park's process could be usefully adopted in other social areas. There is one element which continues to puzzle me. Of course, not being originally from these parts it may be that I am inexperienced in local convention. But what I don't understand is the role of the Community Councils in the overall scheme of things. One might have thought that, perhaps a Community Council would see its remit as serving the local community, seeking views and opinions on a wide basis, reporting publicly on its developing strategy based on the results of their activity. But regrettably it is not always easy to find evidence of this on the ground. Looking at our own community council here in Nethy Bridge a number of questions could be postulated. In the course of the CNPA's important consultation process did the community council actually put forward an up to date, well considered response, one that is known and endorsed by a significant sample of local citizens? If a detailed, upgraded response was submitted, when was this done and on what basis was it formulated? And how were the suggestions on affordable housing finalised? The last official meeting of the Community Council took place on June 7, borne out as this is the date of the minute which remains posted on public notice boards. Some would have it that there were sufficient stragglers to ultimately constitute a quorum thus allowing September's official meeting to get underway. This is not so. And October's official meeting did not take place either since even fewer councillors could attend on the appointed date. Those councillors who were present in September and October were at great pains to tell us that whilst informal discussion with public audience could take place no decisions could be taken, the convocation of councillors not having quorum.

All this for me is very confusing but it may be that I am missing a level of finesse which is yet to be revealed. Finesse – or finagle? Is it the general experience that Community Councils actively seek the views of a local population and transmit the collective 'feel' to the statutory bodies? I would be interested in hearing the National Park's observation on this complicated scenario.

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.

Policy General - Consultation **Name** James and Evelyn Sunley **Company** **Objector Ref** 056e

Representation

The public consultation meetings held by the Park were poorly attended in Ballater and resulting comments could not be called representative of the desires of the wider community and should therefore be treated with caution.

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.

Policy General - Economic development **Name** D R MacKellar **Company** Cairngorms Chamber of Commerce **Objector Ref** 430a

Representation

The report deals with key issues and principles contained in the Plan and within which detailed policies have been stated. While views expressed within this report are primarily focussed on matters of business concern, the CCC accepts and acknowledges the principle of sustainable development which recognises the integral connection of environmental, social and economic matters which underwrite the future prosperity of the Park and its varied communities. The response therefore addresses these related matters in so far as they are relevant to the concerns of the CCC.

As a general observation it is felt that some of the policies pertaining to Economic development and Housing are unsupported by robust information, lack of understanding on what currently works and rigorous analysis. There was consensus that this is especially the case in terms of the narrative and discussion about housing, tourism, business development and transport. As a result, members are unable to make informed decisions about policy direction and the need for a particular policy emphasis. The Plan must have the right structure and approach that will foster and support investment in new, growing and sustainable businesses. A more positive emphasis and approach to this objective should be evident in the Plan.

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. 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.

Policy General - Glossary **Name** Susan Davies **Company** Scottish Natural Heritage **Objector Ref** 465z-l

Representation

Glossary - It would be useful to include European Protected Species and National Scenic Areas.

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.

Policy General – implementation **Name** Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council **Objector Ref** 416a

Representation

Page 05-1.20: Verbiage!

1.22: "Developers should incorporate measures in their proposals to comply with the policies..... All developers should discuss their proposal with the Park Authority's planning team before submitting a planning application".

Replace 'should' with 'must'. Query what they are going to do about enforcing this, considering the present shortage of enforcement.

Are we happy that developers are discussing preplanning? Some £2.5 m is raised from Planning Applications.

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.

Policy General - layout **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025a

Representation

1. Communities Scotland welcomes the shorter version of the Local Plan and new layout, which is easy to navigate and facilitates read across between the Park Plan and Local Plan. We also welcome the inclusion at the front of the document of clear instructions on how to make a representation or objection, together with an easy-to-complete response form. It would also be useful to include a statement on the Park Authority's policy on complaints handling or a direction to where such information can be found.

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.

Policy General - layout **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422a

Representation

The presentation of the Plan is generally clear and accessible, with a clear font, though the spacing between sentences is tight causing the text to run together in places. This may be difficult for some readers. consistency of notation when referring to SPPs and PANs would assist clarity, with the title of each document included alongside it's number.

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.

Policy General - layout **Name** Dr Sheila Sedgwick **Company** Ballater & Crathie Community Council **Objector Ref** 091c

Representation

General – The Deposit Plan in setting out its policies (1-36) has attempted to make one size fit all. A policy advocated for other settlements is not necessarily suitable for Ballater. We believe policies must be more specific to the needs of individual communities.

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.

Policy General - layout

Name James and Evelyn Sunley

Company

Objector Ref

056d

Representation

The Deposit Local Plan in setting out its Policies (one to thirty six) has attempted to make on size fit all. What is good for Aviemore is not necessarily the correct policy for Ballater. We believe that the policies as written must be more specific to the needs of individual communities; we therefore do not propose to comment on each specific clause of the Policy document but make comment only where a specific effect could be of concern to the Ballater and district community.

1.6 The Plan intends to identify sites and land for development over a five year period. Whilst we accept that this local plan is intended for a five year period, the development of land for housing in Ballater has to be over a much longer period. The plan appears to propose development in Ballater of 250 housing units. Many villagers can identify the detrimental effects on the village, of only 85 houses built by Scotia Housing in the Monaltrie and Invercauld developments over a period of ten years. The plan must also identify land required for shopping, amenity and sports development.

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.

Policy General - layout

Name Amanda Howard

Company The Moray Council

Objector Ref

414c

Representation

General Layout: It would be helpful to have more distinctive sub-headings (particularly with reference to section 5, which has a lot of sub-headings that do not stand out from the text). It would be better if new sub-sections started on a new page and had larger bolder headings (e.g 'Housing' on p.40), so the sub-sections are clear with reference to the individual policies and for ease of reference, generally.

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.

Policy General - layout **Name** Mrs Spencer **Company** **Objector Ref** 017g

Representation

Given the four Aims of the Park have to be taken into consideration in every Planning Application, and round them really everything else revolves, I think they should be set out rather more clearly, i.e. right at the beginning of the document – perhaps on the same page as the map. I know they appear on page 03, in a mauve block, but (a) the block is headed “National Parks (Scotland) Act 2000 section 1” and it is the apparently less important couple of ‘white’ lines about that tells you that the block contains the Aims, (b) the document is full of mauve blocks, and when trying to check on the exact working I spent quite a time trying to find the right mauve block, and (c) if you look under ‘Aims’ in the index, it refers to page 13, where the Aims are not set out. By all means keep them where they are on page 03, but also have them right there up front, at the very beginning, where nobody could miss them – then nobody can say they couldn't find them!

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.

Policy General - links to other agencies **Name** DW and IM Duncan **Company** **Objector Ref** 037b

Representation

The regulatory bodies responsible for implementing the policies in section 4 are Scottish Natural Heritage (policies 2,3,4 and who also have input to 5,6,7 and 8), Historic Scotland (policies 8,9,10 and 11), yet there appears to be no mention of this in the text.

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.

Policy General - Links to other plans **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400a

Representation

2.4 - Object. The Park Plan provides one overarching context for planning policy. Other contexts should include international commitments and international standards for Protected Areas.

2.5 - Object. We are concerned at the lack of direct reference to compliance with the NP Act.

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. Modifications within the Context section will endeavour to clarify the relationship of the Local Plan and its relationship with other documents including international standards and commitments, and the National Park Act.

Policy General - Links to other plans **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422f

Representation

Paragraphs 2.4 and 2.5 refer to structure plans without making reference to the relevant authorities. This could be clarified given that there is no clear reference elsewhere in the Plan to the adjoining planning authorities.

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

Policy General - Links to other plans **Name** Ian Francis **Company** RSPB Scotland **Objector Ref** 424a

Representation

Paragraphs 1.2 and 1.3— the four aims for the National Park. It should also be mentioned here that Section 9 (6) of the National Parks (Scotland) Act requires that, where it appears to the National Park Authority that there is conflict between the aims, then greater weight should be given to the first aim (conservation of natural and cultural heritage). This was stated clearly at an early stage of the draft plan. Although the issue is covered elsewhere in the plan (Paragraphs 3.3. and 3.4), this caveat, known as the Sandford Principle, was inserted by the Scottish Parliament for a purpose and we believe that it should always be presented along with the Park aims. We recommend that it should be reinserted here.

Paragraphs 1.11 and 1.12. Strategic Environmental Assessment. We provide comments separately on that document. We re-emphasise the point made in our earlier submission that it is necessary to consider whether an Appropriate Assessment of the impacts of the whole plan on Natura 2000 sites is needed. The Government's Chief Planner wrote to all Heads of Planning in April 2006 giving interim guidance on assessing development plans in terms of the need for appropriate assessment based on an earlier EQ ruling. Before Scottish Ministers can allow the adoption of local plans, planning authorities must have either determined, based on objective information, that there is no potential or risk that the provisions of the plan would impact on the Natura Site or an appropriate assessment must have been carried out in respect of the provisions of the Plan in line with the requirements of Article 6 of the Habitats Directive. This issue is considered further below.

This introductory section should mention the duty on the CNPA to further the conservation of biodiversity, under the Nature Conservation (Scotland) Act 2004. This duty is included to an extent in the Park Plan Action Programme 2007-2012, Item 3d "Local Plan and development control procedures will ensure that all approved developments protect the Park's special habitat and species qualities and site design plans for development will make a positive contribution to biodiversity as appropriate to their location." This is relevant here as general context and not just to the Biodiversity section (4.28), where it is mentioned.

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.

Policy General - links to other plans

Name Lorna Fraser

Company

Objector Ref

352

Agent Stewart G Fulton

Representation

We object to the Deposit Local Plan on the grounds that it does not reflect government advice on the form and content of Local Plans; and in consequence, does not properly fulfil its statutory purpose.

One of the key functions of Local Plans is to present the policies set out in Structure Plans; in this case the Cairngorms National Park Plan; and other relevant documents, in a spatial framework; and in such a way as to allow users to determine clearly what will and will not be acceptable to the Planning Authority. Apart from the thinly prescribed settlement areas, policies are not related to specific areas. That taken together with the value judgements inherent in the wordings of many of the policies, make it impossible to determine with any

surety what the future could hold for the land owned by Lorna Fraser, the history of whose interest in the Deposit Local Plan will be familiar to the Park Authority.

Some time ago she and her late husband bought ground at Blairgorm which had planning permission for a house; her husband tragically died, before the consent could be validated, and it thereby lapsed; a new application was made; was called in by the Park Authority and refused; and a subsequent appeal was rejected.

During these processes, it was noted at various stages that the correct way of reviewing the acceptability of additional housing in that dispersed settlement area, would be a matter to be taken up when the Development Plan was being reviewed, and not by the way of individual applications. That point has now arrived, but as far as we can see, the position at Blairgorm and its environs has not been specifically addressed; and the policies that are intended to apprise would-be users of the Plan are so opaque, as to be unfit for that purpose.

Lorna Fraser therefore intends to maintain her objection to the Plan, as long as that remains the case.

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.

Policy General - Links to other plans	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref 425a(f)
	Agent Steve Crawford		

Representation

Comparison with SE Grampian's Draft Plan Response - SE Grampian issued a response to the Draft Local Plan in April 2006. The key issues related to the Development Strategy and General Policies, Topic Policies and Settlement Statements. The Development Strategy element has been covered in further observations in this report.

On Topic Policies, we would make the following commentary. (Previous representations are in italics):

- Proposal 1 — Remove permitted development rights: this was major concern as we are pleased to see that it is no longer part of the Plan;
- Policy 28 — negative reference to the two Ski Areas: the policy is more positive in the Finalised Plan but we still feel that the two ski areas merit specific attention as national visitor 'draws' in their own right.

- Policy 30 — no new caravan parks: this seems to have been removed.
- Policy 38 — residency clause: we are pleased to see that this has been dropped.

On Settlement Statements we would make the following commentary. (Previous representations are in italics):

- Dinnit — business designations should be reviewed in order to facilitate a robust gateway role for the village: Dinnit is no longer identified in the Plan's proposals maps, it has no settlement boundary and no allocations. This has the potential to allow development in an unstructured manner. We suggest this is not the best way to develop gateway sites, which should be recognised for their importance and a strategy for such sites/settlements is needed.
- Braemar — required a policy for the promotion of tourism, consideration of innovative tenure housing for seasonal workers, and in-depth business/commercial land analysis: if anything the role of Braemar has diminished in the Finalised Plan. The Plan's lack of recognition of Braemar remains a missed opportunity to place Braemar at the "heart" of the Park as a key leisure and tourist destination.
- Ballater — required a pro-active approach to the development of tourism, increased affordable housing, and a proper and-use framework that supports business development and controlled growth: These comments remain valid to this Plan as the Draft.
- Angus Glens — tourism development supported in the Draft Plan: missing in this Plan and requires reconsideration

Key Observations: Conclusion

This paper comprises SE Grampian's initial response to the Cairngorms National Park Finalised Local Plan and we would request that further discussions are required to clarify the issues. In the meantime we wish to thank the CNPA for allowing SE Grampian this opportunity to comment. It is important to note that, regardless of the comments in this report, SE Grampian believes the Local Plan has been well written and laid out and that the policies are generally very well framed. We look forward to continued positive engagement with the ONPA on day to day and strategic matters. The detail to substantiate the above key observations are outlined in the following Section (Section 2).

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.

Policy General - Links to other plans **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400c

Representation

2.10 - Object. The delivery of the Park Plan objectives also relies on securing better information on the natural heritage resource. (We support the thinking in 'Towards a Strategy for Scotland's Biodiversity: Biodiversity Matters!' that identifies the need for "Gathering, developing and applying the best available and new knowledge to assist people in understanding, caring for, enjoying and making wise use of Scotland's biodiversity".)

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: Biodiversity Matters!')

CNPA analysis

The comment is noted. Reference to other plans and strategies will be expanded to clarify the position.

Policy General - Links to other plans **Name** D R MacKellar **Company** Cairngorms Chamber of Commerce **Objector Ref** 430c

Representation

The Strategic Context - Cairngorms National Park, as defined, is not a self-contained economic and social entity. The Authority therefore, has the twin challenge of developing an integral set of policies to replace the fragmented pattern of existing Local Plans and Structure Plans within the Park boundaries, but also of working within the wider emerging context of the National Park. It is critical therefore, that this wider dynamic is understood and clearly presented as the strategic context for the Deposit Local Plan. This is lacking. Little or no attempt is made to demonstrate the significance of what currently works and to build upon that or explain why they are being discounted. Obvious examples are the lack of emphasis to the part the Park will play in achieving the growth targets for the Highland area set out in the Highland Community Plan for major in-migration to the region 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. The local economy in particular is dependent upon this.

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.

Policy General - Links to other plans **Name** D R MacKellar **Company** Cairngorms Chamber of Commerce **Objector Ref** 430b

Representation

At a more general and contextual level, members would like to see the Local Plan refer to the other plans, policies and local solutions that are already in existence thus demonstrating continuity of the approach to planning in the Park and more importantly, the way in which the Local Plan will relate to future plans and strategies. There is widespread concern that some aspects of the Deposit Local Plan, such as Housing waiting lists, may actually contradict National strategies and policies. There is also a strong feeling within the members that the Deposit Local Plan may very well be the subject of the law of unintended consequence.

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 circumstance, 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. Reference to current successes should also be included where relevant. The particular references made to housing strategy will be considered under the representation made on that section.

Policy General - Links to other plans **Name** Scottish & Southern Energy Plc **Company** Scottish & Southern Energy Plc **Objector Ref** 447j
Agent Jones Lang Lasalle

Representation

There are a number of individual policies, as highlighted above, which are considered to be in conflict with national planning policy and advice; specifically NPPG 14, PAN 49, SPP 1 and SPP 6. In addition, policy 19 is specifically considered to conflict with Circular 12/96.

The policies referred to above in this objection are considered not to comply with relevant guidance as set out in SPP1 namely paragraphs 25 et seq which make it clear that given the importance attached to the development plan, it is essential that policies:

- Provide clear guidance to developers and the public on the relevant planning issues affecting an area;
- Are properly justified to explain their intention;
- Are expressed simply and unambiguously.

The aim of a development plan is to provide a land use framework in which investment and development can take place with confidence. SPP1 makes it clear that it is only if development plans meet the criteria referred to above, will they offer a sound basis

for consistent decision making which is important for maintaining public and investor confidence. At present, it is considered that the draft Local Plan does not meet the standards as expressed in SPP1. The Local Plan should include specific locational guidance with regard to transmission infrastructure. Furthermore, the Plan should specify the “special qualities” of the National Park and provide appropriate spatial guidance on special qualities within the National Park and relate this to policies within the Plan.

SSE wish to express their support for proactive, enabling policies, which would properly reflect national planning policy and guidance. This representation is submitted as a constructive response to the Deposit Local Plan. It is trusted that the representation will be given full consideration and the objections incorporated as pre-Inquiry modifications as appropriate. If the above objections to the Local Plan cannot be resolved appropriately, the most suitable method of presenting this objection further will be through the Local Plan Inquiry process.

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.

Policy General - Links to other plans **Name** North East Mountain Trust **Company** North East Mountain Trust **Objector Ref** 443a

Representation

We welcome the scope of natural heritage; cultural and social issues addressed by the plan and support many of the policies within it. In our opinion, however, if these policies are to be effective they need to be strengthened. We are also concerned that important objections raised within comments made on the consultative plans were not addressed. We note also the comments of the Mountaineering Council of Scotland and support the views expressed by them in their submission.

Broader Context of the Plan

While the Plan refers to the European Charter for Sustainable Tourism in Protected Areas, and the importance of the EU Habitats Directive reflected in the protection of Natura 200 sites is recognised, there is a need to take more cognisance of other international conventions etc, particularly since, in para 2.1, the essential role of the Cairngorms in delivering national objectives is acknowledged. These include the European Landscape Convention and the UK Biodiversity Action Plan (1994). We comment where these seem most relevant.

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. We do not feel that this is adequately done.

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 polices. Reference to current successes should also be included where relevant.

Policy General - links to other plans	Name Rosslyn Oakes and Garry Fowler	Company	Objector Ref	353
	Agent Stewart G Fulton			

Representation

We object to the Deposit Local Plan on the grounds that it does not reflect government advice on the form and content of Local Plans; and in consequence, does not properly fulfil its statutory purpose.

One of the key functions of Local Plans is to present the policies set out in Structure Plans; in this case the Cairngorms National Park Plan; and other relevant documents, in a spatial framework; and in such a way as to allow users to determine clearly what will and will not be acceptable to the Planning Authority. Apart from the thinly prescribed settlement areas, policies are not related to specific areas; and that taken together with the value judgement inherent in the wordings of many policies, make it impossible to determine with any surety what the future could hold for the land owned by Ms Oakes and Mr Fowler.

They purchased ground in the vicinity of the old Spey Bridge some years ago in an effort to get on the property ladder, but were refused consent on the grounds that the area had been reserved for a major tourist attraction. Since then they have been living in tied houses; low-budget rental houses; and with relatives; and were hopeful that the new Local Plan would allow them to consider what best to do next.

The Deposit Local Plan in its present form, however, leaves the situation opaque in relation to their interests; and until that is resolved, they intend to sustain their objection to it.

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.

Policy General - Links to Park Plan **Name** Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council **Objector Ref** 416b

Representation

Page 12 – Action Programme 2007 – 2012: “...to increase the level of affordable housing that remains affordable in perpetuity.” In reality the costs are put on to the other houses. It is only affordable for the first occupant. Someone has to meet the gap – the developer of the Housing Association. Bill Lobban instanced a case where the requirement for affordable housing was raised from 2 to 3, leaving the Association unable to fund the gap.

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. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy General - Links to Park Plan **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473a

Representation

Conserving & Enhancing Biodiversity & Landscapes - We welcome action ie: to encourage innovative design to enhance landscapes and townscapes.

Providing High Quality Opportunities for Outdoor Access - The action programme aims to improve outdoor access opportunities, which is welcomed. However, there is no detail how removal of unnecessary barriers for access opportunities will be funded, if not part of a development process or planning application.

Making Housing More Affordable and Sustainable - The Action Programme for affordable housing is welcomed. The challenge lies in achieving a tangible outcome. It is recommended every effort is made by CNPA, working in partnership with developers, land owners and community institutions, to ensure that a realistic level of affordable housing can become a reality, within and across the Park, to meet demand from local people and the increasing levels of staff required to meet a growing tourist service sector. Lack of affordable housing is perceived a barrier to social and economic development in some rural communities within the Park, especially for the younger generation trying to establish their own homes to live, work and stay in the Park.

Welcome action 1e (page 10) to encourage innovative design to enhance landscapes and townscapes.

Recommend that under 'Providing High Quality Opportunities for Outdoor Access' (page 11) that there is no detail how the removal of unnecessary barriers for access opportunities will be funded, if not part of development process or planning application.

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. Regarding Housing, 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. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy General - Links to Park Plan

Name Bob Garrow

Company RS Garrow Ltd

Objector Ref

464a

Representation

Policy ref: Conserving and enhancing biodiversity and landscapes – outcomes for 2012 vii. The habitat and water quality of rivers and wetlands will be enhanced through commencement of positive management initiatives guided by catchment management planning

Traditional public water services have large local environmental impacts. These draw substantial volumes of raw water at a few points, process this to drinking quality water in large plants, then distribute this water in resource intensive, typically costing upwards of £150,000 per km, water mains to relatively large numbers of users. After use the waste water is collected in infrastructure sewers, typically costing upwards of £200,000 per km, and then processed in large waste water treatment plants before being returned in bulk to the water environment from where it was drawn out.

Technologies have been available for some decades which can cost effectively from a single dwelling size units upwards a) process raw water from many parts of the water environment, including collected rainwater, into drinking water and b) process sewage waste water back to drinking quality water, 100% of the time, in small footprint non odiferous aerobic natural bacterial digestion continuous process package plants which do not sludge up like a septic tank.

Particularly in rural areas and small settlements raw water can be drawn from the local water environment, processed into drinking water, used, processed nearby to drinking water quality and returned to the water environment. The water supply industry reckons that 95% of the water they meter in, emerges in sewers. The net impact on the local water environment is thus 5% of the 200 litres drawn, ie. 10 litres about a bucket full to the brim, per resident per day, with the discharge water probably cleaner than the raw water taken in. We suggest that promoting these technologies will cause less impact on and enhance the quality of the water environment.

Modifications proposed

We propose that vii. should now read "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"

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.

Policy General - Links to Park Plan **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400b

Representation

2.6 - Object on grounds of emphasis on 'partnership' working, and lack of mention of working in accordance with good governance. In addition we recommend that the wording should be revised to be more readily intelligible.

2.7 - Object. We are concerned at the approach to management that views 'long term' as 25 years. We recommend the words long term are omitted from 1st sentence. We are concerned that all outcomes should be viewed as 'intended' outcomes. Therefore we suggest intended is added before 'outcomes' in 1st bullet point.

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. The wording will be amended to include links to good governance, and will be simplified to ensure it is easy to understand. The reference made to 2.7 refers to the delivery of the 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 is therefore proposed to 2.7.

Policy General - Links to Park Plan **Name** George Alder **Company** Laggan Community Association **Objector Ref** 392d

Representation

Planning matters mentioned in the Park Plan should be re-stated in the Local Plan in those sections where they are relevant. It is not reasonable to expect everyone even to know that two documents are involved, never mind to be familiar with them both.

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

Policy General - Links to Park Plan **Name** Dr A Watson **Company** **Objector Ref** 020b

Representation

Page 10, ix, should add "where this would not damage the sites"

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.

Policy General - Links to Park Plan **Name** Rona Main **Company** Scottish Enterprise Grampian **Objector Ref** 425b
Agent Steve Crawford

Representation

SE Grampian support the Parks aims in particular the latter two aims (c & d) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and to promote sustainable economic and social development of the area's communities. It is important the Local Plan underpins these aims.

Section 1.7 of the Plan indicates that the Adopted Local Plan will be used by the four Local Authorities and the CNPA when determining planning applications and calling- in respectively. It is extremely important, therefore, that the policies are framed to avoid confusion or

misinterpretation. This multi-authority location, however, does create policy issues. Each of the 4 authorities has their own Structure Plan to which the CNP Local Plan must conform, as well as its own National Park Plan. There is some uncertainty on the role that this Local plan will play. This should be clarified where possible in the Plan and especially which Structure or Local Plan takes priority in the decision making process.

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.

Policy General - Links to Park Plan **Name** D R MacKellar **Company** Cairngorms Chamber of Commerce **Objector Ref** 430h

Representation

General Policies - Careful consideration has been given to the form of the General Policies expressed in the Plan, together with the Overview Map, as a way of co-ordinating and implementing the aims of the Plan. The general thrust of this approach is supported in terms of its attempt to balance the issues of conservation and economic development. In view of the importance 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. The CCC acknowledges that the legislation set up by the Scottish Executive shall give 'greater weight' to the first aim but it appears to the Authority that there is a conflict between the 4 aims. The CCC has concerns that this principle of 'greater weight' to the first aim may be taken as a presumption. Currently, only the planning process is measurable and evidence of this presumption is apparent during the very short period in time that the CNPA has been in existence. We re-iterate that the CCC expects that one of the critical elements of the Park Authority's remit is to consider, agree and achieve those aims of the Park in a collective, co-ordinated and integrated way. Only then shall we be moving towards long term sustainable solutions.

Summary

In the use of general policies, 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.

Policy General - Links to Park Plan

Name Kirsty Cameron, Archaeology

Company The Highland Council **Objector Ref** 470a

Representation

P10 Outcome ix: I welcome this outcome but it is not clear how the 'active programme' is to be undertaken. I would prefer the 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'.

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.

Policy General - Links to Park Plan

Name Robert Maund **Company** Scottish Council for National Parks

Objector Ref 434a

Representation

Overall Impressions.

The Plan has undergone some radical restructuring since the publication of the Consultative Draft in October 2005 and takes on board the aspirations of the National Park Plan approved by Ministers in March 2007. We commend the Park Authority for the thorough way in which it has involved interested parties in the process and consider that the Plan is well organised and concise. We are concerned, however, that the tone of the Plan as reflected in the wording of policies, appears much more development orientated than the Consultative Draft and could lead to a lack of clarity as to the Park Authority's intentions. It could be that the interpretation of the wording and who interprets it, will have enormous influence on the outcome. The wording of some policies is vigorously pro-development and does not reflect the principal aim of the National Park, which is to conserve the natural and cultural heritage, notwithstanding the need to strike a balance over the four statutory aims.

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.

Policy General - Monitoring **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422e

Representation

Monitoring of most policies relies on reviewing planning permissions, which may have resource implications for the authority. It is not clear if the information gathered through this process will be published or simply inform the need for review.

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.

Policy General - Natural Heritage **Name** The Cairngorms Campaign **Company** The Cairngorms Campaign **Objector Ref** 448a

Representation

While the Plan refers to the European Charter for Sustainable Tourism in Protected Areas, and the importance of the EU Habitats Directive reflected in the protection of Natura 2000 sites is recognised, there is a need to take more cognisance of other international conventions etc, particularly since, in para 2.1, the essential role of the Cairngorms in delivering national objectives is acknowledged. These include the European Landscape Convention and the UK Biodiversity Action Plan (1994). We comment where these seem most relevant.

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 actual experience of such tourism development in other areas, such as the Alps and development. We do not feel that this is adequately done.

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

Policy General - policy implications **Name** Amanda Howard **Company** The Moray Council **Objector Ref** 414b

Representation

Additional workload: The requirements of some policies will place an additional onus on Development Control officers to establish, verify and analyse additional information and criteria supplied by applicants. On what basis would planners question any evidence submitted? This could generate a significant additional workload.

Examples of this are as follows:

- Policy 14: Mineral extraction developments are required to demonstrate that the market is within the Park area; or will provide other social and economic benefits and that there is no suitable alternative available.
- Policy 26: There is a requirement to establish a number of criteria for housing proposals outside of settlements: Appropriateness of the occupation; supervision of business; availability of alternatives; and proximity to workplace.

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.

Policy General - procedures **Name** George Alder **Company** Laggan Community Association **Objector Ref** 392e

Representation

Planning hearings should automatically consult Laggan Community Association.

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.

Policy General - SEA

Name Nicola Abrams

Company SEPA

Objector Ref 399SEA(a)

Representation

General Comments

SEPA considers on the whole that the Environmental Report (ER) is of a very high standard, it is thorough and well presented and demonstrates practice. SEPA considers the ER meets the requirements of the regulations. SEPA is pleased to note that a number of issues raised by SEPA in our response of 26 January 2006 to the ER produced in support of the Consultative Draft Local Plan have been taken on board, however a number of key issues have not yet been fully addressed as set out below.

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.

Policy General - Vision

Name Planning, Environment & Development

Company The Highland Council

Objector Ref 469a

Representation

The Council's earlier representations advocated that a vision/strategy should provide the context for major aspirations over say a 20-year timeframe and an expression of strategic priorities. Disappointingly, the vision is expressed along the lines of a mission statement and the particular focus on development sought by the Council is not articulated. The Plan would be strengthened by acknowledgement of:

- the placement of the Park in Scotland, its pivotal role in linking the Highlands with the south and particularly, of its strategic connectivity vis-à-vis the national infrastructures - electricity transmission, the A9
- the role of settlements, their interaction with one another and their association with Inverness
- the value of the National Park to the Highland and national economy.

Some of these considerations overlap with changes made to the National Park Plan, but they are structurally important to the future of the National Park and should be an acknowledged part of any framework for development. Further to discussion with Park colleagues, the Council is invited to elaborate its "vision". In this regard, the Appendix refers to "Highland matters"; the expectation being that the Park Authority would incorporate reference to the three other local authority areas in terms agreeable to them.

Regarding the "vision", the Planning etc. (Scotland) Act 2006 encourages reference to physical characteristics, principal land uses, demographics and infrastructure. Recognition should be given to the location of growth, regeneration at Aviemore (including the Urban Design Strategy); a new planned town at An Camas Mor (Cambusmore); the upgrades in infrastructure needed to make that a reality; the established centres, Grantown-on-Spey and Kingussie/Newtonmore; a network of dependent local communities; and the proximity of the national road and rail routes together with the social and economic advantage that creates.

Additionally, recognition should be made of the scope to sustain the Park communities by:

- promoting its closeness to the nationally recognised Inverness/A96 strategic growth corridor;
- fostering the National Park brand as an incentive to business investment;
- driving investment in sustainable transport to connect the City, regional services and employment; and,
- protecting the appeal of the Park heritage, and positively embracing the employment benefits from tourism management and outdoor recreation.

These all offer a particular economic dimension to development and sustainability within the National Park. Whilst differentiating “main” and “intermediate” settlements, the Plan could identify a role for places in terms of their anticipated growth.

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.

Policy General - Vision **Name** D R MacKellar **Company** Cairngorms Chamber of Commerce **Objector Ref** 430e

Representation

- The Vision - CCC is looking for a more coherent and imaginative vision for the future direction of the Park and we believe that this is not included in the Local Plan at this stage. At the moment the Vision is little more than a restatement of the aims for National Parks as expressed in the National parks (Scotland Act 2000). There is insufficient recognition that the area must continue to be a place where a substantial population has to have the facilities and infrastructure to sustain the communities and economies.

Overall, the policy balance is set too far towards conservation and restriction of growth objectives to the possible disadvantage of businesses and community interests. An imaginative vision, clearly expressed, can be a focus for the long term sustainability of the Park and create a shared sense of partnership between public and private partners with interests and responsibilities in the area. Such a vision would surely refer to the unique identity of the Cairngorms, the character and interdependence of its various parts, and its role in the wider Highland economy. CCC is happy to work closely with the Park and being involved in developing ways of expressing this 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.

Policy General - Vision **Name** Robert Maund **Company** Scottish Council for National Parks **Objector Ref** 434b

Representation

The Local Plan uses the NPP vision of 'the Cairngorms National Park as an exemplar of sustainable development where people and place thrive together'. This is laudable but difficult to sustain when measured against the historical record. We hope the Park Authority will not shrink from vigorously promoting the exemplar approach. Looking at the 'Outcomes for Conserving and Enhancing Biodiversity and Landscapes for 2012' as produced on page 10, this uses similar positive and confident language. e.g. iii The location, scale, layout and design of all new development will make a positive contribution to the natural, cultural and built landscapes of the Park and the adverse impacts of some existing developments will be reduced. This is not in any way borne out by the number of house allocations being identified.

Similarly, 'iv. Species and habitats identified as the highest priorities in the Cairngorms Local Biodiversity Action Plan, the UK and Scottish Biodiversity Strategies and Action Plans and the Scottish Species Framework will be protected and under active management'. Some of the allocation sites comprise habitat and species which are part of the Biodiversity Action Plan.

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.

Policy General - Vision **Name** Jamie Williamson **Company** Alvie and Dalraddy Estate **Objector Ref** 439b

Representation

Introduction

We agree with the 4 stated aims for National Parks in Scotland but disagree that the area as designated has a distinctive character or coherent identity relative to areas adjoining the area designated. We do not believe designating the area as a National Park will meet the special needs of the area. We consider the development policies as unreasonably restrictive and are concerned that insisting on all proposals complying with “.. all the policies of the Local Plan” (1.21) will serve to stifle further economic development within the Park.

The Local Plan's Vision
We support sustainable development (2.12) but take issue with a number of stated Outcomes and Priorities for action that guide the Local Plan. We consider that there is an imbalance between protection and enhancement of our natural and cultural heritage which are the first aim of the National Park as dictated by the National Parks (Scotland) Act 2000. We are concerned that there has been too much protection and promotion of our natural heritage to the detriment and at the expense of our cultural heritage. We do not believe that the following outcomes on housing will be achieved by the Local Plan as stated in the Deposit Local Plan proposals. Making Housing More Affordable and Sustainable -Outcomes for 2012

- i. There will be a reduction in the gap between housing need and supply in the Park to meet community needs
- ii. There will be a reduction in the number of businesses identifying housing as a barrier to staff recruitment and retention.
- iii. There will be more good quality private rented sector accommodation available at affordable rents to meet local need.
- iv. New housing will be of a more sustainable design.

We consider these proposed outcomes important to the continued sustainable development of our local communities. We have therefore suggested a number of changes to the wording of some of the policies in order that the Local Plan might achieve these outcomes.

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.

Policy General - Vision **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400d

Representation

2.13 Recommend examples are given of other delivery tools.

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.

Policy General - wording **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422b

Representation

The Plan period could be more clearly expressed, as it is only mentioned obliquely in reference to meeting the Park Plan's Outcomes for 2012 and in the housing land requirement to 2016.

Summary

The plan period should be more clearly expressed.

CNPA analysis

Para 1.6 will be amended to clarify the timescales referred to.

Policy General - wording **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422c

Representation

Some of the policies lack the rigour necessary to provide clear guidance to applicants and could cause confusion in development management. Comments in relation to particular policies are set out below, but the length of many policies and number of clauses within each in many cases causes confusion and does not assist in delivering a clear planning framework.

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.

Policy General - wording **Name** Susan Davies **Company** Scottish Natural Heritage **Objector Ref** 465d

Representation

1.21 We welcome the clear statement about the need for development proposals to comply with all policies. Given its importance, and the desire to avoid cross-referencing within the plan, we recommend making the statement more prominent within the Plan. It would be useful to explain how the Plan should be used with regard to developments outside the Park that could affect the special qualities. This is particularly relevant to Policy 7 (landscape), and to Policies 5 and 6 in respect of wide-ranging species. It may also be worth giving

examples of the types of development most likely to impact on the Park even though they lie outside it. It might also be useful to describe the new requirement for pre-application consultation for major developments under the Planning etc (Scotland) Act 2006.

2. This is a clear and helpful summary of the geographic and policy context. It would be useful to explain in more detail the national planning context set by key documents such as NPPG 14 and the National Planning Framework. It would also be useful to be more specific about how this Plan will be affected by the impending reorganisation of development planning under the Planning etc (Scotland) Act 2006.

2.9/2.12 The vision statements in both boxes refer to 'sustainable development', and the phrase appears in many other places throughout the Plan – most notably in Policy 17. People can and do interpret this phrase in a number of different ways, so for clarity, it would be useful to include a definition that reflects the way the term is used in the National Park, perhaps use of the definition in the National Park Plan may be appropriate, page 32.

2.12 - This is a short extract from the paragraph in the Park Plan that summarises the overall vision for the Park. We feel that the short extract misses important context information about the outstanding environment and special places in the Park, and would prefer that the overall Park Plan vision paragraph is replicated in full.

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. 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. 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.

Policy General - wording **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025x

Representation

Proofing Comments

30. If strategic settlements and intermediate settlements are ordered alphabetically, then An Camas Mor should appear before Aviemore and Braemar after Boat of Garten.

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

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

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.

Policy General - wording **Name** Amanda Howard **Company** The Moray Council **Objector Ref** 414a

Representation

The Moray Council does not wish to formally object to the Deposit Local Plan, but would like to submit a number of observations, primarily related to the future implementation of the Plan. Policy wording: Some of the policies still have vague/imprecise wording and, hence, seem open to interpretation. This is likely to cause operational difficulties for Development Control officers when using policy to determine planning applications.

Examples of this are as follows:

- Policy 20 and 26: The reference to 'demonstrable need'.
- Policy 29: The absence of a definition of 'unacceptable level' with reference to sub-point c) of this policy: Reduce the provision of private garden ground to an unacceptable level.

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.

Policy Maps

Name Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422d

Representation

The settlement maps are clear and unambiguous, but a single proposals map showing the location of settlement maps and the boundaries of neighbouring authorities would give an overall context to the Plan and help to show wider relationships within and outwith the Park. It would also set out more clearly which settlements have sites allocated in the plan. This could be perhaps be shown in a similar format to the A3 appendix maps. Should you decide not to include such a map, as a minimum the National Grid lines and numbers should be added to the individual settlement maps, as required by the 1983 Structure and Local Plan Regulations.

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.

Policy Maps

Name Colonel F.M.K. Tuck

Company

Objector Ref

011j

Representation

Map D - I doubt the accuracy or provenance of this map. There never was ancient woodland along the River Don between Delnadampf and Allargue, nor yet on the Hill of Allargue.

Summary

Map D may not be accurate. There never was ancient woodland along the River Don between Delnadampf 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.

Policy Maps

Name Dr David Gasking

Company

Objector Ref

099

Representation

From what I recall of the previous Local Plan, I came to the map expecting to find much greater detail on land use within and around the village. I am surprised to find nothing apart from broad blocking for the large housing proposal, bog woodland and riverside conservation, and the industrial site. Previously, for example, individual sites within the village were earmarked for commercial development, housing infill, amenity & recreation, protection, etc. Just one example, the site of the former Smiddy croft towards the Spar shop end of Station Road was zoned for possible retail development. This new plan seems to move towards a completely different

strategy, with far less detail on a site by site basis within the community.

What change would you like see to the Local Plan which could resolve your objection: Perhaps the policy on how the plan should be presented has simply changed - towards something less prescriptive, maybe. In which case I guess that there isn't much that can be done. For myself, I came to the Plan expecting to examine the details and found very little specific to get hold of.

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.

Policy Maps	Name Kirsty Cameron, Archaeology	Company The Highland Council	Objector Ref	470g
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Representation

para 7.14: The final sentence could be amended to say '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.'

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.

Policy Maps	Name Mairi Maciver	Company Communities Scotland	Objector Ref	025b
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Representation

2. We note the removal of maps for smaller settlements and inclusion of a single fold-out map legend. However, while we appreciate that these changes will make the Local Plan more manageable and more user-friendly, we wonder if the retention of maps for smaller settlements (as annexes) might result in a more comprehensive picture of settlement proposals for the Park overall.

3. To assist developers and others with planning applications, would it be useful to provide maps showing which of the 4 Planning Authorities has responsibility for which area of the Cairngorms National Park?

Summary

Reinstate smaller settlements as identified in the proposals maps to give a more comprehensive picture of settlement proposals overall

Maps - The shading used to depict the NSA designation is easy to miss on settlement maps – particularly those wholly within NSAs. Something similar to the symbols used to show other natural heritage designations would be better. Given that Policy 34 protects more than just core paths, it would be useful for the maps to show other important routes such as Rights of Way and Long Distance Routes. It would also be useful if ancient and semi-natural woodland were shown on settlement maps, given its presence within and around many of the Park's communities.

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.

Policy Policy omission	Name Mr & Mrs Rimmell	Company	Objector Ref 003b
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Representation

Where the Local Plan shows a black line boundary around a village or settlement, the Plan should state that there will be a presumption against development outside this line.

Summary

Additional explanation should be included to explain the significance of the settlement boundary, and there should be a presumption against development outside the line,

CNPA analysis

The comment is noted and additional information will be added to clarify the meaning of such proposal lines, and the impact this will have on development proposals both within and outwith the line.

Policy Policy omission	Name Planning, Environment and Development	Company The Highland Council	Objector Ref 4691
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Representation

A9 Policy - The Highland Structure Plan contains the A9 policy (TC8), which directs services to the by-passed settlements. This reflects the former NPPG (National Planning Policy Guideline) which had included the (now dispensed with) A9 Policy, formulated along similar lines. SPP17 Transport and Planning confers the responsibility for policy in this regard on the appropriate planning authorities.

In 2003/04, and prior to the inauguration of the National Park, the Council reviewed the A9 Policy under the auspices of a Working Group and in consultation with communities and the agencies. It considered alternative concepts including the scope for development mid-way between Inverness and Perth, and enhanced refreshment facilities possibly located at Carrbridge and Ralia. The Council concluded at its meeting on 18th December 2004 – having regard to national safety interests – that “the A9 should be opened-up to the possibility of commercial development”.

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.

Importantly the intersection of the B9152 "loop" with the A9 at the latter two locations offers scope in particular, to continue to promote services within the by-passed communities. These options therefore offer scope to reflect current commitments and balance local expectations.

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.

Policy Policy omission	Name Fred Mackintosh	Company The Highland Council	Objector Ref 472a
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Representation

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.

Very little detail has been included in the settlement proposals and no indication of access arrangements has been given for any of the

proposed development areas. All development proposals will be considered on their individual merits; however, it is recommended that detailed Development Briefs are prepared for strategic and intermediate settlements where there is a realistic prospect of significant development in the short to medium term.

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.

Policy Policy omission **Name** Dr A Watson

Company

Objector Ref 020p

Representation

p/37. Appears to be nothing on advertisement signs and other signs. Seems a major omission. National Parks in Canada, USA and elsewhere are characterised by their few signs.

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.

Policy Policy omission

Name Mairi Maciver

Company Communities Scotland

Objector Ref 025t

Representation

26. We note the removal of proposals for residential caravans and gypsy/traveller sites, but suggest that policies in respect of both be retained.

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.

Policy Policy omission

Name Reidhaven Estate

Company Reidhaven Estate

Objector Ref

456b

Agent Jill Paterson

Representation

General Comment - Roads

Policy 39 (pg 56) of the Consultative Draft of the Local Plan (October 2005) included provision for up to 8 houses before upgrading to adoptive road standards. Clarification is sought on why this policy was deleted from the Finalised Draft and the current roads policy on this.

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.

Policy Policy omission

Name Reidhaven Estate

Company Reidhaven Estate

Objector Ref

456a

Agent Jill Paterson

Representation

Development within Settlements

The plan provides little guidance for the development or redevelopment of sites within the settlement boundary, such as infill. Whilst the plan does not preclude the development of these sites it does not provide positive guidance on this issue.

Modifications: It is recommended that a policy be included to promote and provide guidance for development within settlements.

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.

Policy Policy omission	Name Ian Francis	Company RSPB Scotland	Objector Ref 424b
	Agent		

Representation

General comments on policy arrangement - The consultation draft contained overarching general policies (supported by criteria tables) and then detailed topic policies. The deposit plan has combined these into single policies. This has led to a shorter plan but also a weakening of both emphasis and policy wording.

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.

Policy Policy omission	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref 425a(e)
	Agent Steve Crawford		

Representation

The Local Plan does support infrastructure improvements, which is welcomed, but again, we are concerned this does not go far enough. SE Grampian have a series of infrastructure projects (these were outlined in our response to the Draft Local Plan) that are designed to support the existing and future economic development and tourist offer of the Park. 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. It is important that Local Authorities are pro-active in ensuring that infrastructure is programmed via other agencies (especially Scottish Water) to meet the aims and vision, in this instance, for the National Park.

The Local Plan appears to miss an opportunity to evaluate the transport and access issues, including the physical separation of the eastern and western areas of the Park. The population of Aberdeen, Aberdeenshire, Angus and parts of Moray including tourists arriving by air, sea or rail do not access the Park from main route to the Park - the A9. A review of how this population arrive and circulate around the Park and the physical relationships between the east and west would be welcomed.

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.

Policy Policy omission

Name DW and IM Duncan

Company

Objector Ref

037u

Representation

There is no mention of any policy of operations which are often classed as permitted development i.e. forestry operations, planting, clear felling, agricultural hill drainage and the conversion of moorland to grassland. No policy on hill roads either for forestry, field sports, telecommunication mast access etc. or on the increasing level of habitat damage being caused by hill vehicles. No policy on the desirability or otherwise of the need for new paths or bridges in the remoter areas.

Summary

There is a need for an additional policy regarding permitted developments in regard to agricultural and forestry operations, hill tracks and new paths and bridges.

CNPA analysis

Permitted developments for all forms of development, as relevant are set out in separate legislation and regulation and developers should refer to the appropriate document to consider whether their proposal does or does not fall within the permitted development rights. To repeat these regulations here would be to add a level of duplication which the Plan is endeavouring to steer away from. In regard to hill tracks, and other operations referred to 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 them 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.

Policy Policy omission **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 423d

Representation

Also in the context of SPP17, Transport Scotland also objects to the lack of prominence and clear policies related to public transport. There is only one reference to public transport in the Deposit Local Plan related to outdoor access opportunities.

Modifications to resolve this objection - Greater prominence and a clear policy for public transport are required to be set down in the Deposit Local Plan in the context of SPP17, which recognises the priority given to public transport in SPP17.

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.

Policy Policy omission **Name** Dr A Watson **Company** **Objector Ref** 020m

Representation

Seems to be nothing on vehicle tracks, though the earlier Local Plan 2005 had a useful section on this.

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.

Policy Policy omission **Name** Susan Davies **Company** Scottish Natural Heritage **Objector Ref** 465z-a

Representation

Policy gap: Upland Vehicle Tracks - We note that the Policy 24 on upland vehicle tracks in the Consultative draft Local Plan has not been included in the Deposit draft. We strongly recommend including such a policy in the light of the frequency with which proposals for tracks emerge, and their potential significance for the Park's special natural and cultural heritage qualities. We recommend re-instating Policy 24 from the Consultative draft, subject to the amendments recommended on page 16 of our letter of 28 February 2006 responding to the consultation on that draft.

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.

Policy Policy omission

Name Nicola Abrams

Company SEPA

Objector Ref

399q

Representation

Omission of Policy Providing Directional Guidance for New Developments

SEPA objects to the omission of a policy in the Local Plan to provide locational and directional guidance for waste management facilities.

Reason for Objection - In the interests of clarity SEPA objects to the wording of the plan as it does not provide clear and positive guidance for developers and the community. At present the Plan does not contain any guidance as to potential locations for waste management facilities. It is recognised in SPP10 that industrial and employment land is suitable for waste management uses with a model planning policy suggested. Also it is recognised within PAN 63 that waste facilities can be readily accommodated on industrial land, degraded land, co-located with existing facilities etc with detailed advice provided.

Suggested Modification - The current policy for business development (Policy 20) would exclude waste management proposals, as waste management does not fall within these use classes, being a "sui generis" land use. A potential way therefore to provide the necessary direction may be to simply include waste management within this Policy thus recognising the role of waste management as a business opportunity and waste as a potential "resource" — this promotion of business land would accord with National policy as contained in SPP10 and its model planning policy (paragraph 26). Alternatively, a Policy could be developed to set out the potential criteria for the siting of waste management facilities - Planning Advice Note 63 contains advice in this regard and if it would be helpful SEPA would be happy to provide web links showing how other Local Plans in Scotland have approached this.

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.

Policy	Policy omission	Name	Susan Davies	Company	Scottish Natural Heritage	Objector Ref	465y
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Representation

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).

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.

Policy	Policy omission	Name	Dr A Watson	Company		Objector Ref	020k
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Representation

General comment. There appears to be nothing on change of use in forestry and agriculture. Although forestry is permitted development, even Local Authorities have long been able to request changes and also to object, with the latter leading to a FC Regional Advisory Committee, and, if there is not agreement, to decision by the Minister.

Surely a National Park should be able to have at least equal opportunity to a local authority on this. The National Park Authority should be asking the government for increased powers over change of use within the Park, in both forestry and agriculture. Farmers in the area have drained peat-bogs and turned moorland into intensive grass. New roads for forestry and farming should not be permitted development in a National Park, and likewise felling methods. Obviously these points cannot be explicit in the Local Plan, but the CNPA should be requesting them from the government.

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.

Policy Policy omission **Name** Susan Davies **Company** Scottish Natural Heritage **Objector Ref** 465r

Representation

We suggest that you consider 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.

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.

Policy Policy omission **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473zii

Representation

General - It may have been helpful to put in a general development policy that deals with parking, servicing and accessibility. Something along the lines of ALP Inf\2 would be appropriate. The Local Plan should include detailed development standard criteria against which applications could be objectively assessed. Otherwise, it will lead to inconsistent interpretation of the policies. No specific guidance on infill development/feu splits which are becoming increasingly common.

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.

Policy Policy omission **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422s

Representation

The removal of proposals for residential caravans and Gypsies/Travellers sites but suggest that policies in respect of both be retained or reference made in the housing section of the Plan.

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.

Policy Policy omission **Name** Nicola Abrams **Company** SEPA **Objector Ref** 399p

Representation

Omission of Policy Safeguarding Waste Management Sites

SEPA objects to the omission of a policy in the Local Plan which safeguards existing strategic waste management facilities and also identifies and safeguards all sites required to fulfil the requirements of the Area Waste Plan. SEPA notes that key waste management sites which are necessary for the delivery of the Area Waste Plan requirements and/or for the required move to sustainable waste management do not appear to have been identified within the plan, in either policy wording, supporting text or in proposals maps.

Reason for Objection - SEPA consider that the plan does not 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.

As part of the ongoing 'strategic options appraisal process" being undertaken by the various North East Councils and Highland Council

there may be a need for sites for composting facilities in Aviemore and potential industrial estates could be highlighted now. For information, Strategic Options Appraisal is the process whereby strategic groupings of Councils are looking at the potential to share waste management facilities in order to make a case for funding to the Scottish Executive as part of the next phase of the Strategic Waste Fund monies, which are designed to help facilitate the move away from landfill. The first phase funding was centred on kerbside collection and segregation of waste, the second phase will be focussed on provision of facilities to deal with the residual waste e.g. composting, energy from waste, materials recycling facilities etc. It is therefore recommended that the waste managers of the component Councils be contacted for advice and input to the site identification process.

For more detailed site selection information on planning issues such as land take, residential amenity issues etc research for the Office of the Depute Prime Minister on Planning for Waste Management Facilities may be of interest. The link to this document is http://www.odpm.gov.uk/stellent/proups/odpm_planning/documents/page/odpm_plan_030747.df. Additionally, based on this research report and in consultation with the Scottish Executive, SEPA produced information leaflets on major waste management facilities for an awareness raising programme for planning decision makers. This information is available on our website via the following link http://www.sepa.org.uk/nws/planning/guidance_links.htm

Suggested Modification - It is therefore recommended that existing strategic and proposed sites for waste management facilities are identified on the proposals maps and policy wording included in order to safeguard them to fulfil the requirements of the Area Waste Plan.

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.