

Representation, summary and analysis – Living and Working

Policy Policy 17 **Name** Rona Main **Company** Scottish Enterprise Grampian **Objector Ref** 425h
Agent Steve Crawford

Representation

Chapter 5 of the Cairngorms National Park Deposit Local Plan deals with how the 16,000 residents and employees within the Park are able to go about their daily life. It recognises that these people face economic and social issues similar to those throughout rural Scotland. This recognition is welcomed, as is the potential for the Park to contribute to the well being of the wider region. This is perhaps the most important section of the Plan from SE Grampian's perspective.

Key issues are:

Policy 17— Sustainable Development - SE Grampian support sustainable and energy efficiency as a policy, however in terms of interpretation and implementation of this section we would request a balance between the Plan's sustainability objectives and economic development criteria, particularly in relation to the commercial viability of developments.

Summary

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

CNPA analysis

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

Policy Policy 17 **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400g

Representation

5.2 and 5.6 - Object to definition of sustainable development because it is incomplete. Suggest adding "Sustainable development means...that future generations can continue to use and enjoy them to a comparable degree" or words to that effect.

Summary

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

CNPA analysis

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

Policy Policy 17

Name Nicola Abrams

Company SEPA

Objector Ref 399i

Representation

SEPA strongly supports the intention of this policy requiring new developments to demonstrate sustainable use of resources and sustainable design standards, however, SEPA objects to the wording of the policy.

Reason for Objection - SEPA objects to the wording of the policy as although the policy makes reference to sustainable use of resources there is no direction provided for developers to show what is expected in order to meet these requirements.

NPPG 10 (now replaced by SPP10) and PAN63 require new development to minimise waste during construction and operation of development and require provision for the storage, segregation and collection of recyclables and provision for home composting.

Suggested Modification - SEPA recommends that the bullet point 3 is amended to read "demonstrate sustainable use of resources (including minimisation of waste)'

Other Comments - SEPA suggested that reference is made to the Sustainable Design Guide in this policy.

Summary

Although the policy makes reference to sustainable use of resources there is no direction provided for developers to show what is expected in order to meet these requirements. NPPG 10 (now replaced by SPP10) and PAN63 require new development to minimise waste during construction and operation of development and require provision for the storage, segregation and collection of recyclables and provision for home composting. The policy should be amended at 3) to read "demonstrate sustainable use of resources (including minimisation of waste)'. Reference should also be made in this policy to the Sustainable Design Guide.

CNPA analysis

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

Policy Policy 17

Name Mrs Thelma van Tienen

Company

Objector Ref

374

Representation

An excellent way to focus the attention on the natural beauty of the Cairngorms National Park is to include the possibility of building a number of Earth Shelters dwellings in this environment in the Local Plan. There are a number of successful earth shelter dwelling developments in the UK already.

An Earth Shelter project would be in line with the sustainability policy that the Cairngorms National Park supports.

Done in the right way such a project could – in the building phase - have an educational element, allowing people to come and learn

how to build the structures. It could be televised, attract radio coverage and be written about.

Once in situ as a zero energy site, with solar and wind power generation, a reed bed for sewage purification and communal facilities to service a small number of Earth Shelters, e.g. vegetable garden, utilities and workshop/tools building, the site could be visited by appointment by interested groups. This is done at various other ecological sites around the UK - as prototypes for sustainable living. The site (10 – 15 acres) that would be suitable for an Earth Shelter Project would be a south facing slope with water nearby and some woodland.

Summary

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

CNPA analysis

The comment is noted. The CNPA is developing a sustainable design guide and checklist to support this policy and this document will go into a greater level of detail on forms of development which may offer individual solutions within the Park. No modification considered necessary as a result of this representation.

Policy Policy 17	Name Roy Turnbull	Company	Objector Ref 390i
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Representation

SUPPORT - Except that the requirement to “Make a positive contribution to the minimisation of climate change” is too weak. The requirement should be to “Minimise the effect of the development on climate change.”

Summary

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

CNPA analysis

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

Policy Policy 17	Name Scottish & Southern Energy Plc	Company Scottish & Southern Energy Plc	Objector Ref 447f
	Agent Jones Lang Lasalle		

Representation

Policy 17 states that: “All proposals for new development in the Cairngorms National Park will include within the design integrated social, community, environmental and economic factors...” and the policy then lists various criteria.

It is notable that policy 17 requires “all proposals for new development” to include various ‘factors’. It is considered that it would be reasonable to add the term “where relevant” to the policy and to define exceptions, as it will not necessarily be appropriate for all proposed development to include certain aspects of the ‘integrated social, community and environmental factors’ that the policy refers to. Again this would bring the policy more in line with the advice in PAN 49.

Summary

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

CNPA analysis

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

Policy Policy 17	Name D R MacKellar	Company Cairngorms Chamber of Commerce	Objector Ref	4301
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Representation

Concluding Remarks - There was general concern expressed at a number of aspects of the presentation of the Local Plan in addition to the points made above. In particular: Sustainability is not just about “maintaining” the status quo as this Deposit Local Plan suggests, sustainability also means to nourish and grow. The Deposit Local plan should be more about the aspirational and enabling connection with our economy and businesses.

The CCC acknowledges the constraints and the extensive consultation process that the CNPA have experienced during the process of formulating the Local plan. The CCC would welcome the opportunity to provide further Business input to the plan prior to it being adopted.

Summary

As a general comment ‘Sustainability’ is not just about “maintaining” the status quo as suggested but also means to nourish and grow. The plan should be more about the aspirational and enabling connection with our economy and businesses.

CNPA analysis

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

Policy Policy 17	Name Nicola Abrams	Company SEPA	Objector Ref	399SEA(k)
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Representation

SEPA accepts the results of the assessment undertaken with regard to this policy. Please refer to SEPA's representation on the Finalised Local Plan for detailed comments on the Local Plan.

Summary

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

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 17

Name Ian Francis

Company

RSPB Scotland

Objector Ref

4241

Representation

This policy provides another opportunity for CNPA to demonstrate compliance with the general duty to further the conservation of biodiversity required by the NC (S) Act 2004 and should be reworded to state that development should “ensure a healthy, affordable, resource efficient and functional building environment that avoids damage to the natural environment and where possible enhances it” We welcome recognition of the need for development to contribute toward tackling climate change. Climate change is the biggest single environmental challenge we face. It is therefore disappointing that the deposit local plan does not set local targets for low and zero carbon developments as required by SPP6. Paragraph 36 of SPP6 also states that “the development plan process should be used to consider whether local circumstances justify going beyond the 15%; below the 500 sq metres threshold and whether higher standards can be secured for particular developments, including the potential for decentralised energy supply systems based on renewable and low carbon energy”. Given that large scale renewable energy schemes are unlikely to be able to be accommodated in the NP, and many developments are likely to be below the 500 sq metre threshold, we would encourage CNPA to consider that local circumstances do justify going beyond these thresholds.

Summary

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

CNPA analysis

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

Policy Policy 17	Name The Crown Estate	Company	The Crown Estate	Objector Ref	419e
	Agent Debbie Mackay				

Representation

While the aims of this policy are very laudable, it presents an almost impossible challenge to applicants to demonstrate, and to planning authorities to assess, whether a proposal can make the contributions outlined.

Modifications to resolve this objection.

It may be wise to consider a size limit on the development which would have to consider all of these factors. However this policy is probably completely unworkable and should therefore be either removed or presented as aspirations within the text of the Plan rather than a specific policy.

Summary

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

CNPA analysis

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

Policy Policy 17	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	473j
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Representation

The provision of supplementary guidance regarding sustainable design techniques will be welcomed, if following the thrust from national planning guidelines, for example, SPP15, Planning for Rural Development. It would be useful if reference to SPP15 was made in the text in para. 1.19 of the Deposit Local Plan.

It is recommended that consultation is undertaken, if not already done so, with relevant planning authorities and economic development contacts in relation to the supplementary guidance for development of micro-generation energy production within the Park. This is a key area within Aberdeenshire Council's Economic Development Priorities. It is considered that re-development and establishment of micro hydro-electric schemes, small scale wind energy developments and the development of community biomass production and heating systems should be encouraged in new developments within the Park. There is a real opportunity here for the Park to take a bold stance with development of exemplar projects relating to sustainable renewable energy projects; and also in design techniques for buildings, incorporating local materials in the design structure and adopting renewable energy systems within the buildings.

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

Would be good to see a specific reference to reducing the need to travel. For instance in the ALP Policy Gen\1, part c) states:" reduces the need to travel using private car, by being close to existing public transport or allowing safe, easy access by walking and cycling"

Summary

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

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

CNPA analysis

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

Policy Policy 17

Name John Forbes-Leith Esq
Company
Agent Debbie Mackay

Dunachton Estate

Objector Ref

418e

Representation

While the aims of this policy are very laudable, it presents an almost impossible challenge to applicants to demonstrate, and to planning authorities to assess, whether a proposal can make the contributions outlined.

Modifications to resolve this objection - It may be wise to consider a size limit on the development which would have to consider all of these factors. However this policy is probably completely unworkable and should therefore be either removed or presented as aspirations within the text of the Plan rather than a specific policy.

Summary

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

CNPA analysis

The comments are noted. The policy will be implemented with the help of a sustainability design guide and checklist and this will consider that limitation of any appraisal to certain scales of development. This documents and its supporting checklist will be the subject of full and comprehensive public consultation before it is used to support this policy. None the less, all developments should endeavour to make some contribution and this is the underlying thinking behind the policy. No modification considered necessary as a result of this representation.

Policy Policy 17	Name Phil Rowsby	Company	SRPBA	Objector Ref	429s
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Representation

SRPBA object to this policy as Members felt that this policy was confusing and it should be removed.

Summary

The wording is confusing and the policy should be removed.

CNPA analysis

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

Policy Policy 17,18	Name Mrs Jane Angus	Company		Objector Ref	437i
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Representation

Policies 17-18 p.36 sound good. In a 'Sustainable Design Guide' for building there should be 'low C02' after efficiency' (p.l2a). The Guide is required quickly if we are to have developments for local people.

Summary

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

CNPA analysis

The design guide and checklist are being prepared to support the local plan policies, and following the necessary consultation will be complete and ready for implementation prior to the adoption of the Local Plan.

Policy Policy 17,18	Name Dr A Watson	Company		Objector Ref	020h
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Representation

Policy 18. Sentence two. First part up to surrounding area, not clear what is meant, seems very vague., Vagueness will lead to bad development. Second part, good, but how is it to be assessed and put into practice? 5.2 add at the end "to the same extent". Not sustainable if future generations continue to use and enjoy them, but to a lesser quality than we do. Sustainability arguments at end. This conflicts openly with the recent and current and projected rapid increase of population in Speyside and to a lesser extent Deeside due to immigration of commuters and holiday home-dwellers and retired home-dwellers. It is bound to reduce natural and semi-natural habitats.

Summary

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

In para 5.2 add at the end 'to the same extent' to ensure future consistency of use. The creation of sustainable communities conflicts with recent experience of increased populations in the Park from commuters, holiday homes and retired people. This will reduce the natural and semi natural habitats.

CNPA analysis

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

Policy Policy 17,18,19	Name Mr Michael Bruce	Company Glen Tanar Estate	Objector Ref	403e
	Agent Sinead Lynch			

Representation

Glen Tanar Estate is broadly supportive of Policy's 17, 18 and 19.

Summary

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

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 18	Name Scottish & Southern Energy Plc	Company Scottish & Southern Energy Plc	Objector Ref	447g
	Agent Jones Lang Lasalle			

Representation

"All new development will conserve and enhance the natural and cultural environment found within the Cairngorms National Park, and protect and enhance the landscape quality surrounding the development site...."

Policy 18 is not considered acceptable. The policy states that "all new development" will conserve and enhance the natural and cultural environment of the National Park. The first aim of the Park is to conserve and enhance the natural and cultural heritage of the area. Paragraph 3.2 of the Local Plan makes an explicit acknowledgement that not all developments will make equal contributions to the Park's aims and indeed the Plan notes that some developments "may contribute to one or more aims whilst conflicting with others" (paragraph 3.2).

This policy does not provide this flexibility and it contradicts earlier statements in the Plan. The policy adds that all new development "will" enhance the landscape qualities surrounding "the development site". However, there may be situations where housing

developments are proposed where it is not possible to enhance a particular landscape quality that surrounds a particular site. It is often possible in urban design terms, to locate a development such that it is responsive and respects a surrounding land use or landscape context of a site. However that is a different matter from 'enhancing' the surrounding landscape quality. Again, this is considered to be an unreasonable aspect of this particular policy. This is of particular concern to SSE as a Transmission Licence holder. There is no national planning policy relating to electricity infrastructure which takes such a restrictive approach. There is general policy support for upgrades which facilitate renewable energy generation, however, the terms of this policy seem to either ignore the possibility of such development or worse still, deliberately set an unreasonably high threshold. A particularly unacceptable aspect of the policy is that it cannot be assumed to be appropriate in all circumstances. This is particularly important in light of the requirement in paragraph 3.7 of the Local Plan that developments must comply with all policies in the Plan in order to comply with policy 1.

Furthermore, there is no locational guidance in the Local Plan indicating those parts of the Park where infrastructure development might be looked upon favourably. It is also notable that, unlike the Loch Lomond and the Trossachs National Park Authority, the CNPA has not attempted to analyse or explain, in a geographically meaningful way, the "special qualities" of the National Park which makes it all the more difficult for developers to be clear as to the likely policy implications. The Local Plan should address this matter and relate it to specific policy expressions.

Summary

The wording should not require all development to conserve and enhance the natural and cultural heritage while, although reflecting the 1st aim of the park, para 3.2 of the plan acknowledges that not all development will make equal contributions to the aims and that some developments "may contribute to one or more aims whilst conflicting with others". The policy does not provide for this flexibility and is therefore contradictory. There are also many situations when developments will not 'enhance' the landscape qualities 'surrounding' the development site. These requirements are therefore unreasonable. Particular reference is made to the issues created with transmission lines in regard to this policy. Of particular concern is the reference in para 3.7 and it is not considered reasonable that developments must comply with all policies in the plan in order to comply with policy 1.

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

CNPA analysis

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks (Scotland) Act 2000 and are clear and reasonable and provides an appropriate level of detail and guidance to developers in line with SPP1. Any amendments to draw the wording in line with these will be made by way of modification.

Policy Policy 18

Name Nicola Abrams

Company SEPA

Objector Ref 399j

Representation

While SEPA welcomes the positive stance taken to promote sustainable use of resources and sustainable design standards, SEPA objects

to the wording of this policy.

Reason for Objection - While SEPA welcomes the application of this policy to all new developments, SEPA notes that the policy does not include reference to sustainable waste management by design - SEPA objects to this omission which does not comply with PAN 63 (paragraphs 51-52 and 80-83) nor with SPP10 (paragraphs 45-46). Furthermore the Policy does not require the minimisation of waste during the construction and operation of development. SEPA notes that the justification text states that the policies supports the CNPA strategic objectives for inter alia waste management, however SEPA does not consider that the wording of the policy as it presently stands actively promotes sustainable waste management.

Suggested Modification - SEPA requests that the policy be modified to highlight explicitly that all new development should provide for reducing, recycling, reusing and composting waste as a criterion to be met, such as "all new development shall be designed to enable the storage, segregation and collection of recyclable material and make provision for home composting". SEPA also requests that the policy be modified to highlight the requirement to minimise waste during the construction and operation of development, alternatively this could be included in Policy 17.

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

Other Comments - SEPA welcomes the inclusion of recycling facilities and waste management into Table I of Developer Contributions Policy 19.

Summary

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

Furthermore clarification should be provided as to whether this will be included as part of the supplementary planning guidance to be produced by the CNPA. However, SEPA welcomes the inclusion of recycling facilities and waste management into Table I of Developer Contributions Policy 19.

CNPA analysis

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

Policy Policy 18	Name The Crown Estate	Company	The Crown Estate	Objector Ref	419f
	Agent Debbie Mackay				

Representation

The first statement of this policy: "All new development will conserve and enhance the natural and cultural environment" While laudable this aspect of the policy is potentially unworkable and impossible to achieve in every development. Modifications to resolve this objection - The wording could be changed to state that "All new development will seek wherever possible to conserve and enhance the natural and cultural environment"

Summary

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

CNPA analysis

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks (Scotland) Act 2000 and are clear and reasonable. Any amendments to draw the wording in line with these will be made by way of modification.

Policy Policy 18	Name D R MacKellar	Company	Cairngorms Chamber of Commerce	Objector Ref	430g
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Representation

Design - Community responses to the consultation on the Plan have stressed the importance of securing high quality design in all forms of developments, from major tourist investments through to individual dwellings in their settings. It is encouraging to see the modern expression of vernacular architecture emerging within the Park and it is important that these should be seen as models for general application. It is crucial that the conditions applied to Housing Policy, such as the minimum percentages, do not impact on future inspirational Design. There is a feeling that we can have the best design specification but no developments to apply it.

Summary

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

CNPA analysis

The policy regarding design will apply equally to all forms of development, including housing. To promote the concept work is being included within the design guide on efforts that can be made to achieve good quality design without additional cost, and this will be fully promoted as good practice within the Park to ensure that the requirements of policy 18 do not hamper new development. No further modification is therefore considered necessary as a result of this representation.

Representation

The Prince's Foundation for the Built Environment strongly supports the aims of the Local Plan and the vision that the National Park should become, 'an exemplar of sustainable development where people and place thrive together'. We welcome this opportunity to respond to the detail of the Deposit Local Plan. The Prince's Foundation is an educational charity which exists to improve the quality of people's lives by teaching and practicing timeless and ecological ways of planning, designing and building. In November 2006, together with community groups and other stakeholders, The Prince's Foundation for the Built Environment carried out an Enquiry by Design (EbD) workshop for the village of Ballater, which established a long-term vision for sustainable growth through broad consensus. The following comments and objections relate to both the specific proposals for Ballater and to some of the wider policies and clauses of the Deposit Local Plan. Suggested modifications are included with our responses.

Sustainable Design Guide

We support the Park Authority's commitment to producing a Sustainable Design Guide for new development (1.19) as supplementary planning guidance, the purpose of which is, to encourage new development and infrastructure to complement the built and landscape character of the Park and meet high standards of energy efficiency and sustainable design. The design guide is referred to across a range of policies and we note that it is also intended to cover the use of materials as well as house extensions and alterations. We suggest that the Plan should also make reference to a section in the Design Guide that addresses the conversion and reuse of redundant buildings, as a simple, sustainable practice. The Prince's Foundation would welcome the opportunity to further comment or contribute towards the Guide.

Summary

The Princes Foundation supports the production of a sustainable design guide. In addition to its role as described in the Local Plan, we suggest that the plan should also make reference to a section in the Design Guide that addresses the conversion and reuse of redundant buildings, as a simple sustainable practice. The Princes Foundation would welcome the opportunity to further comment or contribute towards the Guide.

The Princes Foundation supports the aim of the Park to promote the sustainable use of natural resources of the area, and policies 7, 10, 11, 18, 25, 27 and 29. Also Policy 17 pertains to the sustainable use of resources and minimisation of climate change.

The sustainable design guide should set out detailed specification for the colour, texture, and performance of stone types in certain areas as well as appropriate usage. The distinctions between the carried building stones traditionally used are important to the character and variety of settlements within the Park.

CNPA analysis

The issues raised in the representation will be fed into the work ongoing to develop the design guide and checklist. This document will then be subject to full and comprehensive public consultation and further amendments to it can be made throughout the process. No further amendments are considered necessary to the policy as a result of this policy.

Policy Policy 18

Name Mrs Spencer

Company

Objector Ref

017d

Representation

Again, an absolutely first class Policy, but how do you ensure its implementation? There are examples up and down Badenoch and Strathspey (I don't know Angus and Aberdeen well enough to comment, but I expect the same applies) where new developments have done anything but "reflect and reinforce the local vernacular and local distinctiveness". Scottish vernacular housing is lovely, and really good C21st architectural design should be able to be compatible with it, and comply with this policy without difficulty. Unfortunately it seems largely to be lacking!

As for "the amenity enjoyed by neighbouring properties will be protected..." most developers couldn't care a fig about the neighbours! It is in their interest to ensure that, where they are proposing to build a number of houses, prospective purchasers can feel that their 'amenity' is protected, but the 'amenity' of already existing houses, the future neighbours of either a single new house, or the 'estate' is of absolutely no interest or importance to them. How on earth do you ensure this entirely desirable 'protection' policy is put into practice?

Summary

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

CNPA analysis

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

Policy Policy 18

Name John Forbes-Leith Esq

Company

Dunachton Estate

Objector Ref

418h

Agent Debbie Mackay

Representation

Paragraph 5.10 sets out the Park Authority's intention to prepare a design guide looking specifically at the sustainable aspects of all development. This design guide will contain a "sustainability " score against which all proposals will be expected to attain an agreed score as a minimum standard.

While the intentions behind this approach are applauded, it will be vital that this guide is consulted on widely so that its ability to be implemented, without deterring appropriate development, is assessed. The methodology must be well recognised and approved, having been successfully used elsewhere.

Modifications to resolve this objection -

The Plan should state that the Park Authority will consult widely on the development and content of this Guide and that it will only be used if it gains wide public support.

Summary

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

CNPA analysis

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

Policy Policy 18	Name Fred Mackintosh	Company	The Highland Council	Objector Ref	472k
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Representation

The preparation of a Design Guide to ensure a consistent and appropriate standards of design and construction for new roads within the park area would be most welcome and I look forward to further consultation on the detail of such a guide.

Summary

The preparation of a Design Guide to ensure a consistent and appropriate standards of design and construction for new roads within the park area would be most welcome and Highland Council I looks forward to further consultation on the detail of such a guide.

CNPA analysis

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

Policy Policy 18	Name Nicola Abrams	Company	SEPA	Objector Ref	399SEA(I)
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Representation

SEPA queries how this policy will have a positive effect on the reduction of waste and pollution when the policy itself does not make any reduction to re-use of materials or waste minimization. Please refer to SEPA's representation on the Finalised Local Plan for detailed comments on the Local Plan.

Summary

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

CNPA analysis

The issue of reduction and reuse of materials will be included in the design guide which will support the policy and provide additional level of information to support all forms of sustainable development. No modification considered necessary as a result of this representation.

Policy Policy 18 **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422n

Representation

Paragraphs 5.2 and 5.3 refer to sustainability, sustainability credentials and sustainable development, but do not clearly define any criteria or relevant documentation, which would be particularly useful where planning applications are to be assessed on the basis of sustainability credentials. In reference to Policy 18 – Design Standards for New Development, while it is important to retain the character of an area, this should allow scope for innovation, particularly in areas which would promote energy efficiency, reduced carbon emissions and sustainable development. Design of developments needs to be flexible to allow techniques which would promote these concepts to be used and to allow progression in design.

Policy 18 would benefit from being separated into distinct clauses to aid clarity. Section b) of Policy 20 is similar and would offer clearer guidance if sub-divided.

Summary

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

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

CNPA analysis

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

Policy Policy 18 **Name** Rona Main **Company** Scottish Enterprise Grampian **Objector Ref** 425i
Agent Steve Crawford

Representation

SE Grampian welcome and encourage the formation of a Sustainable Design Guide to provide clarity on the materials and layout of new developments. We would wish the opportunity to review and comment on the Design Guide's formation. We would encourage a simple and workable Design Guide that does not impede modernisation and upgrading of business premises and the viability of new schemes. It is worth noting, SE Grampian have a Rural and Sustainability Officer who is engaged with the CNPA and Partners in the area and who could provide further commentary and feedback on the Design Guide as it develops.

Summary

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

CNPA analysis

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

Policy Policy 18	Name John Forbes-Leith Esq	Company Dunachton Estate	Objector Ref 418f
	Agent Debbie Mackay		

Representation

The first statement of this policy: "All new development will conserve and enhance the natural and cultural environment" While laudable this aspect of the policy is potentially unworkable and impossible to achieve in every development.

Modifications to resolve this objection - The wording could be changed to state that "All new development will seek wherever possible to conserve and enhance the natural and cultural environment"

Summary

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

CNPA analysis

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks (Scotland) Act 2000 and are clear and reasonable and provides an appropriate level of detail and guidance to developers in line with SPP1. Any amendments to draw the wording in line with these will be made by way of modification.

Policy Policy 18	Name Donald Lockhart	Company Albyn Housing Association	Objector Ref 385d
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Representation

In terms of design standards, the Society welcomes the Park's intention to publish a Sustainable Design Guide but urges the Park to avoid making this too prescriptive particularly in terms of adding cost to affordable housing developments. I am particularly disappointed in

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

Summary

Support for the use of a Sustainable design guide but would not wish it to be too prescriptive particularly in terms of adding cost to affordable housing developments. There should be additional promotion in Policy 18 of design innovation and contemporary design solutions in favour of reinforcing the existing patterns, character and vernacular. This represents a lost opportunity which the launch of a National Park in the Cairngorms area at the start of the 21st Century affords.

CNPA analysis

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

Policy Policy 18	Name Susan Davies	Company	Scottish Natural Heritage	Objector Ref	465n
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Representation

We recommend changing the term “landscape quality” in the first sentence of this policy to “landscape character,” or using “landscape character” as an additional term.

Summary

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

CNPA analysis

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

Policy Policy 18	Name Roy Turnbull	Company		Objector Ref	390j
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Representation

SUPPORT - The statement that “all new development will conserve and enhance the natural and cultural environment ...” is strongly supported.

Summary

Support

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 18	Name The Crown Estate	Company	The Crown Estate	Objector Ref	419h
	Agent Debbie Mackay				

Representation

Paragraph 5.10 sets out the Park Authority's intention to prepare a design guide looking specifically at the sustainable aspects of all development. This design guide will contain a "sustainability " score against which all proposals will be expected to attain an agreed score as a minimum standard.

While the intentions behind this approach are applauded, it will be vital that this guide is consulted on widely so that its ability to be implemented, without deterring appropriate development, is assessed. The methodology must be well recognised and approved, having been successfully used elsewhere.

Modifications to resolve this objection - The Plan should state that the Park Authority will consult widely on the development and content of this Guide and that it will only be used if it gains wide public support.

Summary

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

CNPA analysis

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

Policy Policy 18	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	473k
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Representation

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

Summary

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

CNPA analysis

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

Policy Policy 18

Name William Stuart Paterson

Company

Objector Ref

409k

Representation

Planners should have the authority to advice developers / builders of the specific styles of houses to be built which should be in keeping with the original village. Should the builder not stick to his plans then planners have the authority to have the houses demolished and rebuilt.

Summary

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

CNPA analysis

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

Policy Policy 18

Name John Anderson

Company

Kincraig and Vicinity Community Council

Objector Ref 463m

Representation

KVCC comment: Makes reference to 'Proposals will be in accordance with design standards and palette materials set out in the Sustainable Design Guide and any other supplementary guidance produced relating to design for new developments'. This has the potential to be inhibitive of innovative designs otherwise in keeping with the 'special landscape qualities of the Cairngorms National Park' (Policy 7). Full details of the Sustainable Design Guide should be available in an Appendix to the Plan.

Summary

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

CNPA analysis

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

Policy Policy 19

Name Glenmore Properties Ltd

Company Glenmore Properties Ltd

Objector Ref

453g

Agent Steve Crawford

Representation

Although Glenmore Properties Ltd acknowledge the need for developer contributions in certain circumstances it also acknowledges

that these can be controversial. To avoid some of that controversy the Plan should make reference to Circular 12/1996 in the policy as well as the justification.

Table 1 sets out a list (not exhaustive) of developer contribution themes. In order to be fair these themes and the subsequent planning gain calculations must be based on existing capacity and offer clarity in calculation. The National Park should therefore develop a set of baseline information that can be regularly monitored. The policy should include an exception where the viability of a development scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements.

Modifications: Policy wording altered to reflect issues raised in summary and a robust monitoring regime adopted.

Summary

The policy and the justification should both refer to Circular 12/1996 to avoid any confusion. Any themes and calculations for contributions must be based on existing capacity and offer clarity in calculation. A baseline of information which is regularly monitored should therefore be established. The policy should also allow for exceptional circumstances where the viability of a scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements. The wording should be amended to reflect this.

CNPA analysis

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

Policy Policy 19

Name Rona Main

Company Scottish Enterprise Grampian

Objector Ref

425j

Agent Steve Crawford

Representation

SE Grampian acknowledges the need for developer contributions in certain circumstances, depending on the nature and scale of the development. To avoid confusion and provide clarity and assist developers to quantify contributions in advance of planning applications. The Plan should make reference to Circular 12/1996 in the policy as well as the justification.

Table 1 sets out a list (not exhaustive) of developer contribution themes. In order to be fair these themes and the subsequent planning gain calculations must be based on existing capacity and offer clarity in calculation. The National Park should therefore develop a set of baseline information that can be regularly monitored. The policy should include an exception where the viability of a development scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements.

Summary

Reference should be made to circular 12/1996 in the supporting text. The developer contribution themes must be based on existing capacity and offer clarity in calculation. Some baseline information should be established that can be regularly monitored. The policy should include an exception where the viability of a development scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements

CNPA analysis

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

Policy Policy 19	Name DW and IM Duncan	Company	Objector Ref	037e
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Representation

This is sensible, but the public should be able to advise planners as to what projects are considered priorities.

Summary

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

CNPA analysis

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

Policy Policy 19	Name D R MacKellar	Company Cairngorms Chamber of Commerce	Objector Ref	430d
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Representation

Living & Working in the Park — CCC welcomes and supports the Plan's commitment to the principle of sustainable development and the diversification of the local economy. As the Plan states, all aims have to be achieved in a collective and co-ordinated way. Presumption is made on developer gain to support the effect on the wider community and the effect on public facilities". This statement should be further explained and determined with consultation involving the public agencies charged with delivering those public facilities. It may well turn out to be a burden to that development. These relationships should be spelled out so as to form a coherent inter-related programme of action. Community Plan objectives are an example where common social objectives for population change should be addressed. Equally in the field of housing and provision of infrastructure there is opportunity for a more pro-active approach. Lack of infrastructure should not merely be seen as a constraint. Such an approach would assist the business community in planning ahead with more certainty.

Summary

In policy 19 the statement regarding the impact on public services should be explained, and determined with consultation involving the public agencies who deliver such public facilities. It may be a burden to that development and such relationships between developments and contributions should be clearly stated so that they can be included in any programme of action. Community Plan objectives are an example where common social objectives for population change should be addressed. Equally in the field of housing

and provision of infrastructure there is opportunity for a more pro-active approach. Lack of infrastructure should not merely be seen as a constraint. This approach would assist the business community in planning ahead with more certainty.

CNPA analysis

The comments are noted. The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified.

Policy Policy 19 **Name** Planning, Environment and Development **Company** The Highland Council **Objector Ref** 469h

Representation

Policy 19 refers to the principle of developer contributions “in cash or kind” towards services, facilities and infrastructure where development would give rise to the need for improvements or mitigation, at a level consistent with the nature and scale of any particular proposal. Table 1: Developer Contribution Themes sets out a range of subjects - school, library, open space, health care, transportation, sports and leisure and waste - and the terms on which developer contributions are to be calculated. Whilst the policy is broadly consistent with the Council's approach, it should recognise the role of the Council as a provider in respect of several of these and the need for dialogue with the relevant Service as specific contributions are calculated and negotiated. The table should refer to affordable housing – if only to link the free-standing policy 24 (Contributions to Affordable Housing); and add under Transportation, “including any cumulative impacts on the road network”. Although an obligation on developers, the requirement to upgrade un-adopted roads to adoptable standards in order to serve more than four houses should be added for clarity and consistency with the Council's adopted guidelines.

Summary

The policy should recognise the role of local councils as providers of several of the services set out in Table 1. The need for dialogue with the relevant Service as specific contributions are calculated and negotiated is stressed. The table should refer to affordable housing – if only to link the free-standing policy 24 (Contributions to Affordable Housing); and add under Transportation, “including any cumulative impacts on the road network”. Although an obligation on developers, the requirement to upgrade un-adopted roads to adoptable standards in order to serve more than four houses should be added for clarity and consistency with the Council's adopted guidelines.

CNPA analysis

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. The issue of affordable housing is considered under separate policy 24, and further explanation will be added to the Introduction to clarify the need to consider all the policies of the Plan. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Policy Policy 19

Name Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council **Objector Ref** 416f

Representation

Who decides? How much? How will it be spent? It should be ring-fenced for the local area.
The absence of Police and Fire Services was queried. It was explained that They are there to respond to situations

Summary

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

CNPA analysis

The comment is noted. It is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text. The list of themes in the table is merely indicative and should be read as such. The funds are normally passed to the local authorities for the identified projects within the area. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 19

Name Maurice Stack

Company Aberdeenshire Council

Objector Ref

473r

Representation

Page 44 - Housing

The table provides for 440 additional houses in Ballater and 140 in Braemar over the next 10 years
Primary Schools in or serving the National Park -

Aboyne

Logie Coldstone

Ballater

Strathdon

Braemar

Towie

Crathie

Secondary Schools serving the National Park -

Aboyne Academy serves the upper Deeside area including Braemar and Ballater.

Alford Academy serves the upper Donside area including Glenkindie, Strathdon and Corgarff

Effect of Housing Development on Ballater School -

The School is graded C for Condition and D for Suitability.

Its roll in 2006-07 was 105 and its assessed capacity was 145. The reduction in the maximum class size in P1 from 30 to 25 from August 2007 should not affect this as schools of this size mainly form composite classes which were already subject to a maximum size of 25. The

proposal to reduce the maximum class size in P1-3 to 18 will affect the capacities of all primary schools. Whilst a detailed analysis has yet to be undertaken, some initial estimates suggest that capacities will be reduced by about 20%, so Ballater's capacity is likely to be reduced to around 110-120.

A pupil per household factor of 0.3 is currently used at Ballater. The proposed 440 additional houses would give rise to just over 130 additional pupils on this basis. Recent experience of large developments suggests that a factor of 0.4, or possibly 0.45, may be more realistic, in which case there could be 175 – 200 extra pupils. Planning Gain should allow for both extension and upgrading of the school.

Effect of Housing Development on Braemar School -

The School is graded C for Condition and D for Suitability.

Its roll in 2006-07 was 36 and its assessed capacity was 71. The reduction in the maximum class size in P1 from 30 to 25 from August 2007 should not affect this as schools of this size form composite classes which were already subject to a maximum size of 25. The proposal to reduce the maximum class size in P1-3 to 18 will affect the capacities of all primary schools. Whilst a detailed analysis has yet to be undertaken, some initial estimates suggest that capacities will be reduced by about 20%, so Braemar's capacity is likely to be reduced to around 50-55.

A pupil per household factor of 0.3 is currently used at Braemar. The proposed 140 additional houses would give rise to just over 40 additional pupils on this basis. Recent experience of large developments suggests that a factor of 0.4, or possibly 0.45, may be more realistic, in which case there could be around 60 extra pupils.

Braemar's site is only compliant with the School Premises Regulations for a roll of up to 60, so the scale of extension implied by the housing development would require a replacement school on a significantly larger site. While Ministers have power to grant dispensations in certain circumstances, Braemar School would have only about half the area required for its anticipated roll. This requirement is in the 1967 Regulations and would be regarded as an inadequate area for the needs of a modern school.

Secondary Education at Aboyne Academy -

The School is graded C for Condition and C for Suitability.

Its roll in 2006-07 was 641 and its assessed capacity was 610. Its roll is forecast to remain above its capacity. This understates the problem as Aboyne has lost pupils to Banchory Academy on placing requests. Demand from housing development in Banchory is likely to restrict the scope for acceding to such Placing Requests and lead to an increase in Aboyne's roll.

Development in Aboyne itself and elsewhere in the zone is also expected to increase the roll. The housing development at Ballater and Braemar amounts to 580 houses. A factor of 0.2 pupils per household in S1-4 is used for Aboyne. With allowance for S5&6, the factor becomes 0.25, so the expected increase in roll would be around 145.

Planning Gain should allow for both extension and upgrading of the school.

Summary

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

CNPA analysis

The detailed comments are noted and are particularly useful when considering in detail the requirements for the Aberdeenshire area. It is the intention that policy 19 will be implemented by way of community needs surveys and this information will be important for the Ballater and Braemar areas. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 19	Name The Crown Estate Agent Debbie Mackay	Company The Crown Estate	Objector Ref 419g
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Representation

While the principle of developer contributions in appropriate circumstances is accepted, this must be balanced against the need to ensure that the Park attracts development and does not deter investors because the contributions required are so onerous that they damage the viability of a proposal. The particularly onerous requirements in relation to Affordable Housing contributions, combined with demanding Developer Contributions could make the Park a particularly unattractive location for investment.

Modifications to the Local Plan which could resolve your objection: The policy should clarify what constitutes "fair and reasonable" and it should also clarify its relationship to the Affordable Housing requirements under Policy 24 – Affordable Housing. A statement should be made to the effect that, the combined effect of developer contributions and Affordable Housing contributions will be assessed and coordinated so that the combined effect of both does not deter investment in the National Park.

Summary

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

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position and policy 19 and 24 should both be considered. The wording of the policy will however be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified.

Policy Policy 19	Name Dr A M Jones	Company Badenoch & Strathspey Conservation Group	Objector Ref 400g(a)
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Representation

Object to "will be approved" (1st sentence). Suggest alter to "will only be considered".

Summary

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

CNPA analysis

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

Policy Policy 19	Name Roy Turnbull	Company	Objector Ref	390k
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Representation

OBJECT - The Policy as written is absurd. It undertakes to permit any development that "increases or improves public services" etc. as long as the "developer makes a fair and reasonable contribution" etc. to the cost. That is a clearly unacceptable commitment. The Policy should be re-written: "... or mitigate adverse effects, it will only be considered where the developer makes ..."

Table 1 Developer contribution themes should include the following themes:

- water supply
- sewage disposal and treatment
- road infrastructure (if not included in Transportation)
- road furniture (lighting etc.)

Summary

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

The Policy should be re-written: "... or mitigate adverse effects, it will only be considered where the developer makes ..." Table 1 should also include:

- water supply
- sewage disposal and treatment
- road infrastructure (if not included in Transportation)
- road furniture (lighting etc.)

CNPA analysis

The comments are noted. The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Policy Policy 19	Name Phillip John Swan	Company	Objector Ref	462e
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Representation

This objection relates to the same documentation as Objection 2, plus Section 5, Table 1 'Developer contribution themes', page 37. As

far as I can ascertain from reading this Plan document no statements of a specific nature have been made in relation to the impact of the proposed increase in the population of Ballater on the primary school facilities requirement. I believe that an increase in the number of new houses on the scale proposed in the Plan, combined with the Scottish Executive's intention to reduce class sizes, would pose a serious problem for the provision of primary schooling in Ballater. Requested change: augment or modify the Plan proposals to provide adequate assurance to parents and other concerned parties of the suitability of future primary schooling facilities.

Summary

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

CNPA analysis

The comments are noted. CNPA will continue to work closely with the relevant local authority to ensure that any new development does not place undue pressure on existing services including school roles. This will be done through policy 19 which will be amended to clarify the expectations placed on developers.

Policy Policy 19 **Name** John Anderson **Company** Kincaig & Vicinity Community Council **Objector Ref** 463n

Representation

We support the Alvie Estate view on this Policy.

Summary

Support Alvie estate view on this policy

CNPA analysis

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

Policy Policy 19 **Name** Scottish & Southern Energy Plc **Company** Scottish & Southern Energy Plc **Objector Ref** 447h
Agent Jones Lang Lasalle

Representation

Policy 19 states: "where a development would give rise to a need to increase or improve public services, facilities or infrastructure or mitigate adverse effects, it will be approved if the developer makes a fair and reasonable contribution in cash or kind towards the additional costs or requirement. Such contributions will be consistent with the scale and nature of the development may he secured through a Section 75 agreement where necessary."

The legality of this policy is questioned. It is not considered to be acceptable as it states that any project that requires the mitigation of adverse effects will only be approved where the developer makes a fair and reasonable contribution in cash or kind towards other costs or requirements.

It is considered that this policy is inconsistent with Circular 12/96 (Planning Agreements). The policy is considered to conflict with the provisions of the Circular because not all developments which result in adverse effects, that require to be mitigated against, will require a cash or in kind donation. As drafted, the policy does not allow for or envisage the possibility of necessary infrastructural development, brought forward in the national interest by a Transmission Licence holder (which has statutory licence obligations). Such projects may inevitably have significant adverse effects on the environment or amenity, but would be brought forward with suitable mitigation measures designed to make the development acceptable. In the case of, for example, a transmission line, the further mitigation of significant adverse effects may involve compensatory or offsetting measures distant to the line itself. Funding for such measures should not be extricated by means of this policy since there is no direct relationship between the effect and the contribution which the policy would require. Furthermore, it is not reasonable to expect mitigation of any adverse effect as suggested by the policy: reference should be made to 'significant' adverse effects.

Therefore there may be circumstances where contributions (required by the policy as currently drafted) would not have a planning purpose which could fairly and reasonably relate to the particular development. In such circumstances the policy offends against the basic principle that planning permission should not 'be bought'.

Summary

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

CNPA analysis

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

Policy Policy 19 **Name** Sandra Hebenton **Company** Network Rail **Objector Ref** 368a

Representation

This policy is welcomed but given the dependence of this Policy on the Local Transport Strategy we trust it will be produced timeously relative to approval of the development plan. We would welcome consultation on that document.

Summary

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

CNPA analysis

The comment is noted, and the text will be reviewed to clarify the position.

Policy Policy 19 **Name** Mrs Spencer **Company** **Objector Ref** 017e

Representation

So many 'estates' are little more than dormitories, with the residents often leading quite lonely lives, because, unlike the old-fashioned street, whose inhabitants changed bit by bit over the years, the residents all tend to arrive at much the same time, from a wide and diverse variety of places. Creating a 'living community' in such circumstances is very difficult, especially where there is nowhere the residents can meet on neutral territory. You need a building that will accommodate the whole community, but there is no reason why it cannot fulfil several functions. In table 1 (p37) you state "factors to be considered in calculating (the developer's) contribution". Should it not be obligatory, in the same way that roads, lighting, sewage, water etc are obligatory, for Developers to provide at least the basic community infrastructure such as a church/hall and a couple of local shops, as well as, depending on the size of the development, the facilities outlined on page 37. An absolutely essential need is for somewhere for the young to gather with their peers, and very often is it meeting in the local church, shop or outside the school gates, that gets people acquainted. (One example of a very good multi-function building, is the new church in Inshes, Inverness. As well as the church itself, there are several other rooms of various sizes, good lavatories, and in particular an excellent, and very welcoming, foyer, with comfortable chairs and tables, and a small kitchen off it. A variation on such a building would make a very good 'heart' for any development.)

Summary

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

CNPA analysis

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

Policy Policy 19

Name Pauline Thompson

Company

Northern Constabulary

Objector Ref 420

Representation

KG/H1: This proposal for 300 units is an increase of 3% in the number of houses in Kingussie. This would result in an increase in the local population which may subsequently lead to a rise in crime.

Modifications to resolve this objection - The policy / proposal noted are likely to put extra pressures on police services and therefore police services should be one of the public services included as a developer contribution theme in Policy 19.

Policy 33: the inevitable increase in tourists, brought about by further development of tourism facilities / attractions, may put additional pressure on police services. Empirical evidence shows that tourism contributes to an increase in crime (due to increased victimisation risks and also tourists as offenders).

Modifications to resolve this objection - The policy / proposal noted are likely to put extra pressures on police services and therefore police services should be one of the public services included as a developer contribution theme in Policy 19.

Summary

Further housing allocated in Kingussie and increased numbers of tourists in the area may lead to an increase in crime. To address the additional pressure on the police service, police should be included within Policy 19 regarding developer contributions.

CNPA analysis

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

Policy Policy 19

Name Phil Rowsby

Company

SRPBA

Objector Ref 29c

Representation

A common comment made by members in relation to this policy is that items referred to in this section have already been paid for through general and local taxation. Some were concerned that local authorities should already be providing these facilities and should not therefore rely on the private sector to provide what should already be in existence.

Developer contributions might turn out to be a major barrier to achievement of the plan. There is an underlying presumption in the LP that people want to invest in housing throughout, and that all the Plan has to do is give permission and development will occur. This assumption may be correct around Aviemore but generally the area is depopulated, has few quality jobs and low growth because it is not a profitable place to do business and the land is unproductive. Even at Aviemore, the focal point for growth, substantial sums had to be invested by the public in AHR and Cairngorm Mountain to achieve the quality of product appropriate for this special area. Seeking excessive developer contributions through planning constraints will not support the quality development that the area so badly needs.

Members feel that as well as requiring additional facilities, the CNPA should acknowledge situations where developments may lead to the retention of local services such as schools, it would be helpful if this was reflected in the LP.

Some members questioned the reasoning for the inclusion of sports facilities.

We would like to see further clarification on what constitutes 'fair and reasonable' in the first sentence of the policy.

The SRPBA objects to placing additional requirements on developers as this may mean they are less likely to develop in the Park area and make a decision to only develop out with the Park.

Summary

This seems to be a payment for things already covered in taxation and by local authorities. The payment of such sums should not result in a barrier to development, particularly in areas where pressure for development is low. CNPA should also acknowledge that some developments may lead to the retention of local services such as schools which is desirable. Clarification is needed on the items on the list, and what constitutes 'fair and reasonable'.

CNPA analysis

The policy aims to ensure that new developments do not place undue pressure on existing and required services. It is not something which is covered under normal taxation, and is in line with the relevant circular on the topic. The policy will also be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Policy Policy 19	Name Jamie Williamson	Company	Alvie and Dalraddy Estate	Objector Ref	39n
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Representation

If the objective is to make ". housing more affordable and reduce "... the gap between housing need and supply in the Park to meet the community needs." (see page 12 of Deposit Local Plan), using private sector development as an opportunity to raise taxes for the benefit of the National Park or Local Authority will be counterproductive. It will add to the cost of houses in the Park and it will also be a disincentive to building more houses in the Park. If the Cairngorms National Park Authority wants to encourage the building of sustainable and affordable houses, don't increase the tax on them.

If some of the houses developed are priced artificially low in order to meet the criteria of affordable housing, the increased cost of development as a result of this tax will be added to those that don't meet the "affordable" criteria. This will result in new houses being even more expensive with the exception of those that meet the "affordable" criteria. Residents that don't qualify for "affordable housing" will end up being unable to find homes within the Park. If this tax is added to homes built to rent, rented accommodation will become even more expensive for those that don't qualify for "affordable" rented homes. Two tiers of accommodation will develop accommodation that is unaffordable to all but a very small proportion of the resident population and 'affordable' accommodation at the bottom end of the scale restricted to only those that meet the government's criteria for "affordable" housing.

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

Allowing the Local Authority or Cairngorms National Park Authority to raise taxes against individual developers at their discretion would be open to abuse and would encourage corruption. This policy should be removed from the Plan.

Proposed Modifications –

Where a development would give rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, consideration will be given to requiring the developer to (delete it will be approved where the developer) makes a fair and reasonable contribution in cash or kind towards the additional costs or requirements. Such contributions will be consistent with the scale and nature of the development proposed and may be secured through a Section 75 Agreement where necessary.

Summary

This is effectively an additional tax on development and will add to the cost of housing in the park and act as a disincentive to development. It will result in open market housing being even more expensive and will create a two tier provision for the rich and those who qualify for affordable homes. The policy should be removed. Amended wording – Delete 'it will be approved where the developer makes' and replace with 'consideration will be given to requiring the developer to make'.

CNPA analysis

The policy aims to ensure that new developments do not place undue pressure on existing and required services. It is not something which is covered under normal taxation, and is in line with the relevant circular on the topic. The policy will also be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Policy Policy 19

Name Mrs Jane Angus

Company

Objector Ref

37m

Representation

5.4-11, 36-8 Contributions from developers are helpful and should be extended to many needs, but at the moment the greatest need is for local training and skilled local full-time occupation. Too many people travelling for too long reduces possibilities for contributions to the community which would be of benefit themselves. Restricted public transport reduces social and training possibilities for young people.

Summary

Such contributions should be used for training and skills development.

CNPA analysis

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

Policy Policy 19	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	73m
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Representation

Table 1: Developer Contribution Themes

Transportation: suggest change to wording similar to that in the ALP.

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

Summary

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

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

CNPA analysis

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

Policy Policy 19	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	473l
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Representation

Where a development would give rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, it will be approved where the developer makes a fair and reasonable contribution in cash or kind towards the additional costs or requirements. Such contributions will be consistent with the scale and nature of the development proposed and may be secured through a Section 75 Agreement where necessary. A “reasonable contribution in cash or kind towards the additional costs or requirements” suggests that the developer will not meet the full cost of necessary infrastructure. Could the wording be amended to state that the developer must provide or meet the cost of infrastructure which is necessary as a consequence of his development.

Table 1 Developer contribution themes - Theme / Factors to be considered in calculating contribution

Secondary schooling - The effect of a development on a school roll and the existing design capacity of the school.

Pre-school and primary schooling - The effect of the development on a school/pre-school roll and existing design capacity of facilities.

Library provision - The effect of the development on the adequacy of the existing public library service.

Schools - The term “existing design capacity” suggests a figure determined at the time the school was built. In 1999, we undertook a general revision of primary school capacities to take account of the requirement to limit Early Stages classes to a maximum of 30. A

report has recently been prepared to take account of the requirement to limit P1 classes to 25, and we are starting work on the implications of the recently announced National Policy of reducing the Early Stages maximum class size to 18 from an, as yet, unspecified date.

The Core Facts return to the Scottish Executive Education Department reports that many schools are graded C or D in relation to both their condition and suitability. The table refers only to the capacity of schools. The provision of extra accommodation on its own in response to housing development does nothing to address these issues.

The Plan could adopt the wording of the section on Libraries and refer to the adequacy of the existing facilities.

Community Learning and Development - Add an item to the table:

Community Learning and Development-The effects of the development on the adequacy of the existing Community Learning & Development service

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

Policy 19 - Para 5.7 "sequential approach" not clear what this refers to in this context.

Summary

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

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

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

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

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

CNPA analysis

The policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals. The issues which will be addressed through this policy will also be clarified. The comments regarding Table 1 are noted but the table is indicative only and should be considered as such. Some changes will be made to clarify this point and clarify the expectations of the policy.

Representation

Building Materials and Skills

The second aim of the Cairngorms National Park is, to promote sustainable use of natural resources of the area. The Prince's Foundation strongly supports this aim as well as those policies which seek to ensure that construction materials will be appropriate to their setting and make a positive contribution to the special qualities of the Park. These policies are: Policy 7, Landscape, Policy 10, Listed Buildings, Policy 11, Conservation Areas, Policy 18, Design Standards for New Development, Policy 25, Housing Development in Small Rural Settlements, Policy 27, Conversions of Existing Traditional and Vernacular Buildings, and Policy 29, House Extensions and Alterations. In addition, Policy 17, Sustainable Development, pertains to the sustainable use of resources and the minimisation of climate change. We recommend that the Sustainable Design Guide should set out detailed specification for the colour, texture and performance of stone types in certain areas, as well as appropriate usage. Many of the building stones traditionally used in the National Park reflect its rich geodiversity, for example the colour and texture of granite is quite different in Ballater than it is in Crathie, a few miles along the A93. These distinctions are important to the character and variety of settlements within the Park.

When building or repairing buildings in characteristically stone-built areas, difficulties in satisfying the above policies will arise from the lack of availability of appropriate roofing and walling materials, as well as prohibitive costs and the absence of commercial interest in extraction. This will necessitate the use of inappropriate alternatives. A solution to providing for these policies would be to support the opening of new small-scale quarries, which would also assist with the fourth aim of the Park, to promote sustainable economic and social development of the area's communities.

Unlike some other forms of extraction, the process of quarrying for dimensioned stone is necessarily careful in order to avoid damage of the material. Site noise and vehicular movement are also relatively low. Many of the former quarries in the Park from which stone was originally taken are now Sites of Special Scientific Interest, illustrating how these workings can easily be reclaimed as natural habitat and can have low visual impact.

The concept of 'snatch' quarrying, relates planning permission for extraction to a specific duration or needs basis, which may be consideration where economically viable. Significant development areas, is opposed to piecemeal growth, with sufficient allocation, may provide enough certainty and demand to make viable the opening or reopening of a quarry. The additional costs of using appropriate sustainable materials should be specifically noted under Policy 19, Developer Contributions.

Summary

Lack of supply of appropriate material for building and repair could be overcome by supporting the opening of small scale quarries, which would assist with the 4th aim of the Park, where this is for the cutting of dimension stone. It can have low visual impact and allow for easy reclamation as a natural habitat. The concept of 'snatch' quarrying relates planning permission for the extraction to a specific duration or needs basis which may be a consideration where economically viable. Significant development areas rather than piecemeal growth may provide enough certainty and demand to make viable the opening or reopening of a quarry. The additional costs of using appropriate sustainable materials should be specifically noted under Policy 19.

CNPA analysis

The comments are noted and the issue of quarries will be addressed under policy 14 in addition to the other policies of the Plan. In regard to themes for contribution, it is the intention of CNPA to base the contributions on community needs surveys and this will be further explained in the supporting text.

Policy Policy 19	Name John Forbes-Leith Esq Agent Debbie Mackay	Company Dunachton Estate	Objector Ref 418g
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Representation

While the principle of developer contributions in appropriate circumstances is accepted, this must be balanced against the need to ensure that the Park attracts development and does not deter investors because the contributions required are so onerous that they damage the viability of a proposal. The particularly onerous requirements in relation to Affordable Housing contributions, combined with demanding Developer Contributions could make the Park a particularly unattractive location for investment.

Modifications to resolve this objection.

The policy should clarify what constitutes "fair and reasonable" and it should also clarify its relationship to the Affordable Housing requirements under Policy 24 – Affordable Housing. A statement should be made to the effect that, the combined effect of developer contributions and Affordable Housing contributions will be assessed and coordinated so that the combined effect of both does not deter investment in the National Park.

Summary

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

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. In this regard policies 19 and 24 must be considered together. With specific reference to policy 19, policy will be reviewed to strike an appropriate balance between development opportunities and the impact this may have on the wider community and the services it requires. Further explanation will be added to ensure the expectations of the policy are clear to developers, and can be included from the outset when considering development proposals.

Policy Policy 19	Name Ian Francis	Company RSPB Scotland	Objector Ref 424m
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Representation

Developments can sometimes have impacts on biodiversity that can be made acceptable through mitigation or compensation, for example through habitat creation or management. However, the provision of adequate and secure mitigation or compensation often requires developer contributions through a Section 75 agreement. Table I should include a biodiversity theme, with the factors to be considered in calculating the scheme being the potential effect of the development on species, habitats or ecosystems.

Summary

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

CNPA analysis

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

Policy Policy 19	Name Reidhaven Estate	Company	Reidhaven Estate	Objector Ref	456e
	Agent Jill Paterson				

Representation

Reidhaven Estate acknowledges that there is a requirement for developer contributions in specific circumstances. Circular 12/1996 provides national guidance on the circumstances for the use of contributions and therefore reference should be made to this within the policy and justification section.

Table 1 within this section sets out a list (not exhaustive) of developer contribution themes. In order to be fair and relevant these themes and the subsequent planning gain calculations must be based on existing capacity and offer clarity in calculation. The National Park should therefore develop a set of baseline information that can be regularly monitored. The policy should include an exception where the viability of a development scheme that could contribute to the economic well being of the Park is in jeopardy because of planning gain requirements.

Modifications: Reference should be made to Circular 12/1996 within the policy and also justification section. Reference and commitment should be made to the development of baseline monitoring information.

Summary

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

CNPA analysis

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

Policy Policy 20

Name Dr Sheila Sedgwick **Company** Ballater & Crathie Community Council **Objector Ref** 091i

Representation

The need for sustainable business development is a matter of prime concern. Ballater's needs are different from those of other settlements where commercial development is strong. Ballater needs incentives for new businesses to come to the village. The cost of renting industrial units is high. We hope the Plan will highlight the need for Government agencies to encourage new business by means of rates relief, etc. as available in other areas.

Summary

Additional thought is needed to ensure appropriate provision is made for commercial development. The local plan should highlight the need for tax incentives and rate improvements.

CNPA analysis

The comments are noted, and whilst interesting are not linked to land use planning and so are not appropriate for inclusion within the Local Plan. The CNPA will however continue to work with partners to bring this issue to the attention of those involved to ensure the best approach is taken for businesses in the Park area.

Policy Policy 20

Name The Crown Estate **Company** The Crown Estate **Objector Ref** 419i
Agent Debbie Mackay

Representation

This policy is unduly restrictive in that it could restrict farms seeking to diversify outwith settlements. The policy gives an unnecessarily negative impression as regards rural development in the Park Area. There should be much more explicit support for rural development expressed in this policy in order to engender a spirit of enterprise in the park area. Rural enterprise should not be unreasonably constrained or deterred by the use of conditions or legal agreements as per the last sentence of the policy.

Modifications to resolve this objection - The policy should express a much more explicit statement of support for rural enterprises. The statement "where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed.

Summary

The policy is too restrictive and negative. It should provide more explicit support for rural development and promote a spirit of enterprise. The statement "where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand

and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	473o
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Representation

b). We would like to see inclusion of new business development included in the policy for development outwith settlement boundaries, as we do not consider this should be restricted only to home based working or workshops which form an integral part of an existing development.

The Economic Development section of the Transportation & Infrastructure Service would like to see inclusion of new business development in the policy for development outwith settlement boundaries, as they do not consider this should be restricted only to home based working or workshops which form an integral part of an existing development. It may be appropriate to include an allowance for new business if it can be demonstrated (refer to ALP Policy Emp\3) that the economic need and community benefits outweigh any adverse environmental impacts of the development.

Reference should be made to the sequential test approach in accordance with national policy.

Summary

Seek the inclusion of new business development in the policy for development outwith settlement boundaries, as we do not consider this should be restricted only to home based working or workshops which form an integral part of an existing development. Also suggest making reference to the sequential test approach in accordance with national policy.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20	Name Mr Michael Bruce Agent Sinead Lynch	Company	Glen Tanar Estate	Objector Ref	403f
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Representation

Glen Tanar Estate supports the changes made to Policy 20 — Business Development (formerly Policy 35 — Proposals for Business and Economic Development). However, we would continue to request that existing employment generating uses in the countryside should be identified in order that they may be allowed to grow organically without compromising the aims of the National Park. We would reiterate our submission, originally made in February 2006 to the consultation version of this Local Plan that a settlement boundary be identified around Glen Tanar to recognise the potential for tourism and economic development available in this location and facilitate such development without conflicting with the aims of the National Park.

Summary

While supporting policies the policies regarding business and economic development, existing employment generating uses in the countryside should be identified in the Plan so that they may be allowed to grow organically without compromising the aims of the National Park. To facilitate this Glen Tanar should be identified as a settlement to recognise its potential for tourism and economic development and facilitate such development without conflicting with the aims of the National Park.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref	425a(c)
	Agent Steve Crawford			

Representation

Although the Local Plan is a step in the right direction in respect of Economic Development we do not believe that it has the right balance between economic development and the natural and cultural assets. There does not seem to be a dedicated economic development strategy within the Local Plan itself and, as a consequence, any strategy ‘falls out’ of housing land and business land designations. This policy has a low allocation of housing on the eastern side of the Park, does not meet the aims and objectives of SE Grampian and we believe is unlikely to achieve the optimum balance between economic viability and maintenance of the Park’s key natural assets.

Of concern is that the Local Plan is significantly short of employment land allocations. This is especially the case in Ballater and Braemar but even settlements such as Dinnet as a gateway location, and the Strathdon settlements could assist in the development of tourism supporting services to the Park.

At a practical level, many of the existing businesses in the Park are in established premises. Their best option for remaining viable could

be to extend and improve their existing premises. The Plan should allow for this option to be practically realistic without undue policy restrictions.

Summary

The plan does not strike the right balance between economic development and the natural and cultural assets. There is no dedicated economic development strategy within the Plan and any strategy 'falls out' of housing land and business land designations. There is a low allocation of housing on the eastern side of the Park, which does not meet the aims and objectives of SE Grampian. There is a shortage of employment land allocations especially in Aberdeenshire. With existing businesses, the plan should allow for their extension and improvements without undue policy restrictions.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Nicola Abrams

Company SEPA

Objector Ref 399k

Representation

SEPA objects to the wording of the policy which does not make clear reference to waste management.

Reason for Objection - The Policy would exclude waste management proposals, as waste management does not fall within these use classes, being a "sui generis" land use. National Planning Policy (SPP10 and PAN 63 and the National Planning Framework) all refer to the fact that waste management uses are appropriate on industrial land with SPP10 recommending a model policy (paragraph 26) promoting waste management uses on the planned supply of employment and industrial land.

Suggested Modification - SEPA recommends Policy 20 is cross referenced with the waste management policy by making it explicit that waste management uses (subject to environmental and amenity considerations) are appropriate on business land and could therefore be covered by this policy. For example "...business development (which includes waste management)"

Summary

The policy does not make clear reference to waste management. The Policy would exclude waste management proposals, as waste management does not fall within these use classes, being a "sui generis" land use. National Planning Policy (SPP10 and PAN 63 and the National Planning Framework) all refer to the fact that waste management uses are appropriate on industrial land with SPP10 recommending a model policy (paragraph 26) promoting waste management uses on the planned supply of employment and industrial land. The policy should be cross referenced with the waste management policy by making it explicit that waste management

uses (subject to environmental and amenity considerations) are appropriate on business land and could therefore be covered by this policy. For example "...business development (which includes waste management)"

CNPA analysis

The comment is noted. This issue of waste is considered specifically in policy 32 and the intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Policy Policy 20

Name John Forbes-Leith Esq

Company Dunachton Estate

Objector Ref

418i

Agent Debbie Mackay

Representation

This policy is unduly restrictive in that it could restrict farms seeking to diversify outwith settlements. The policy gives an unnecessarily negative impression as regards rural development in the Park Area. There should be much more explicit support for rural development expressed in this policy in order to engender a spirit of enterprise in the park area. Rural enterprise should not be unreasonably constrained or deterred by the use of conditions or legal agreements as per the last sentence of the policy.

Modifications to resolve this objection -

The policy should express a much more explicit statement of support for rural enterprises. The statement "where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed

Summary

The policy is too restrictive and negative. It should provide more explicit support for rural development and promote a spirit of enterprise. The statement "where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business." should be removed

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Jamie Williamson

Company Alvie and Dalraddy Estate

Objector Ref

439o

Representation

Many rural communities need to diversify their economic activities in order to survive and prosper. The Cairngorms National Park

Authority should be encouraging rural communities to seek out new sources of income generation instead of discriminating against development and economic activities in the countryside.

Proposed Modification –

a) Within existing settlement boundaries, new proposals for business development will be favourably considered, particularly where this consolidates existing business centres or estates. Any proposal which undermines the economic viability of that centre will be resisted unless there is a demonstrable social or community need for the proposal. The potential cumulative impact of similar proposals will be taken into account

b) Outwith settlement boundaries, proposals for business and economic development will be favourably considered where the proposal is likely to benefit the local rural economy (delete for home based working or workshops which form an integral part of an existing development, or where there is a demonstrable locational requirement, where no suitable sites are available within settlements and where the proposal is supported by a detailed business plan.) There should be a presumption in favour of (delete Where possible) proposals (delete should be) that are located adjacent to existing buildings and (delete should have) having no adverse impact on existing business centres or any neighbouring land use. The potential cumulative impact of similar proposals will be taken into account

c) Proposals for development which support the viability of a rural business or promote diversification within that business will be approved where the proposal has no significant adverse impact on the natural and cultural heritage of the National Park or its landscape. (delete where the proposal) Proposals will be favoured where they are (delete is) complementary to the current rural business activity within the site. (delete and where the proposal will be subject to conditions or legal agreements to secure the appropriate long term management of the business).

Summary

Many rural communities need to diversify their economic activities in order to survive and prosper. The Plan should be encouraging rural communities to seek out new sources of income generation instead of discriminating against development and economic activities in the countryside.

Amended wording –

In b) change to 'Outwith settlement boundaries proposals for business and economic development will be favourably considered where the proposal is likely to benefit the local rural economy. There should be a presumption in favour of proposals that are located adjacent to existing buildings and having no adverse impact on existing business centres or any neighbouring land use. The potential cumulative impact of similar proposals will be taken into account.'

In c) change to 'Proposals for development which support the viability of a rural business or promote diversification within that business will be approved where the proposal has no significant adverse impact on the natural and cultural heritage of the National Park or its landscape. Proposals will be favoured where they are complementary to the current rural business activity within the site.'

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic

prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Roy Turnbull

Company

Objector Ref

3901

Representation

OBJECT - It is not appropriate to state that a development proposal will be "favourably considered" simply because it is within a settlement boundary. There may well be other factors that would render the proposal undesirable. A form of words should be found that provides guidance to potential developers as to what is considered appropriate, without providing a hostage to fortune. Perhaps a form of words such as a) "... proposals for business development will be more favourably considered where this consolidates ... " and similarly for b).

Similarly, in c) it is not acceptable to state that any proposal that meets the criteria in c) "will be approved". Again, guidance to potential developers as to what is considered appropriate can be provided by stating c) "... promote diversification within that business will be more favourably considered where the proposal ..." [and, pedantically, "which" should be "that".]

The above form of words provides guidance without making promises that could tie the hands of the planning authority at a later date.

Summary

Developments should not be considered 'favourably' just because they are within the settlement boundary as there may be other factors that would make the proposal unacceptable. Guidance should be given on what is considered appropriate without providing a hostage to fortune. Wording such as a) "... proposals for business development will be more favourably considered where this consolidates ... " and similarly for b) should be considered.

C) should not state that where proposals meets the criteria in they "will be approved". Clarify what is considered appropriate. c) "... promote diversification within that business will be more favourably considered where the proposal ..." [and, pedantically, "which" should be "that".]

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20 **Name** James Gibbs **Company** HIE Inverness and East Highland **Objector Ref** 421h

Representation

Boat of Garten, Cromdale, Dalwhinnie, Dulnain Bridge, Kincaig, Nethy Bridge -

Whilst the plan's policy 20 (pp. 38) may permit some change of use and business development in these communities we believe more specifically designated space, on an appropriate scale would encourage more local working and further strengthen the economies of these communities.

Summary

Designated space on an appropriate scale should be identified to encourage more local working and strengthen the local economy.

CNPA analysis

The comments are noted, and the approach taken to the allocation of land for business development in settlements will be reviewed to ensure an appropriate level of guidance is given to potential developers, and the community supported.

Policy Policy 20 **Name** Mrs Jane Angus **Company** **Objector Ref** 437n

Representation

Policies 20- 1 p 38-9 I agree that work-spaces in the country-side and centres are important but would point-out that transport constraints call for improvements and retention of Post Offices and Royal Mail vehicles for delivery and transport.

Summary

To support businesses in rural areas, improvements should be provided to post offices and postal services.

CNPA analysis

The comments are noted. However this is not something that can be addressed through a local plan policy. No modification considered necessary as a result of this representation.

Policy Policy 20 **Name** James and Evelyn Sunley **Company** **Objector Ref** 056k

Representation

5.12/5.20 The need for sustainable business development is a prime concern. The needs of Ballater are far different from those of Aviemore and Badenoch where commercial development is vibrant. Commercial development in Ballater is, on the other hand stagnating and we urgently need incentives for new business to come to Ballater. A prime example is perhaps the cost of renting industrial units from the Local Authority. We therefore hope that the Local Plan will highlight the need for Government agencies to help encourage new business to Ballater in the form of rates relief and tax breaks which are available in other areas in the country.

Summary

The local plan should highlight the need for government agencies to help encourage new business in the form of rates relief and tax

breaks.

CNPA analysis

The comments are noted, and whilst interesting are not linked to land use planning and so are not appropriate for inclusion within the Local Plan. The CNPA will however continue to work with partners to bring this issue to the attention of those involved to ensure the best approach is taken for businesses in the Park area.

Policy Policy 20	Name James Gibbs	Company HIE Inverness and East Highland	Objector Ref 421b
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Representation

Land for Business and commercial use

We share the CNPA's view of the importance that it attaches to retaining the vibrancy of the centres of the park's towns and villages. However, we believe that the amount of land that has been zoned from commercial and business use is, in general, insufficient, particularly when considered against the designations for future housing. It is arguable that this imbalance could be seen as encouraging residents work outside the park and so to be adding to the volume of commuting.

We believe there is an opportunity to encourage an economy of greater diversity with more higher-paid jobs if there is sufficient high-quality infrastructure that will meet the needs of business, both now and in the future. We are not confident that the plan as it now stands would support this transformation. The town and villages of the Spey valley bestride a major arterial road and, when compared to some other parts of the Highland, also have good rail links. We would like to see more space set aside for business parks and light industrial use that could attract a diverse range of users such as technology companies, research organisations and precision manufacturers.

Comments that we have received from the business communities in Badenoch & Strathspey and rural Moray all point to a serious dearth of land and buildings for business and commercial use.

Summary

There is insufficient land allocated for commercial and business use particularly when considered against the housing designations. This imbalance could be seen as encouraging residents to work outside the park adding to the volume of commuting. Opportunity exists to encourage an economy of greater diversity with higher paid jobs but this plan does not seem to support this transformation. We would therefore like to see more space set aside for business parks and light industrial use to attract a diverse range of users such as technology companies, research organisations and precision manufacturers.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand

and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name John Anderson **Company** Kincaig & Vicinity Community Council **Objector Ref** 463o

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Makes reference to a proposal being 'supported by a detailed business plan'. Will the CNPA have the necessary skills / capacity to be able to assess 'detailed business plans' timeously? Why single out Business Development for this requirement? There could also be problems of confidentiality.

Kincaig & Vicinity Community Council response to CNPA Deposit Local Plan — September 2007 Support for business development should include reference to appropriate affordable housing requirements based on demonstrable need to house the associated work force (key or otherwise), within reasonable distance.

A lack of flexibility exists elsewhere in the business sector where the use of Section 75 conditions limit the disposal of parts of business property, only total disposal being allowed. KVCC is of the view that there should be a presumption against Section 75 agreements, suggesting that planning conditions should be sufficient as they are more readily altered at a later date as and when circumstances change. A further example — raised in earlier consultations — is the need for small business ventures — guest houses, craft shops, etc. — to be able to opt back into domestic premises when for example the proprietor wishes to retire. The system must not force an individual to have to sell up in such circumstances.

Summary

Generally support Alvie estate view on this policy. Questions whether CNPA will have the necessary skills / capacity to assess detailed business plans. Why only single out business development for this requirement? Also raise concerns about confidentiality issues. Support for business development should also include reference to appropriate affordable housing requirements based on demonstrable need to house the associated workforce within a reasonable distance.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Glenmore Properties Ltd

Company Glenmore Properties Ltd

Objector Ref 453h

Agent Steve Crawford

Representation

Paragraph 5.12 (on Economic Development) reduces the economic development strategy to one that maintains the current population and provides for "the employment needs and aspirations of local communities". The question is whether this goes far enough. Is it acceptable to promote the status quo in a Park that needs significant investment in its tourist infrastructure. We don't believe that it is. The economic development policies, therefore, start from a strategy of no or low growth.

Part b) out with settlement boundaries is generally acceptable but refers, for example, to "demonstrable locational requirement" and then applies a sequential type approach with settlements being considered as the first area of search. Although this is generally welcomed in that it supports outdoor based tourism and recreational businesses, it does not provide further guidance on how the need is to demonstrated and the sequential approach creates an level of analysis that some outdoor based tourism or recreational businesses need not be party to.

Part c) development to support a rural business and diversification of that business is supported. The balance between the National Park's economic aims and the natural and cultural heritage aims, however, does not come through in the policy. This policy should reflect the fourth aim of the National Park and help support the economy (and associated growth) of rural communities as well as settlement-based communities.

Modifications: Policy wording altered to reflect issues raised in summary.

Summary

Para 5.12 reduces the economic development strategy to one that maintains the current population and provides for "the employment needs and aspirations of local communities". Is this status quo enough when the Park needs significant investment in its tourist infrastructure?

In b) the wording does not give adequate guidance on how the 'demonstrable need' is to demonstrated and the sequential approach creates an level of analysis that some outdoor based tourism or recreational businesses need not be party to.

In c) the wording does not adequately support a balance between the Park's economic aims and the natural and cultural heritage aims. The wording should better reflect the 4th aim and help support the economy (and associated growth) of rural communities as well as settlement-based communities, and should be amended accordingly.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Dr A M Jones

Company Badenoch & Strathspey Conservation Group

Objector Ref 400g(b)

Representation

Para 5.12 - Object to reference to "To maintain current population levels" on grounds that it implies there is a problem of a declining population. Within B&S this is not justifiable. In addition, many would argue that an overall decline in a country's population, and a decline in world population, is positive rather than negative. The DLP should not be including sweeping comments with far-reaching implications without providing data to back it up and scope for a proper assessment of the validity of the arguments.

Policy 20 - Object to "will be favourably considered" in a and b, and "will be approved" in c on grounds of being inappropriate and pre-empting the planning process. Suggest alter to "may".

Summary

Policy 20 – wording implies pre-empting the planning system. Replace with 'may'.

Para 5.12 – wording implies there is a problem of a declining population. Such sweeping statements should be supported by proper assessment of the validity of the arguments.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 20

Name Phil Rowsby

Company SRPBA

Objector Ref

429t

Representation

In respect of paragraph (a), the SRPBA believe that this policy will restrict farms diversifying out with settlements which may in turn have an adverse effect on the local economy. Or it will reduce the ability for diversification to take place and areas may miss out on potential economic growth.

Summary

In a) the wording will restrict or reduce the ability of farms to diversify which may have an adverse effect on the local economy.

CNPA analysis

The comment is noted, and the position regarding farm diversification will be clarified within the text, to provide an appropriate level of clarity and guidance to developers in line with SPP1.

Representation

This is the key policy for new and existing economic development. It sets down when development proposals are acceptable within settlement boundaries and out- with the same boundaries. Paragraph 5.12 (on Economic Development), however, reduces the economic development strategy to one that maintains the current population and provides for “the employment needs and aspirations of local communities”. We would raise the question of whether this goes far enough. For example, we do not believe it is acceptable to promote the status quo in a Park that needs significant investment in its tourist infrastructure. The economic development policies, therefore, appear to start from a strategy of no or low growth.

Part a) within settlement boundaries - is clear-cut and should be supported.

Part b) out-with settlement boundaries is generally acceptable but refers, for example, to “demonstrable locational requirement” and then applies a sequential type approach with settlements being considered as the first area of search. Although this is generally welcomed in that it supports outdoor based tourism and recreational businesses, it does not provide further guidance on how the need is to demonstrated, and the sequential approach creates a level of analysis that some outdoor based tourism or recreational businesses need not be party to e.g. mountain biking centres where it is obvious that they need to be located close to the cross country trails.

Part c) development to support a rural business and diversification of that business is supported. The balance between the National Park’s economic aims and the natural and cultural heritage aims, however, is not clear in the policy. This policy should reflect the fourth aim of the National Park and help support the economy of rural communities as well as settlement-based communities.

Summary

Para 5.12 reduces the economic development strategy to one that maintains the current population and provides for “the employment needs and aspirations of local communities”. Does this go far enough? The park needs significant investment in its tourist infrastructure and should not be promoting the status quo.

Part b) does not provide further guidance on how the need is to demonstrated, and the sequential approach creates a level of analysis that some outdoor based tourism or recreational businesses need not be party to e.g. mountain biking centres where it is obvious that they need to be located close to the cross country trails.

Part c) does not clarify the balance between the Park’s economic aims and the natural and cultural heritage aims. It should reflect the fourth aim and help support the economy of rural communities as well as settlement-based communities.

CNPA analysis

The comment is noted. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities, allocation of land for services to support this including creating the appropriate level of opportunities for employment growth, and the protection of the special qualities of the area as identified as a National Park. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. As a result of this consultation process further work will be undertaken to link more closely the demand for housing to economic prosperity and the need to work within the aims of the Park. This will be linked to the work ongoing relating to sustainability. (WORK WITH NATURAL HERITAGE SECTION AND ECONOMIC AND SOCIAL DEVELOPMENT SECTION)

Policy Policy 21

Name Maurice Stack

Company

Aberdeenshire Council

Objector Ref

473n

Representation

Reference should be made to the sequential test approach in accordance with national policy.

para C: How can new retail/commercial development demonstrate no adverse impact on existing retail enterprises within the area? How big is "the area"? The size of the area of influence would depend on the size/type of development and how much 'pull' it had on trade from existing businesses. However in a free market it is probably only be town/village centres which should be protected. Other businesses would have to find ways to compete.

Summary

How can new retail/commercial development demonstrate no adverse impact on existing retail enterprises within the area? How big is "the area"? The size of the area of influence would depend on the size/type of development and how much 'pull' it had on trade from existing businesses. However in a free market it is probably only be town/village centres which should be protected. Other businesses would have to find ways to compete.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. Further work is also needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 21

Name Roy Turnbull

Company

Objector Ref

390m

Representation

OBJECT - As in Policy 20, it is not appropriate to state that a development proposal will be "favourably considered" simply because it meets certain criteria. Again, guidance to potential developers as to what is considered appropriate can be provided by stating a) "... on neighbouring properties will be more favourably considered."

Summary

It is not appropriate to state that a proposal will be "favourably considered" because it meets certain criteria. Clarity is needed on what is considered appropriate. Suggested wording for a) "... on neighbouring properties will be more favourably considered."

CNPA analysis

The comment is noted. The wording will be reviewed to ensure the intention of the policy is clear.

Policy Policy 21

Name Rona Main

Company Scottish Enterprise Grampian

Objector Ref

425l

Agent Steve Crawford

Representation

This policy reflects the sequential approach presently applied to retail and leisure uses via Scottish Planning Policy 8 (SPP8). The policy is designed to support traditional town centres. This is a worthwhile aim. We would suggest, however, that the policy extends the provisions normally associated for retail and leisure to other "commercial" uses. The CNPA need to be clear on where this policy is to be applied. For example, an office development is a "commercial" development but need not be located in the town centre. Further clarification is needed to ensure that this policy does not stand in the way of non-retail/leisure use out-with town centres.

Summary

The policy should extend the provisions normally associated for retail and leisure to other "commercial" uses. Clarification is needed on how this policy will be applied to ensure it does not stand in the way of non-retail/leisure use out-with town centres.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 21

Name Cooperative Group

Company

Cooperative Group

Objector Ref

370a

Agent Lorraine Jones

Representation

GL Hearn has been instructed by our clients, The Co-operative Group Property Division, to make the following representations in respect of the finalised draft Cairngorms National Park Local Plan. The Co-operative Group has retail interests throughout the Local Plan area including Market Town Stores in Ballater, Grantown-on-Spey, Newtonmore and Kingussie, which offer a wide range of goods to meet main food shopping demands for a larger catchment. In addition, these stores are complimented by Alldays stores in Braemar, Kingussie and Ballater.

The designation of village centre areas in the proposals maps of the finalised draft Local Plan is welcomed. SPP8 'Town Centres and Retailing' requires that Local Plans identify a network of town centres, and the designation of centres is welcomed as complying with this policy requirement. SPP8 further requires that Development Plans set out policies to support and enhance town centres.

In relation to the proposals maps, centres are designated as 'village centres'. However, Policy 21 'Proposals for Retail and Commercial Development' refers to 'town centres'. It would be helpful if there was continuity of definition in the Proposals maps and Local Plan text. We would suggest that the wording 'town/village centre' could be used.

As stated above, SPP8 requires not only that Development Plans identify a network of centres but that they contain policies which support and enhance their role. It is considered, for the reasons outlined in the following paragraphs, that Policy 21 does not give sufficient policy protection in relation to supporting and enhancing the role of town and village centres, and in addition does not fully

follow the sequential approach to retail and commercial proposals required by SPP8. For example, Part a) of the policy refers to development proposals within the identified town centres but the wording of this could be interpreted as being somewhat negative in form. It is considered that the wording should be amended to be more positive and to specifically encourage retail and commercial development in town centres, in recognition of the valuable role played by them in the community.

In relation to the sequential approach required by SPP8, it is suggested that the wording of Policy 21 sits at odds with this national policy. For example, section b) of Policy 21 states that retail and commercial proposals which are outwith the designated area will be resisted if they undermine the existing commercial viability of the settlement, unless in the wider interest of the settlement. We would suggest that this does not follow national policy guidance in SPP8. The policy should be clear that new proposals should be located in identified centres and only where no location in the centre is available should an edge/out of centre location be considered. It should also include reference to edge of centre locations being sequentially preferable to out of centre locations, the policy as worded makes no differentiation between edge of centre/out of centre locations and this does not follow the sequential approach outlined in national policy.

In addition, a test in section b) of the Policy relates to whether a proposal will undermine the 'commercial viability' of the settlement. However, the approach outlined in SPP8 is for consideration to be given to the effect of proposals on the vitality and viability of town centres, this is a wider test than 'commercial viability' and should be incorporated into the policy.

Section c) of Policy 21 similarly does not follow the sequential approach required by national policy. This relates to proposals outwith settlements and contains no requirement for a sequential approach to be taken, only that there is a specific locational need and that it can be demonstrated that there is no adverse impact on retail enterprises in the area. In this regard, the policy should be amended such that these locations are the least sequentially preferable and that such development proposals would require to demonstrate that there are no town/village centre sites; edge of centre sites or other more sequentially appropriate sites. In addition, national policy seeks to protect the vitality and viability of town centres as opposed to 'existing retail enterprises' and it is suggested that this should be revised also.

In conclusion, it is suggested that the policy does not follow the approach required by SPP8, could result in non-sustainable forms of commercial and retail development and does not give appropriate policy support to existing town and village centres in the Local Plan area. This could prejudice the vitality and viability of existing town and village centres, which perform an important function in the community. We suggest that the policy be reworded to take account of the issues outlined above, particularly to follow the sequential approach to retail and commercial development outlined in SPP8.

Suggested Modifications to resolve objection:

it is suggested that the policy does not follow the approach required by SPP8, could result in non-sustainable forms of commercial and retail development and does not give appropriate policy support to existing town and village centres in the Local Plan area. This could prejudice the vitality and viability of existing town and village centres, which perform an important function in the community. We suggest that the policy be reworded to take account of the issues outlined in the above section, particularly to follow the sequential

approach to retail and commercial development outlined in SPP8.

Summary

Support the policy and the identification of town centres. The terminology between the policies and proposals maps should be the same (village/town centres) Further detail is also required on how this policy will support and enhance the role of such centres, and how the use of sequential tests will be used. There should therefore be greater links to the guidance of SPP8.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The use of terminology within the Proposals maps will also be reviewed to ensure clarity and consistency.

Policy Policy 21	Name Fred Mackintosh	Company	The Highland Council	Objector Ref	472g
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Representation

Proposals for Large Scale Retail/Commercial Development. Such developments could have a major impact on existing road, cycle and pedestrian facilities, parking provision and public transport services. Detailed and thorough transport assessments will therefore be required for all proposed large scale developments.

Summary

Recommend detailed and thorough transport assessments be required for all proposed large scale developments.

CNPA analysis

The requirement for such assessments will continue to be sought through the development management process in the normal way and in line with national guidance on the topic. There is not therefore a need for a separate local plan policy on the issue. No modification is therefore proposed as a result of this representation.

Policy Policy 21	Name Dr A M Jones	Company	Badenoch & Strathspey Conservation Group	Objector Ref	400g(c)
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Representation

As in Policy 20, object to “will be favourably considered” in a and b, and “will be approved” in c as being inappropriate and pre-empting the planning process.

Summary

Wording should be changed to 'may' rather than 'will'.

CNPA analysis

The comment is noted. The wording will be reviewed to ensure the intention of the policy is clear.

Policy Policy 21 **Name** Cooperative Group **Company** Cooperative Group **Objector Ref** 370b
Agent Lorraine Jones

Representation

While it is not appropriate to designate centres in the smaller settlements, nonetheless local shops serving the immediate and surrounding community are important facilities in these villages. In order to recognise this we would suggest a policy be included to the effect that small local shops in such centres, say of no more than 200sqm gross floorspace and designed and intended to serve only the local catchment, are exempt from the sequential requirement.

Suggested Modifications: It is suggested that policy be included to the allow small scale retail development, say of no more than 200sqm gross floorspace, in such settlements to be exempt from the sequential test.

Summary

Policy should make an allowance for local small shops to be exempt from the use of the sequential text in recognition of the important role they play in supporting local communities.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 21,22 **Name** Dr A Watson **Company** **Objector Ref** 020i

Representation

Should mention design and materials that have a potentially large landscape impact, e.g. the reflective surfaces in the new Ptarmigan Restaurant can be seen for 20 miles when the sun shines on them.

5.14, use of mix instead of mixture

Summary

Design and materials can have a large impact on the landscape and should be mentioned. Grammatical correction in 5.14 use 'mix' not mixture.

CNPA analysis

The issue of design and materials will be assessed through policies 17 and 18. In regard to the grammatical error, the comment is noted and the appropriate amendment will be made.

Policy Policy 22 **Name** The Crown Estate **Company** The Crown Estate **Objector Ref** 419j
Agent Debbie Mackay

Representation

This policy is open to misinterpretation. It will be difficult for certain developments to demonstrate that they contribute to “developing attractions”.

Modifications to resolve this objection - This policy requires to be clarified.

Summary

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

CNPA analysis

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

Policy Policy 22	Name Mrs Spencer	Company	Objector Ref 017f
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Representation

Once again, an excellent policy, but one more likely to be successfully achieved if you could persuade the Health and Safety Executive to use a bit of common sense, and not always work on the principle of “Go and see what little Johnny's doing and tell him not to”!

I understood that it was the health and safety people at work that was the reason for the creation of the Health and Safety Executive, and a perfectly justifiable reason too. What is less justifiable is their interference in the lives and activities of persons not 'at work'.

Summary

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

CNPA analysis

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

Policy Policy 22	Name Mrs Audrey MacKenzie	Company Aviemore & vicinity Community Council	Objector Ref 416g
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Representation

a) “Developing attractions.....”etc, etc.” They do not do it.

Summary

The list provided will not improve settlements.

CNPA analysis

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

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Any significant development must also provide amenity / play areas within the complex if not within easy reach of existing facilities — whose capacity would not be overwhelmed by the additional use put upon it.

Summary

Generally support Alvie estate view on this policy. State any significant development must also provide amenity / play areas if not within easy reach of existing facilities, whose capacity would not be overwhelmed by the additional usage.

CNPA analysis

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

Representation

Object to “encourage housing provision” as a measure of settlement improvement. We do not regard the large-scale housing developments that are so apparent in this DLP as making a positive contribution to existing settlements. For example we regard increasing the size of Carrbridge by a third in a single development as being damaging to the character of the settlement rather than an improvement. We note that the DLP states in 5.62 that development leading to settlement growth of over 20% is unlikely to enhance the settlement’s character. Yet such a level of growth is proposed in the DLP at several settlements (e.g. Cromdale, Dulnain Bridge, Dalwhinnie, Kincaig, and Carrbridge).

5.15 - We are concerned at the loss of significant areas of relatively productive, low lying agricultural land that are proposed for housing in the DLP. This does not appear to support 5.15.

5.17 - Object to the reference to “encourage growth and prosperity”. Growth and prosperity are two distinct issues that do not necessarily work hand in hand.

Summary

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

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

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

CNPA analysis

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

Policy Policy 22 **Name** DW and IM Duncan **Company** **Objector Ref** 037f

Representation

If this policy is to be adopted there surely would have to be a presumption against any further large scale supermarket development in order to protect the existing retail businesses.

Summary

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

CNPA analysis

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

Policy Policy 22 **Name** Rona Main **Company** Scottish Enterprise Grampian **Objector Ref** 425m
Agent Steve Crawford

Representation

We wholeheartedly support the sentiments behind these policies. SE Grampian and its Partners are examining a programme of infrastructure improvements, which should be reflected in the Local Plan.

Summary

Support this policy.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 22 **Name** John Forbes-Leith Esq **Company** Dunachton Estate **Objector Ref** 418j
Agent Debbie Mackay

Representation

This policy is open to misinterpretation. It will be difficult for certain developments to demonstrate that they contribute to "developing attractions".

Modifications to resolve this objection - This policy requires to be clarified

Summary

The policy is open to misinterpretation and should be clarified to explain how developments might contribute to "developing

attractions".

CNPA analysis

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

Policy Policy 22	Name Mr Michael Bruce Agent Sinead Lynch	Company	Glen Tanar Estate	Objector Ref	403g
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Representation

Whilst broadly supporting the policy aims as set out in Policy 22 — Settlement Improvements, we would reiterate our original comments that a settlement boundary should be identified around Glen Tanar. Glen Tanar functions as a sustainable community in social, economic and environmental terms and would fit comfortably within the existing hierarchy of settlements within the National Park.

Summary

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

CNPA analysis

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

Policy Policy 22	Name Jamie Williamson	Company	Alvie and Dalraddy Estate	Objector Ref	439p
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Representation

Improvements within settlements should not just be about the provisions of services for tourism and residents. Given the overdependence of the local economy on tourism and government, other economic activities should be encouraged including the provision of services to the countryside such as abattoirs, game dealers, saw doctors and veterinary practices. The cultural heritage of some of our communities is being compromised by the infilling of open spaces with "affordable housing" and extending the settlements out into the surrounding countryside in an urban sprawl of urban housing schemes out of sympathy with the character and architecture of the original settlement. Kincaig is a good example of how a traditional rural settlement can be ruined by inappropriate development.

Proposed Modifications –

Within identified settlements, (delete all) development proposals (delete will) may be required to demonstrate how they contribute to the following criteria:

a) Improving the economic viability and diversity of the community, increasing the provision of accommodation or increasing the range and variety of shops and services (delete Developing attractions, e.g. by improving economic viability, increase the range and variety of shops and services, encourage housing provision, develop quality open spaces, include appropriate landscaping, safeguard existing services)

b) Improving the quality or extent of open spaces, mitigating the impact of new development on the landscape, our built cultural heritage and safeguarding local services. (delete increasing accessibility eg encourage a range of transport options; provide adequate parking; provide for special needs groups; provide for delivery of goods and)

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

Summary

The growth of settlements and improvements to services should not focus on tourism, but also facilities that support countryside activities such as abattoirs, game dealers, saw doctors and veterinary practices. New development within settlements should not compromise the cultural heritage of those settlements and should be in sympathy with the character and architecture of the original settlement.

Amended wording -

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

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

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

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

CNPA analysis

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

Policy Policy 23

Name Jamie Williamson **Company**

Alvie and Dalraddy Estate

Objector Ref

439r

Representation

This policy as stated is inappropriate. If the Cairngorms National Park Authority wants more houses in the Cairngorms National Park they need to appreciate the more rules they impose on investors the more disincentives they create to further investment.

The market should dictate the size of new houses that are built. Whilst recent surveys within the Park indicate the dominance of demand

for 2 and 3 bedroom houses, the national trend in the social rented sector is for households comprising single adults and lone parents (Nick Fletcher, July 2007, CIH in Scotland Position Paper, 'The Future of the social housing sector in Scotland in delivering successful, mixed communities' page 2). The range of unit sizes should reflect local demand at the time of building not a preconceived assessment of demand throughout the Park by a government official.

Within the Cairngorms National Park providing visitor accommodation in guest houses and bed and breakfast establishments is more in keeping with the rural nature and cultural heritage of the Park than large hotels. Such establishments generally require more than 3 bedrooms. They can be an important means of providing a second income for householders struggling to manage their finances. The Cairngorms National Park has an aging population. We suggest that 'granny flats' and other means of accommodating and caring for older dependents by the extended family is preferable to dependents being cared for by the state and should be encouraged. Accommodating extended family units is likely to require more than 3 bed units.

The damage we do to our natural heritage is directly proportional to the number of people we put into our countryside. If we want to expand tourism without damaging our natural heritage we need to go up market and make more money per tourist rather than expanding the number of tourists. Our cultural heritage of sporting estates attracting wealthy investors who have built extensive shooting lodges and invested in the local community should not be excluded.

Dictating in favour of 2 and 3 bed units will discriminate against large families. This is against the interests of the National Park where there is concern about an aging population. It may also discriminate against minority groups such as Catholics and Mormons who traditionally tend to have more than 2 children per family unit.

Where market forces may not reflect demand is in "affordable housing". If and when houses are built to rent or buy that are subsidised by the tax payer, in order to make them more affordable, then it would be appropriate to dictate that the range of sizes of houses built reflects local demand.

Proposed modification –

Proposals for housing development built with public subsidy (delete of four or more units will) may be required to demonstrate a balance of unit sizes based on (a benchmark of 75% two bed and three units) assessed local demand for affordable houses.

Summary

This policy will act as a further disincentive to development and investment. The size of units built should be dictated by the market and should reflect local demand at the time of building. The approach does not allow for activities such as using some bedroom space to provide tourist accommodation, building for life, or accommodating large or extended families. Amended wording - 'Proposals for housing development built with public subsidy may be required to demonstrate a balance of unit sizes based on assessed local demand for affordable houses.'

CNPA analysis

A detailed paper outlining the background to the housing land requirement calculations, land supply requirements and proposed balance of house sizes will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation

will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made.

Policy Policy 23	Name DW and IM Duncan	Company	Objector Ref	037i
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Representation

para 5.44 You seem to be suggesting here that the development of low cost rented housing is financially unviable. This is untrue - it simply means that the profits for the developers will not be as large as those to be made from higher value properties.

Summary

The wording does not support low cost rented housing, there should be a recognition that developers profits will be less than for those to be made from higher value properties.

CNPA analysis

The wording was intended to highlight the recent focus on 4+ bedroom executive homes which are sold at a premium. This supply does not necessarily match the need for houses in the Park and the policy has been worded to try and redress this situation. In working closely with developers the issue of profit margins will be discussed and the expectations of the housing policies clarified.

Policy Policy 23	Name Glenmore Properties Ltd	Company	Glenmore Properties Ltd	Objector Ref	453i
	Agent Steve Crawford				

Representation

This is an arbitrary policy that does not necessarily reflect the modern needs for housing across the whole of the Park. Requiring 75% 2 & 3 bedroom houses where development is for 4 or more houses will artificially inflate that central part of the market. If these are indeed the types of houses required then the market will build them. RSLs will provide the type of housing that their waiting lists suggest is required. This policy also works against the development of flatted or smaller scale accommodation. Two of the key housing sectors are the young and the old. Flatted or smaller than 2-bed accommodation suits these sectors of the community well but would run contrary to this policy. This policy should be removed or altered.

Modifications: Policy should be removed or altered.

Summary

The % requirement is too prescriptive and will artificially inflate the cost of the central part of the market which provides houses with 4 or more bedrooms. If the need for such houses is there the RSLs will provide them against their waiting lists. The policy also works against smaller scale and flatted accommodation, providing housing for 2 key housing sectors, the young, and the old. The wording should therefore be removed or substantially altered.

CNPA analysis

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

Policy Policy 23	Name Colonel F.M.K. Tuck	Company	Objector Ref	011b
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Representation

It is not clear whether 75% refers to the sum of 2 or 3 bedroom houses or just to 2 bed and 25% to 3 or more.

Summary

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

CNPA analysis

The wording of the policy as currently written refers to the sum of the houses, so 75% of all houses on any given site would comprise a combination of 2 and 3 bedrooms. Any modifications to the wording will clarify this.

Policy Policy 23	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref	425n
	Agent Steve Crawford			

Representation

Living and Working in the Park — Housing & Telecommunications

Housing is a concern to SE Grampian as it underpins the local economy. We recognise housing policies will support economic growth and attract skills and talent into the region.

Table 2 on page 43 indicates, broadly, how the numbers have been calculated. The total additional household figure is calculated to be 1,639 units to 2016. This calculation, appears to be based on a very low growth scenario and does not seem to take into account the economic factors that would help the National Park achieve its aims and vision. Nor does it take into account the 132 units of affordable housing expected every year.

Table 3 then goes on to split the land per local authority area. The settlements on the eastern side of the Cairngorms have 13 times less consented housing than the settlements on the western side, 5 times less allocated land over the next 5 years and 10 years respectively. In total, Aberdeenshire's housing land over the next 10- year period will amount to approximately 1/6th of that of Highland. The difference is 1,300 households. The housing allocation strategy does not support equitable economic development across the Park, and

could be viewed as restricting economic growth in Aberdeenshire. This does not support the key aims of SE Grampian for this area of the Park, nor would it help achieve the overall aims and vision for the whole Park. SE Grampian are working with Partners to improve the development of tourism and business in the key settlements on the eastern side of the Park and would like to see more sustainable development opportunities being promoted through this Local Plan and the supporting Housing Strategy.

Policy 23 — Sustainable Balance of House Sizes

There is a concern that this policy does not necessarily reflect the modern needs for housing across the whole of the Park. There is a concern that requiring 75% 2 & 3 bedroom houses where development is for 4 or more houses could artificially inflate that central part of the market. SE Grampian would welcome a policy that supports market demand and reflects the type of housing that is required on the waiting lists of RSL's.

This policy also works against the development of flatted or smaller scale accommodation. Two of the key housing sectors are the young and the retired. Flatted or smaller than 2-bed accommodation suits these sectors of the community well. There may also be scope to allow limited seasonal workers accommodation in locations such as Glenshee (to service the seasonal tourist market). These could be smaller units to serve a particular purpose but would not be allowed by LI policy. We would request that this policy be removed or adjusted.

Summary

Table 2 appears to be based on a very low growth scenario and does not seem to take into account the economic factors that would help the National Park achieve its aims and vision. Nor does it take into account the 132 units of affordable housing expected every year.

Table 3 allocates too much development in the west of the Park. This strategy does not support equitable economic development across the Park, and could be viewed as restricting economic growth in Aberdeenshire.

In regard to the balance of house sizes, the policy does not reflect the modern needs for housing across the whole Park. The balance proposed may artificially inflate that central part of the market. The policy should instead support market demand and reflect the type of housing that is required on the waiting lists of RSL's. The policy also works against flatted or smaller scale accommodation, 2 of the key housing sectors are the young and the retired. There may also be scope to develop seasonal worker accommodation which would fall outwith this policy.

CNPA analysis

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

Policy Policy 23

Name Dominic Fairlie **Company** Scotia Homes Ltd

Objector Ref

452g

Representation

It is dangerous to be overly prescriptive in quoting a benchmark of 75% of two and three bedroom units in any housing development. Whilst there may be a current desire for this type of unit this may not be the case throughout the duration of the plan period. It would be better to remove the reference to the figure in the policy statement but refer to it in clause 5.45.

Modifications:

Delete the words "...based on a benchmark of 75 per cent two and three bed units" from Policy 23.

In clause 5.45 on line 6 after the words "...open market housing. The"

Add the words "current requirements indicate a need for 75 per cent two and three bed units but the"

Summary

The wording is too prescriptive and does not allow for changes in the housing market during the life of the plan. The wording should therefore be amended to "based on a benchmark of 75 per cent two and three bed units".

Para 5.45 on line 6 after the words "...open market housing. The" add "current requirements indicate a need for 75 per cent two and three bed units but the"

CNPA analysis

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

Policy Policy 23

Name The Crown Estate **Company** The Crown Estate

Objector Ref

419k

Agent Debbie Mackay

Representation

This policy is unduly prescriptive and seeks to cater too much for the current position in the Park without planning for future provision. The requirement to provide specific house sizes is likely to be a significant deterrent to house builders who will need to respond to the market in order for their ventures to be economically viable. This combined with the developer contributions and the affordable housing requirements, is likely to prove a complete deterrent to house building in the park area and therefore, the objective of achieving affordable housing will not be met.

There is also a danger that providing a large number of small properties purely caters for particular sectors that will potentially outgrow these houses and then be unable to find larger accommodation. The Park must encourage and facilitate young families to live in this

area and thereby support local services such as primary schools.

Modifications to resolve this objection - This policy is unduly onerous and impracticable and should be removed. If the demand is for two and three bed units, the market will respond to that demand.

Summary

The policy is too restrictive and does not seek to plan for the future. The balance suggested is likely to deter developers who will be responding to current market trends into the life of the Plan, and combined with the requirement for contributions and affordable housing requirements will be counter to the objective to providing affordable houses in the Park. The balance suggested also does not encourage whole life properties and the policy should be encouraging families into the area to support local services. The policy should therefore be removed.

CNPA analysis

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

Policy Policy 23	Name D R MacKellar	Company Cairngorms Chamber of Commerce	Objector Ref	430k
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Representation

Policy 23 advises that "proposals for development of four or more units will be required to demonstrate a balance of 75% two and three bed units". We would question the validity of this Policy when comments made in 5.32 and 5.43 advise that projections of the population "will be dominated by single persons, single parents and households of only 2 adults" Unless of course it is considered that single and two-person all adult households would live in 3 bed units.! Small local Developers and builders need policies to encourage development not burden. The CCC fear that if this Housing Policy is adopted the local sustainable construction/building economy will be wiped out with the subsequent impact on local Builders, tradesmen and sub-contractors.

Reference is made previously in this report to the 'Housing Ladder' and we reiterate that this Housing policy 23, sect 5.44 would encourage the disintegration of that same Housing Ladder. i.e "This policy will ensure that the supply of smaller units increases while still retaining the financial viability of developments "we assume this to mean that by building very expensive units this will subsidise the smaller units. Where is the progressive thinking to develop middle-size units and create the Ladder and opportunity to move to reflect circumstantial change. We must not forget the aspirations that the vast majority work towards. We must ensure this in place to accommodate that.

Summary

Policy 23 advises that “proposals for development of four or more units will be required to demonstrate a balance of 75% two and three bed units”. Where is the evidence to support this when compared to evidence provided on population growth projections? The policy will cause the disintegration of the housing ladder, where very large houses will have to be provided to subsidise the smaller units, and cause a lack of middle market provision. Small local Developers and builders need policies to encourage development not burden and this approach will stifle local sustainable construction/building economy.

CNPA analysis

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

Policy Policy 23

Name Rothiemurchus Estate
Company
Agent Howard Brindley Consulting

Rothiemurchus Estate

Objector Ref

446a

Representation

The Estate welcomes the inclusion of the proposed new community at An Camas Mor in the Deposit Local Plan. An Indicative Land Use Plan for this proposed new community at An Camas Mor has been prepared by the Estate's team following considerable consultation with key stakeholders in the public agencies and the local community in the Aviemore area.

Table 4 of the Deposit Local Plan indicates that An Camas Mor should have a capacity of 1500 housing units. The design concept in the Indicative Land Use Plan is for high density apartment housing at the centre of the community fronting the main street with density reducing towards the community's edge.

Policy 23 states that proposals should demonstrate a balance of unit sizes based on a benchmark of 75% 2 and 3 bedroom units. The Indicative Land Use Plan proposals will be close to this benchmark on completion of the community. However flexibility is required during the development phases at An Camas Mor to allow for departures from the benchmark.

Modifications:

Policy 23 should be re-worded to indicate that the 75% benchmark is intended to encourage the supply of smaller house units, and that it will be applied flexibly to individual phases of an overall housing development proposal as they come forward for planning permission.

Summary

Support the allocation, and confirm the Estate is working on an indicative land use plan. The indicative balance of units and capacity for housing in table 2 and policy 23 is close to that being proposed in the land use plan for the settlement, but a degree of flexibility should be included to allow for the development phases of the new settlement.

Amended wording – The policy should be reworded to indicate that the 75% benchmark will be applied flexibly to individual phases of an overall housing development proposal as they come forward for planning permission.

CNPA analysis

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

Policy Policy 23	Name Maurice Stack	Company Aberdeenshire Council	Objector Ref	473
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Representation

Agree, as this is what is most required. In terms of affordable housing for rent, the need is for more 1 bedroom units. But para 5.45 allows flexibility in this.

Summary

Support for Policy 23

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 23	Name John Anderson	Company Kinraig & Vicinity Community Council	Objector Ref	463q
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Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Makes reference to a 75% proportion of two and three bed units where four or more house units are being built. This is potentially unnecessarily restrictive — the proportion should be decided on merit (demonstrated demand).

Summary

Generally support Alvie estate view on this policy. Proportions set out are potentially unnecessarily restrictive, and the proportion should be decided on merit (demonstrated demand).

CNPA analysis

A detailed paper outlining the background to the housing land requirement calculations, land supply requirements and proposed balance of house sizes will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation

will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations and allocations made.

Policy Policy 23 **Name** Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council **Objector Ref** 416j

Representation

There is a contradiction here (5.43 and 5.44). How is this justified with Policy 23?

Summary

How is the balance of sizes justified.

CNPA analysis

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

Policy Policy 23 **Name** Reidhaven Estate **Company** Reidhaven Estate **Objector Ref** 456f
Agent Jill Paterson

Representation

This is an arbitrary policy that does not necessarily reflect the modern needs for housing across the whole of the Park. Requiring 75% 2 & 3 bedroom houses where development is for 4 or more houses will artificially inflate that central part of the market. If these are indeed the types of houses required then the market will build them. RSLs will provide the type of housing that their waiting lists suggest is required.

This policy also works against the development of flatted or smaller scale accommodation. Two of the key housing sectors are the young and the old. Flatted or smaller than 2-bed accommodation suits these sectors of the community well but would run contrary to this policy.

Modifications: This policy should be removed or altered to provide a more flexible approach.

Summary

The policy is too restrictive and will result in an artificial inflation of the central part of the market (4+bedrooms) If there is a need for such a level of 2-3 bed affordable homes the RSLs will provide them based on their waiting lists. The policy will also work against the development of small and flatted developments which provide important accommodation for old and young people. The policy should therefore be removed or substantially amended.

CNPA analysis

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

Policy Policy 23

Name John Forbes-Leith Esq
Company
Agent Debbie Mackay

Dunachton Estate

Objector Ref

418k

Representation

This policy is unduly prescriptive and seeks to cater too much for the current position in the Park without planning for future provision. The requirement to provide specific house sizes is likely to be a significant deterrent to house builders who will need to respond to the market in order for their ventures to be economically viable. This combined with the developer contributions and the affordable housing requirements, is likely to prove a complete deterrent to house building in the park area and therefore, the objective of achieving affordable housing will not be met.

There is also a danger that providing a large number of small properties purely caters for particular sectors that will potentially outgrow these houses and then be unable to find larger accommodation. The Park must encourage and facilitate young families to live in this area and thereby support local services such as primary schools.

Modifications to resolve this objection - This policy is unduly onerous and impracticable and should be removed. If the demand is for two and three bed units, the market will respond to that demand.

Summary

The policy is too restrictive and does not seek to plan for the future. The balance suggested is likely to deter developers who will be responding to current market trends into the life of the Plan, and combined with the requirement for contributions and affordable housing requirements will be counter to the objective to providing affordable houses in the Park. The balance suggested also does not encourage whole life properties and the policy should be encouraging families into the area to support local services. The policy should therefore be removed.

CNPA analysis

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

Policy Policy 23 **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422q

Representation

Policy 23 has some merit in targeting housing supply to housing needs, but the Park Authority will need to be able to defend this position and the evidence base for this is not clearly set out.

Summary

The background behind this policy should be clearly stated to that the policy can be defended.

CNPA analysis

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

Policy Policy 23 **Name** Phil Rowsby **Company** SRPBA **Objector Ref** 429d

Representation

The SRPBA objects to the prescriptive nature of the wording of policy 23. If such prescriptive wording is to remain, we believe it should be supported by additional empirical research.

We are also concerned that the policy as it currently stands may not allow for flexibility. We believe that the potential outcome of this policy will be development consisting of higher density and smaller properties.

Summary

The policy is too prescriptive and inflexible and if it to remain should be supported by empirical research.

CNPA analysis

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

Policy Policy 23,24

Name James and Evelyn Sunley

Company

Objector Ref

056n

Representation

5.42/5.60 (Policy 23/24) we fail to see how any future development in Ballater can sustain 30% affordable housing, in addition in 5.52 states that between 15% to 25% of a development will be social rented housing. This means that The Plan expects a house purchaser to subsidise the 50% affordable and social rented housing in that development. The Plan also ignores the fact that many house purchasers, especially people buying expensive homes will not buy houses in such a mixed development. This kind of social engineering has been tried before in Scotland i.e. Cumbernauld, East Kilbride and failed miserably. You should also consider the problems that are now arising in other areas which have the mixed developments you propose.

This housing policy and the application of Section 75 Planning Agreements needs to be vigorously looked at again. Failure to do so may result in developers taking the view that housing development in Ballater is not financially viable. This would have a serious effect in Ballater and for which CNPA could be held to account.

With regard to house type and house size, the Park Plan should recognise the unique housing needs in Ballater. Low cost housing certainly for young families to get on the housing ladder, but also, two bedroom single storey private developments for an aging population who can no longer manage stairs and large gardens, but we also require high value private housing to achieve planning gain to help pay for the low cost housing. Above all we are determined to strive to keep the character of this beautiful village

Summary

The % of affordable houses proposed would have an adverse impact on the open market and is a form of social engineering. Within an amendment to this policy, developers will go elsewhere. The house sizes also needs to be carefully considered to reflect the local population with areas with an aging population needing more single storey developments with small gardens. Again there should be a recognition of the need for high end developments for private investment.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA

ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name The Crown Estate Agent Debbie Mackay	Company The Crown Estate	Objector Ref 4191
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Representation

While my client welcomes actions to promote affordable housing, it is considered that this policy is hugely onerous and likely to be counter productive to the provision of affordable housing across the Park area. My client objects to the following aspects of the policy;

- The threshold of two or more units. This is against national advice in PAN 74 which states that Local Authorities should seek to achieve on site provision for development of 20 units or more (paragraph 37). Using a threshold of 2 units or more is likely to threaten the viability of many developments.
- The 30% and 50% requirements. The 30% and 50% requirements are against national advice in Planning Advice Note 74 Affordable Housing which sets a benchmark of 25% affordable housing on appropriate sites. The PAN states in paragraph 35 that; "The Local Authority may also seek a higher percentage on a specific site but this will only be appropriate in exceptional circumstances, for example linked to a substantial release of Greenfield land or on a site owned by the local authority or other public agency which is being released for development" No such exceptional circumstances have been identified in this situation.

There is a concern that the additional costs created by these 30% and 50% requirements will deter developers and therefore be counter-productive to the achievement of affordable housing in this location. There is also a concern that in order to achieve the required returns on housing sites, developers may have to increase the price of open market properties to enable them to provide the affordable housing. This will create an even greater gap between those able to afford open market housing in the Park area and those who can only enter the housing market through affordable housing.

It is also noted that adjacent local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park.

- The prescriptive nature of the baseline assumption in paragraph 5.52. PAN 74 identifies the 5 categories of affordable housing and states that it is up to the local housing strategy to provide evidence of the balance between the different categories.

Modifications to resolve this objection -

- The number of units should reflect national advice and be set at 20 units.
- The percentage of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also require that a housing needs assessment must be undertaken jointly between the four local authorities.

Summary

The policy is overly onerous and will prove counter productive to the provision of affordable housing across the Park. The requirement for a contribution towards affordable housing is contrary to PAN 74 which seeks to achieve provision on sites of 20 or more units. The 30-50% requirement is also contrary to PAN 74 which sets a benchmark of 25% affordable housing on appropriate sites. A higher percent may be appropriate in exceptional circumstances such as where local authorities are releasing land for development. No such

exceptional circumstances have been identified in this situation. The additional costs incurred as a result of the % requirement will deter developers and prove counter-productive. It may also result in increased costs being added to open market houses exacerbating the current situation.

Neighbouring local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park. The balance of provision of different types of affordable housing should be based on the local housing strategy providing evidence of need. The plan should be amended as:

- The number of units should reflect national advice and be set at 20 units.
- The % of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also require that a housing needs assessment must be undertaken jointly between the four local authorities.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name David Horsfall **Company**

Homes for Scotland

Objector Ref

391d

Representation

We object to the following wording in paragraph 5.51:

'The baseline assumption will be that between 15% and 25% of a development will be social rented housing, 15%-20% will be forms of low cost home ownership housing and the remaining 5% will be affordable rented accommodation or serviced plots'.

Paragraph 11 of PAN 74 Affordable Housing, identified the 5 categories of affordable housing and paragraph 12 goes on to state that it is down to the local housing strategy to provide evidence of the relative balance between the needs of the different categories.

The tenure split specified at paragraph 5.51 would not be justified until a robust housing needs analysis is undertaken jointly and simultaneously with the four local authorities. The findings of the housing needs analysis should be incorporated within a local housing strategy and this will set out any shortfall in provision for particular types of household.

Changes that will resolve this objection –

Replace paragraph 5.51 with a section that gives examples of the affordable housing that may be considered acceptable under the terms of Paragraph 11 of PAN 74. It should be clearly stated that a housing needs assessment must be undertaken jointly and simultaneously with the four local authorities. In the mean time the affordable housing tenure on each site should be established through

discussions between the local authority and the developer having consideration to available funding and constraints in each instance.

Summary

Object to para 5.52 which details the break down of affordable houses required on any given site. Para 11 of PAN 74, identified the 5 categories of affordable housing and in para 12 leaves it to the local housing strategy to provide evidence of the balance between the different categories. The split proposed would not be justified until a robust housing needs analysis is undertaken jointly and simultaneously with the four local authorities. The findings should be incorporated within a local housing strategy and this will set out any shortfall in provision for particular types of household.

The para should therefore be replaced with a section giving examples of affordable housing that may be considered acceptable under para 11 of PAN 74. It should state that a housing needs assessment must be undertaken jointly and simultaneously with the four local authorities. In the mean time the affordable housing tenure on each site should be established through discussions between the local authority and the developer having consideration to available funding and constraints in each instance.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Frank Bardgett

Company

Boat of Garten Community Council

Objector Ref

092b

Representation

The Boat of Garten Community Council does not object to proposal BG.H1 as it stands. The community, has, however, expressed its desire to see a strong component of affordable housing in any development in H1. Under Policy 24 the Plan offers a framework to secure this; any development must offer either 50% or 30% affordable housing, depending whether or not public subsidy is part of the package and also on the constraints of the site. We note that the current draft suggests in 5.55 that additional contributions towards affordable housing might be required if justified by a recent community needs survey and these would be highlighted in pre-application discussions. Realising that there might be more and less acceptable modes by which affordable housing could be offered, we find this sentence inadequate as it would remove Community input to discussion on any acceptable affordable housing contribution. Clearly, 'pre-application discussions' take place before plans are submitted for public consultation and hence there would be no opportunity to advocate a higher percentage or different composition than what the Planning Authority had already accepted.

As there is no right to third party objection to planning decisions it is important that consultations prior to approval cover all aspects of a proposal. Affordability of housing is a key issue on which the public must be consulted. We therefore object to the working of paragraph 5.55 within Policy 24.

What changes are you seeking to resolve this objection: Paragraph 5.55 should be amended to read:

“If a community needs survey (prepared within the previous three years) or other information on local housing need collated by the Cairngorms National Park Authority or by the Local Authority or relevant Community Council (also within the previous three years) shows a strong need for a community to have either additional affordable housing or very different composition of tenures, the planning authority will seek additional contributions from developments. The planning authority may also take into account submissions received once the plans are publicly available”.

Summary

To ensure that appropriate developer contributions are made which reflect the community needs, para 5.55 should be amended to read “If a community needs survey (prepared within the previous three years) or other information on local housing need collated by the Cairngorms National Park Authority or by the Local Authority or relevant Community Council (also within the previous three years) shows a strong need for a community to have either additional affordable housing or very different composition of tenures, the planning authority will seek additional contributions from developments. The planning authority may also take into account submissions received once the plans are publicly available”.

CNPA analysis

The intention of policy delivery is to match developer contributions against community need, assess through community assessments. With specific regard to housing, the policies will also be assessed against the most up to date housing need information and work will continue with the housing developers, both private and public sector, and the local authorities to secure a consistent method of collecting this information across the Park.

Policy Policy 24	Name John Forbes-Leith Esq	Company Dunachton Estate	Objector Ref 4181
	Agent Debbie Mackay		

Representation

While my client welcomes actions to promote affordable housing, it is considered that this policy is hugely onerous and likely to be counter productive to the provision of affordable housing across the Park area. My client objects to the following aspects of the policy;

- The threshold of two or more units - This is against national advice in PAN 74 which states that Local Authorities should seek to achieve on site provision for development of 20 units or more (paragraph 37). Using a threshold of 2 units or more is likely to threaten the viability of many developments.
- The 30% and 50% requirements - The 30% and 50% requirements are against national advice in Planning Advice Note 74 Affordable Housing which sets a benchmark of 25% affordable housing on appropriate sites. The PAN states in paragraph 35 that; “The Local Authority may also seek a higher percentage on a specific site but this will only be appropriate in exceptional circumstances, for example linked to a substantial release of Greenfield land or on a site owned by the local authority or other public agency which is being released for development”. No such exceptional circumstances have been identified in this situation.

There is a concern that the additional costs created by these 30% and 50% requirements will deter developers and therefore be counter-productive to the achievement of affordable housing in this location. There is also a concern that in order to achieve the required returns on housing sites, developers may have to increase the price of open market properties to enable them to provide the affordable housing. This will create an even greater gap between those able to afford open market housing in the Park area and those who can only enter the housing market through affordable housing.

It is also noted that adjacent local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park.

- The prescriptive nature of the baseline assumption in paragraph 5.52 - PAN 74 identifies the 5 categories of affordable housing and states that it is up to the local housing strategy to provide evidence of the balance between the different categories.

Modifications to resolve this objection.

- The number of units should reflect national advice and be set at 20 units.
- The percentage of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also require that a housing needs assessment must be undertaken jointly between the four local authorities.

Summary

The policy is overly onerous and will prove counter productive to the provision of affordable housing across the Park. The requirement for a contribution towards affordable housing is contrary to PAN 74 which seeks to achieve provision on sites of 20 or more units. The 30-50% requirement is also contrary to PAN 74 which sets a benchmark of 25% affordable housing on appropriate sites. A higher percent may be appropriate in exceptional circumstances such as where local authorities are releasing land for development. No such exceptional circumstances have been identified in this situation. The additional costs incurred as a result of the % requirement will deter developers and prove counter-productive. It may also result in increased costs being added to open market houses exacerbating the current situation.

Neighbouring local authorities are requiring 25% contributions towards affordable housing. This may attract developers away from the Park. The balance of provision of different types of affordable housing should be based on the local housing strategy providing evidence of need.

The plan should be amended as:

- The number of units should reflect national advice and be set at 20 units.
- The % of affordable housing should reflect national advice and be set at 25%.
- Paragraphs 5.52 and 5.53 should be replaced with a section which gives examples of the categories of affordable housing that may be acceptable. It should also require that a housing needs assessment must be undertaken jointly between the four local authorities.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the

needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name Jenny Smith	Company	Objector Ref 417e
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Representation

Where there is no subsidy for affordable housing, and the developer is small, using local labour, the cost will be passed on to the cost of the other housing, causing yet more inflation, or be to the detriment and disincentive of the small developers working inside the park boundaries. There are plenty of 2nd homes inside the park. No more when there is already a pressure on land and resources.

Summary

The cost of providing affordable houses is passed on to the cost of open market housing making the overall cost of housing worse. There should be no allocation make for second homes.

CNPA analysis

The cost of affordable housing will be met through a variety of means, including reduced profits to developers, reduced land prices to land owners, and impacts on housing prices. The intention is to create a development market which is clear in its expectations so that issues such as profit margins can be included from the outset. In regard to 2nd homes, the intention is not to create additional provision, but a recognition that under the planning system, there is no control of this sector and that where open market homes are built, a % of them will be for the 2nd homes market. Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name Jenny Smith	Company	Objector Ref 417c
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Representation

Affordable Housing Policy 24 or Para 5.35

That some affordable housing be supplied through the mechanism, of Community Land Trust within the park. Hence land is controlled and owned democratically by the community – please see adjoining leaflet. Through this the community will have a choice as to type, design, quality of housing and surrounding are land use, reflecting the interests and needs of the community.

The model of C.L.T is being developed extensively across England, Wales, parts of Scotland. Tarves in North East Scotland has pursued this option, prompted by the local councillor. In Nethy Bridge a survey showed the need for 12 affordable homes. However the houses build did not house the residents of Nethy Bridge which wishes to retain its integrity. Tomintoul affordable housing has had problems with who is responsible for a very narrow strip of green across the front, and yet no real garden area at the back (parking space) for people to sit out in or appreciate in fine weather.

In Edinburgh, people in need of affordable homes have requested the model of 'the colonies' in Stockbridge. High density one and two bedroom flats where everyone has their own front door and garden area. A model that could be adapted for CNP.

Di Alexander of the Highland small communities Unit has been attendant at some of the larger, across UK CLT meetings.

Summary

The provision of affordable housing through a community land trust for local people, should be considered and policies written to allow for such development.

CNPA analysis

The National Park Authority is receptive to any form of affordable housing provision provided it is truly affordable. The policy has been worded to allow for options not previously tried, and the suggestion will be considered in the delivery of this policy.

Policy Policy 24

Name Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council

Objector Ref 416k

Representation

Contribution to Affordable Housing. "Where public subsidy is available to help fund affordable housing, the overall affordable contribution of the development will be expected to be 50 per cent, with any shortfall between the public subsidised element and 50 per cent target made by the developer. Where no public subsidy is available, the developer will be required to provide all of the affordable housing on the site to a target of 30 per cent. Single open market houses will also be required to make a contribution towards affordable housing in the CNP area. This will be a cash payment towards the development of affordable housing in the local area."

Even 30 per cent is a lot of affordable housing. The public subsidy element is likely to be minimal. The developer will continue to make a profit. What about flats made available for low cost housing – do they make a contribution?

This is a disincentive to building and will lead to increasing prices.

5.50 – Local area is defined as the relevant secondary school catchment area. It should be the settlement area.

5.59 – "... The contribution would be waived where the developer can demonstrate that the occupant of the house would qualify to access a form of affordable housing within the Park by reason of their housing need and income."

Page 46 – 5.49: “...Any other housing that costs less than the market rate to the first buyer/tenant and subsequent buyer/tenants and is agreed by the CNPA, local authorities and Communities Scotland to offer a sustainable housing solution to groups in need within the Park”

This entire policy will be subject to a wide variety of abuse (scams). It is full of loopholes.

Summary

The proposal will result in a lot of affordable houses. This may result in a disincentive to build houses leading to increased open market costs. In terms of who is eligible for an affordable house, what is considered to be 'local'. It should relate to settlement area. The approach will be open to abuse as it is full of loopholes.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Phil Rowsby

Company SRPBA

Objector Ref

429e

Representation

The SRPBA recognise the wide range of options suggested by the CNPA which will constitute affordable housing. As an organisation we welcome the recognition, by the CNPA, of the role the private sector plays in the provision of affordable housing in the Park area and believe that in advance of setting policy there is a need to have more discussion, especially with the private sector, to arrive at policies that we actually deliver what is wanted. We believe that policy as currently worded may result in making housing less affordable.

However, the SRPBA are concerned that this policy will lead to developers adding to the price of open market properties to enable them to provide affordable housing. We are concerned that this may lead to a lack of mid-priced housing.

Again members are concerned that additional costs and regulation within the Park may stifle development, which may have a negative effect on the future prosperity of the National Park and its communities.

Members have noted that adjacent local authorities are looking for developments to include 25% of affordable housing, if the CNPA require 50%, developers may again opt to develop out with the Park.

The SRPBA are concerned that this may go against market forces, with affordable housing not being developed in areas where it is

required. We feel that a blind policy is not appropriate in the NPA unlike an urban environment such as Edinburgh or Manchester.

Summary

As worded the policy may result in making housing less affordable with developers adding to the price of open market properties to enable them to provide affordable housing. This approach may stifle development and have a negative effect on the future prosperity of the Park. If the approach to be taken is to remain at 50% in comparison to neighbouring areas with a requirement for 25%, developers may opt to develop outwith the Park , going against the aims of the Park and resulting in no affordable houses being provided.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Hank Dittmar

Company

The Prince's Foundation

Objector Ref

476d

Representation

The Prince's Foundation appreciates the urgent need to address the shortage of affordable housing within the Park for the sake of both communities and businesses. The range of tenure options proposed will help bridge the divide between social rented and open market housing. However, in setting the percentage of affordable housing required, consideration is needed not to exceed the ceiling at which the viability of private development is compromised and whereby the supply of housing is constrained as a result. Our experience elsewhere suggests that requirements for 50% or 30% (without any public subsidy) of affordable units may be too high. Also, given the primacy of the first aim of the Park- to conserve and enhance the natural and cultural heritage of the area- allowance should be made to ensure that an adequate proportion of a development budget is apportioned to the physical qualities of the built environment, using appropriate and sustainable materials.

As an additional policy we suggest that affordable housing be mixed, side-by-side with open market housing across the Park so that there is no visual distinction between different tenures; also, that social housing should not be clustered in groups of more than about 5 units to avoid the creation of social divides. This mixed-tenure approach has been shown to maintain the underlying value of affordable properties at a similar level to private equivalents and, anecdotally, to require less maintenance and management because of higher satisfaction levels amongst tenants and more cohesive communities.

Summary

The Prince's Foundation appreciates the urgent need to address the shortage of affordable housing within the Park for the sake of both communities and businesses. The range of tenure options proposed will help bridge the divide between social rented and open market housing. However, in setting the percentage of affordable housing required, the policy needs to ensure that the viability of private development is not compromised, constraining the supply of housing as a result. Our experience elsewhere suggests that the % figures

used may be too high. Also, given the primacy of the first aim of the Park- to conserve and enhance the natural and cultural heritage of the area- allowance should be made to ensure that an adequate proportion of a development budget is apportioned to the physical qualities of the built environment, using appropriate and sustainable materials. We suggest that affordable housing be mixed, side-by-side with open market housing across the Park so that there is no visual distinction between different tenures. Also social housing should not be clustered in groups of more than about 5 units to avoid the creation of social divides.

This mixed-tenure approach has been shown to maintain the underlying value of affordable properties at a similar level to private equivalents and, anecdotally, to require less maintenance and management because of higher satisfaction levels amongst tenants and more cohesive communities.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name David Horsfall	Company	Homes for Scotland	Objector Ref	391c
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Representation

We objection to the following policy wording:

'Where no public subsidy is available, the developer will be required to provide all of the affordable housing on site to a target of 30%.'

Land values in the Cairngorms National Park are low as a result of high costs associated with development, in particular labour costs. A 30% affordable housing requirement with no public subsidy would leave most sites with a negative site value.

Paragraph 39 of PAN 74 states that where sites do not fall within areas of strategic priority for development alternative means of provision should be considered. PAN 74 goes on to state that it is not appropriate to introduce policy which requires developers to construct new houses to be handed over free to a local authority or an RSL.

PAN 74 paragraph 10 states where development funding is not available, or will meet part of the requirement, affordable housing built without public subsidy will have a roll to play. Housing without public subsidy are appropriate where it can be clearly demonstrated that they will meet the needs of, and be affordable to, groups of householders identified through the housing needs assessment.

Changes that will resolve this objection –

The policy wording must be changed to state:

' where no public subsidy is available, the developer may be required to provide affordable housing without subsidy where it can be demonstrated that they will meet the needs of, and be affordable to, groups of householders identified through an up to date housing needs assessment. '

Summary

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

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

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

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Donside Community Council

Company Donside Community Council

Objector Ref 073a

Representation

The Donside Community Council, which includes the communities of Corgarff, Strathdon, Glenkindie, Towie and Glenbuchat – all within the Cairngorms National Park – has considered the Deposit Local Plan and makes the following comments.

We generally find the Plan sound and relevant. It gives the impression of a liberal balance between controlling development to meet the aims of the Park while allowing well designed and located building to assist the communities in living and working here. We are pleased to see that contentious issues will be subject to periodic review.

The issue of 'affordable housing' is of course a difficult one. While we sympathise with the intentions expressed through Policy 24 we consider that this needs further examination on two counts. First because it is complicated, the meaning and interpretation of some elements are not clear. It would help if the definition of terms and examples of effects were added. Second, there is a danger of

preventing otherwise valuable development by being over prescriptive. A slightly looser set of rules or the permit of exceptions would be wise.

Summary

Further clarity is required on what is meant by the various technical terms used within the Affordable Housing policies. A more flexible set of rules may be worth considering to promote valuable development taking place.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy	Name	Company	Objector Ref
Policy 24	Colonel F.M.K. Tuck		011c

Representation

This is the most important and detailed section trying to compete with the problem of a shortage of affordable housing. One needs to be careful not to be too restrictive and thus prevent an overall increase in the provision of land and housing, which is identified and called for in Policy 2. There should be a large number of small or very small developments by individual landowners as indicated in the SRPBA survey; and these could total a significant number. Let a wish to achieve more affordable housing not be an enemy to the greater good of more housing generally. Why is Government against the building of more Council Housing for rent?

This section is full of technical jargon with which the average reader is not familiar. It would help to add a number of these words to the Glossary at Appx 2 with definitions - eg open market house; developer; social housing; discounted plots; rent in perpetuity; Section 75 Planning Agreements.

Para 5.50 Secondary School catchment can be a very large area - for Corgarff it is 28 miles to Alford Academy; why pay for affordable houses there? It needs to be within the Park Boundary.

Para 5.57 "lists of local authorities" - does this mean UK wide, nation wide or just our 4 local authorities? If legally possible we should restrict applicants to those on our local lists.

Para 5.59 This is not clear. Does a single unit developer contribute the whole of the differential or what part of it? In either case it is very unfair since he has already paid the market cost to buy the land and build the property.

A contribution, yes like planning gain, but it must be seen to be reasonable. Perhaps this should only apply if the developer sells the property. There seems to be no allowance for the building of units or conversion of buildings for tourist accommodation. Section 75 agreements could apply, but the affordable housing issue should not arise.

Summary

There should be provision within the provision of affordable housing, for landowners to provide small and very small scale developments

for local need. The wording of the policy and supporting text is very complicated and full of jargon. Some definitions may be needed within the Glossary.

Para 5.50 - why use school catchment areas as these go outwith the Park Boundary.

Para 5.57 - clarify how local authority lists are used. We should restrict applicants to those on local lists.

Para 5.59 - the wording is unclear. It seems an unfair burden to put on developers of single houses in light of the costs they will bear in building the house. Any 'planning gain' needs to be fair, perhaps linked to selling the property on.

There seems to be no allowance for contributions made as a result of tourist accommodation provision. Section 75 agreements could be used for this.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy	Name	Company		Objector Ref	
Policy 24	David Horsfall		Homes for Scotland		391a

Representation

The grounds of objection -

Homes for Scotland object to Policy 24: Affordable Housing, in respect of:

- The Threshold for affordable housing contributions required on developments of two or more units
- The requirement for an affordable housing contribution of 50% where public subsidy is available
- The requirement for an affordable housing contribution of 30% where no public subsidy is available
- The range of tenures required
- General

Grounds of objection –

We object to the following policy wording:

'Proposals for housing developments of two or more units will be required to incorporate a proportion of the total number of units as affordable housing.'

Pan 74 – Affordable Housing states that a local authority should seek to achieve on site provision for developments of 20 units or more. Homes for Scotland accept that this provision may be lower in rural areas where the general scale of development is smaller. However by setting the threshold for schemes of two units or more this will threaten the viability of many developments.

Changes that will resolve this objection – the threshold for Affordable Housing contributions should be set at 20 units. There may however

be provision within this policy for the threshold of 10 units in indentified rural areas. In these instances this requirement must be justified by an up to date housing needs assessment and account must be taken of financial obligations relating to the development.

Summary

Object to requirements regarding affordable house. Pan 74 makes a requirement for affordable houses for developments of 20 units or more. By setting the threshold for schemes of two units or more this will threaten the viability of many developments. The threshold should therefore be set at 20 units. There may however be provision within this policy for the threshold of 10 units in indentified rural areas. In these instances this requirement must be justified by an up to date housing needs assessment and account must be taken of financial obligations relating to the development.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name DW and IM Duncan

Company

Objector Ref

037j

Representation

Since the identified requirement from the local population is for rented accommodation or low costs shared ownership properties, the percentage of these in any proposed development should be increased to 80%.

Summary

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

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (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)

Representation

Policy 24 - Object to statement para 3 "developer will be required to provide all of the affordable housing on a site to a target of 30 per cent". Objection due to the lack of clarity as to how much affordable housing the developer will in practise be required to provide. Wording should specify a minimum percentage of affordable housing that is not negotiable.

5.48 - Object to statement that "the numbers of households considered to be in housing need... were greater then [sic presumably than] the numbers of houses being built through programmed delivery of affordable housing" on grounds of the quality of the data used and that this data is not summarised in a rigorous manner in the Deposit Plan

It is unsatisfactory and unacceptable that the data, assumptions and predictions on which the housing "needs" are assessed are not presented to the public. It is not reasonable to expect the public to work through lengthy and specialised analyses and reports to assess for themselves individually whether the conclusions used to inform the DLP are justified.

The CNPA should as a matter of urgency make a summary of all this information publicly available to enable the public to make an informed judgement.

Object to statement "...for those in need in the park" on grounds of lack of clarity. This is a non-specific, woolly statement. Who are defined as "those"? And the meaning of "in" the Park needs careful definition. It is our understanding that according to present housing policy preference is not given to people living in the Park for affordable housing in the Park.

Policy 24 and 5.50 - Object to the single house contribution on grounds that it is not stated how this money will be used and who it will benefit, indirectly or directly. For example, this financial contribution could indirectly promote developments of open market housing through developments commonly consisting of only a proportion of affordable housing, and this proportion is the principle justification for the entire development.

Summary

Policy 24 – Lack of clarity on how much housing developers will actually be required to provide. A minimum 5 should be stated which is not negotiable.

Para 5.48 – there is no detail on the quality of the data used and the data is not summarised in the Plan. This information should be open for public inspection in full and in summary. Throughout there is a lack of clarity in the use of terminology.

Para 5.50 – how will the money from single house builder contributions be used for.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA

Policy Policy 24 **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473r

Representation

Agree with this policy. Although in reality the 30% to be provided by the developer without public subsidy may be hard to achieve. Each site will have to be negotiated on its own merits. If the developer was to adopt 'an open book' approach they could demonstrate what % is achievable.

5.49- 1- Add and/or Local Authorities.

IV (agreed with Local Authorities and not Communities Scotland). The LA is the Housing Authority and through its LHS determine affordability levels. Also change this clause to say "if the owner wishes to sell.....they sell at the agreed % discount to a person nominated by the LA." E.g. if they buy the house at 60% of market value then the resale is at 60% of the then market value to a person nominated by the LA.

5.50 The contribution to meet housing need rather than saying development of affordable housing. It may be more cost effective to adapt an existing house rather than build a new one. This contribution could assist in this.

You are also making best use of existing stock.

Policy 24 Affordable Housing - If build 2 units would have to have a proportion of affordable housing, but if no public subsidy is available there is a target of 30% of affordable housing on site, what's 30% of 2?

Para 5.49 says that owners of affordable housing would have to pay back the subsidy and a proportion of the profit, that would be a disadvantage compared to the owner of an open market house who keeps all the profit.

Summary

Although the theory behind the policy is supported, in practice, each site will have to be negotiated on its own merits. The wording of the policy should reflect better the roles played by local authorities, Communities Scotland, and Housing Associations. The wording should also accurately the position regarding resale of affordable houses in the future. Vendors should not be placed at a disadvantage to those sellers who have open market homes. In practice, the % selected in the policy are not workable - what's 30% of 2?

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Mr Michael Bruce **Company**

Glen Tanar Estate

Objector Ref

403i

Representation

Glen Tanar Estate objects to Policy 24, in particular to the requirement for the developer to be required to provide all of the affordable housing on site with a target of 30%. The Scottish Executive produced Planning Advice Note 74: Affordable housing in March 2005 and at Section 34 it specifically addresses the nature of the affordable housing contribution. The benchmark figure identified in PAN 74 is that each site should contribute 25% of the total number of units as affordable housing. The PAN continues at section 35 to state that "the Local Authority may also seek a higher percentage on a specific site but this will only be appropriate in exceptional circumstances, for example linked to a substantial lease of Greenfield land or on a site owned by the Local Authority or another public agency which is being released for development". The Deposit Version of the Cairngorms National Park Local Plan does not contain any policy justification for the variation to PAN 74.

Summary

PAN 74 provides a benchmark of 25% affordable houses, with higher % requested exceptionally on particular sites and circumstances where alternative methods of provision are taken forward, eg. Development of local authority land. The policy as written does not justify the variation from PAN 74.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name William Stuart Paterson

Company

Objector Ref

409b

Representation

I believe the wording 'windfall site' being used by park planners is misleading. A developer will give a small area for 'affordable housing' and then submit plans to build houses that are unaffordable to the local community on an adjacent area thereby holding local officials over a barrel.

The wording 'affordable housing' is misleading, and does not allow for the residents of Highland villages to enter the housing market. A 2 bedroom flat selling for £115,000 is unaffordable to a couple working in the local economy who earns the minimum wage with seasonal work.

The park should be looking to let a body similar to Highland Council to build and regulate the use of such properties.

Summary

Windfall sites should be more clearly defined to ensure it is not used to get out of providing affordable housing. Also 'affordable' should

be more clearly defined.

CNPA analysis

The term 'windfall' is a commonly used planning term, and is not intended to be misleading or confusing. The terms windfall and affordable will be further defined in supporting text to clarify the position and ensure the expectations of the policy are clear to developers.

Policy Policy 24	Name William Stuart Paterson	Company	Objector Ref	409c
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Representation

I am disappointed that the plan makes no reference to the Cairngorms National Park holding a data base or register as was discussed at the consultation meetings, of those wishing to purchase property within the park area. This information would identify the type of property and the purpose for which it would be used ie permanent residence, holiday home, 2nd home, letting house, tourist accommodation etc.

This register could be used to indicate the price bracket that would be affordable. It would also profile those wishing to reside within the area. Wither they be young families requiring schools, nurseries etc, retired people with future needs of social services, care homes etc.

Summary

The CNPA should hold a database of those wishing to purchase a house in the area, to include need, size and nature of residency.

CNPA analysis

The CNPA will continue to work with its partners and housing providers to ensure the most accurate and up to date information is available on housing need in support of the delivery of the affordable housing policies in the local plan.

Policy Policy 24	Name Mairi Maciver	Company	Communities Scotland	Objector Ref	025p
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Representation

22. We welcome the intention to monitor the effects of Policy 24 through review of planning consents and housing needs surveys, as outlined in para 5.60.

Summary

Welcome monitoring mechanisms as stated.

CNPA analysis

No modification considered necessary as a result of this representation.

Representation

In my opinion this proposal is likely to:

1. place too high a financial burden on the developer
2. force the developer to pass costs on to the purchaser so further increasing the cost of housing
3. stifle the construction industry within the confines of the Cairngorm National Park leading potentially to job losses

Paragraph 5.50: For many individuals a self-build or single development single house is their 'affordable option'. Why should these individuals be required to make a financial contribution towards the cost of other affordable housing? I would suggest that the vast majority of self-builders need every penny of the funds they can raise to fund their own builds. To ask them to make an additional payment towards affordable housing may cause their own plans to become unaffordable to them.

Paragraph 5.59: Nowhere in Paragraph 5.59 does it clearly or definitively indicate how much that the level of financial contribution from single house developments is likely to be. It would have been helpful if a table had been provided to indicate examples based on the differentials between the benchmark cost of a Communities Scotland home and the price of an equivalent unit on the open market. If people are being asked for their opinions, then they should be provided with the clearly defined facts on which they can properly base an opinion.

I can see no justification for introducing the practice of contributions from single house developments to the Angus, Highland and Moray areas of the CNP just because this model is currently employed in the Aberdeenshire Council part of the Park.

Paragraph 5.67: Once again, in order to assist the public, it would have been helpful to have had a definition or explanation of what a Section 75 Agreement is. I have grave reservations here on the basis that linking houses built to rural businesses and its workers could have a serious impact on the value of such properties and could present difficulties for raising mortgages, loans, etc.

What change(s) you are seeking in future modifications to the Local Plan which could resolve your objection:

1. Remove or reduce the requirements on developers to contribute to affordable housing.
2. Remove the requirement for the single development builder to make a financial contribution towards affordable housing.
3. Remove the suggestion of using Section 57 agreements to link single house developments to rural businesses.

Summary

The policy will place too high a financial burden on the developer; force the developer to pass costs on to the purchaser increasing the cost of housing and stifle the construction industry in the Park leading to potential job losses.

The proposal for individuals to contribute to affordable housing puts an additional financial burden on people who are often self building as they cannot afford any other form of housing. This model should not be used across the park just because it is used in Aberdeenshire. Some additional information on what the contribution might be would be helpful.

It would be helpful to include a table indicating examples based on the differentials between the benchmark cost of a Communities

Scotland home and the price of an equivalent unit on the open market. Also a definition of what a Sec 75 agreement is would be useful. Linking houses to businesses can have a serious impact on the value of the property and present difficulties for raising mortgages, loans, etc.

Proposed changes are therefore remove or reduce the requirements on developers to contribute to affordable housing; remove the requirement for the single development builder to make a financial contribution towards affordable housing; and remove the suggestion of using Section 57 agreements to link single house developments to rural businesses.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471p

Representation

5.59 - We would be interested in working with CNP on the guidelines for such waivers so that single housing does contribute towards affordable housing (e.g. if qualifying to access affordable housing is by virtue of their name being on a council / rsl waiting list, it should be borne in mind that such waiting lists are open to anyone regardless of their housing need or income).

We assume that the contribution be available to the relevant local authority to further develop affordable housing in the CNP area?

Summary

Would welcome further discussion on the guidelines for such waivers. Also seek clarification that any contributions made would be able to the relevant local authority.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471f

Representation

I would recommend that 'Communities Scotland grants' are referred to simply as public subsidy.

2nd para – does this mean that if public subsidy is very limited (e.g. to 1-2 houses in a 30 house development) then the developer may be required to contribute more than if no subsidy available at all? The timescale should be stated in which public subsidy should be made available e.g. 5 years (as per THC policy)

Summary

Recommend referring to Communities Scotland grants simply as public subsidy.

Seeks clarification of second para - does this mean that if public subsidy is very limited (e.g. to 1-2 houses in a 30 house development) then the developer may be required to contribute more than if no subsidy available at all?

Seeks inclusion of a timescale in which public subsidy should be made available.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471g

Representation

5.49 - para 1 – this is a very limited definition of affordability – I would recommend that, in common with good practice, the definition should also relate to income and local market conditions. There is a wide range of good practice definitions which could be reviewed.

i – add- or provided by the local authority (council's are starting to build again!);

iii. Housing rented at affordable levels – need to mention that CS must be satisfied with the condition of the property, tenancy management & allocations in addition to the rent levels.

iv. price should be agreed with / based on guidelines by planning authority, Communities Scotland and local authority (as the strategic housing authority) and in line with the Housing Strategy. It should be sold to buyers nominated by local authority or bodies appointed to represent them.

The last sentence is a bit too definite. Perhaps leave it flexible and say something along the lines of "public subsidy will be re-cycled to enable the supply of affordable housing"

v. It would be good to highlight how it is expected that the housing will remain affordable in perpetuity. There is a need for more guidance on marketing e.g. how will it be ensured that this meet the needs of households in housing need as per the policy

requirements (particularly important given that this could comprise the affordable housing element for up to 20% of the housing supply)? vi. This is a very large catch-all category which we would like to see better defined to understand how it will contribute to the policy and strategic housing needs (again, particularly important given that this could comprise the affordable housing element for up to 20% of the housing supply). We would be very interested in examples of the type of housing which is being considered. It should be remembered that first time buyers (and indeed tenants) may not necessarily meet the definition of affordable housing as set out in the 1st paragraph. We feel that the definition needs to be tightened up e.g. relate to standards and less vague that "...less than the market rate'.

Last sentence - To ensure that this form of housing contributes to the policy we would recommend that 'affordable' should be added to "offer a sustainable housing solution".

Summary

Additional information is needed on the definition of affordability. This should also relate to income and local market conditions. Within the information on who provides such housing the local authorities should be included, and in iii) CS need to be satisfied with the condition of the property, tenancy management & allocations in addition to the rent levels. In iv) price should be agreed by planning authority, Communities Scotland and housing authority, and in line with the Housing Strategy. It should be sold to buyers nominated by local authority or bodies appointed to represent them. The last sentence should be made more flexible, such as "public subsidy will be re-cycled to enable the supply of affordable housing". In v) need to clarify how the house will remain affordable in perpetuity, and more information on marketing. In vi) there needs to be clearer definition on how it will contribute to the policy and strategic housing needs. Last sentence - To ensure that this form of housing contributes to the policy we would recommend that 'affordable' should be added to "offer a sustainable housing solution".

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471h

Representation

Does this include self- build?

Summary

Questions does this include self build?

CNPA analysis

The policy as currently written would refer to all housing regardless of the means of funding for construction.

Representation

Clause 5.49 – Page 46

The draft plan states that affordable housing should be maintained as such “in perpetuity”. This gives the impression that the houses will remain affordable forever. Whilst this may be a desire, it would be better to quote a duration (say 15 years) that the property needs to remain affordable. It is easy to see that in the current property market property needs to be affordable; however this may not remain the case over a very long time. It is hard to see why property owned by a housing association will be affordable for ever as, say in 20 years time when the property needs further upgrading or modifications, it may be better to sell the whole site to another for re-development rather than insist on refurbishment

It also makes no sense for property that is sold as low cost to remain low cost forever. All this does is ensure that once an individual has bought their low cost unit, they are only then able to buy another low cost unit. It is much better to give this person a step up into the open market.

Modifications: Line 4 of para 5.49 – delete “in perpetuity” and insert “for a period of 15 years or more”

Delete the last sentence of sub-paragraph IV “if the owner wishes to sell the property, the subsidy and a proportion.....purchase the home”. Insert in its place “the amount if the discount be quoted in the title deeds for the property as a burden which amount will reduce annually such that it is zero after a period of 15 years from the date if the purchase he or she will pay to the council the amount of such a figure then outstanding and the council will use the funds to help another individual purchase another affordable house”.

Summary

Rather than try and keep affordable housing as such ‘in perpetuity’ it would be better to quote a duration, e.g. 15 years to account for changes in the housing market in the long term. This would also allow owners, e.g. housing associations to sell on dated properties and generate income to replace the stock with more appropriate and up to date properties. With property that is sold as low cost, retaining it as such ensures that the purchaser will only be able to buy another low cost unit, and restrict their options within the normal housing ladder.

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

Para 5.49 – delete last sentence in iv “if the owner wishes to sell the property, the subsidy and a proportion.....purchase the home” and replace with “the amount if the discount be quoted in the title deeds for the property as a burden which amount will reduce annually such that it is zero after a period of 15 years from the date if the purchase he or she will pay to the council the amount of such a figure then outstanding and the council will use the funds to help another individual purchase another affordable house”.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the

local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Rona Main

Company Scottish Enterprise Grampian

Objector Ref

425o

Agent Steve Crawford

Representation

We are concerned that this policy is unworkable and onerous and may discourage development in the Park. We believe this may place onerous obligations on the funding of such development. RSLs may not be able to build this many affordable houses and developers that may not accept such requirements. There may be an oversight in that the Plan's own figures do not back up the requirement in this Policy. On page 42 it states a housing need of 132 units per annum yet this does not appear to be taken into account in table 3. Had it been the housing requirement would have been significantly higher. It is also useful to note that housing need assessment is a very contentious issue (Aberdeen City Local Plan Inquiry recently reported, reducing affordable housing requirements from 25% to 10% based on major errors and over-estimates in the housing needs assessment). There is no reason to assume that the National Park should not adhere to national planning policy that suggests 25%.

Key worker housing is a priority for SE Grampian who are therefore willing to discuss potentially more effective means of achieving affordable and key worker housing.

Summary

The policy is unworkable and may discourage development. It would place onerous obligations on the funding of developments. The supporting figures do not back up the requirement in this Policy. Page 42 states a housing need of 132 units per annum yet this does not appear to be taken into account in table 3. Had it been the housing requirement would have been significantly higher. It is also noteworthy that housing need assessment is a contentious issue and there should be a justification why the CNPA would not adhere to national benchmark of 25%.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Representation

5.52 - We are very interested in working through these figures in real life scenarios with the CNP (hopefully on the 10th September). We have concerns that these proportions (in particular the 5 – 20% of affordable rented or service plots) will in practice result in a lower proportion of social / affordable rented housing being built than Highland's Housing Strategy expects (i.e. two-thirds of affordable housing development for social / affordable rented compared to one third for low cost homeownership). This is as there are very few models in practice of 'affordable rented accommodation' as defined and therefore we expect that the majority of target will be made up with LCHO.

It should be recalled that the Badenoch and Strathspey affordable housing shortfall figures – arising from Highland's Housing Needs Assessment 2003, on which the draft CNP policy 24 is based, was and identified for an additional 65 social rented houses per annum – not low cost homeownership (although it was recognised that a small proportion of the overall highland shortfall could be met by low cost home ownership).

Summary

Concern that the policy will result in a lower proportion of social / affordable rented housing being built in than was expected in the Highland Housing Strategy. Reference should be made to the Badenoch and Strathspey affordable housing shortfall figures from 2003 which identified a need for an additional 65 social rented houses per year, not lowcost homeownership.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Representation

Clauses 5.52 and 5.53 on page 47

These clauses are very specific in their allocation of percentages of properties in different categories. Clause 5.53 does give some (small) right for negation (but only up to 5%). It is dangerous to be overly prescriptive of the amounts and it would be much better to rely on the results of any studies relating to the amount and type of affordable housing that may be required and in what tenure.

Modifications: In the first sentence of clause 5.53 delete the words "by as much as 5 per cent".

Summary

The wording is dangerously over prescriptive. It would be much better to rely on the results of any studies relating to the amount and

type of affordable housing that may be required and in what tenure. The wording should be amended to delete the words "by as much as 5 per cent".

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Anne MacNamara, Planning Directorate

Company Scottish Government

Objector Ref 422r

Representation

Policy 24 - Affordable Housing sets ambitious targets of 50% provision with public subsidy and 30% without public subsidy. These go well beyond the benchmark figure of 25% put forward in PAN74: Affordable Housing and the Plan appears to lack necessary justification (e.g. local needs assessment) to support these figures. It is not clear what difference the distinction between the two is expected to make to the overall supply of affordable housing and clearer reference to what the need is (paragraph 5.48) and the level of affordable housing likely to be delivered by operation of this policy is required. The Plan's approach to affordable housing has the potential to frustrate provision of market housing and therefore reduce the likelihood of achieving any affordable housing contribution in the park area. This could prove counter-productive if it acts as a deterrent to development within the Park area.

In view of experience elsewhere, it must be questionable in particular whether quotas of 30% and 50% are achievable or whether this will make it unattractive for developers to build within the Park area. The result of this approach could be to drive developers and potential residents into adjacent areas outwith the Park. Economic modelling research has just been completed by Heriot Watt and the Three Dragons but is still to be published. The report states "Analysis of development viability shows that a policy of seeking a 25% affordable housing quota would appear the most realistic. At 25%, affordable housing delivery without grant would appear to be financially viable (although grant would need to be available if market circumstances change) but at 40% and 50%, grant would appear to be needed for most circumstances and financial viability must be questionable." Due to the current buoyancy of the housing market in the Cairngorms there is unlikely to be an issue with displacement to areas outwith the Park at present, but this assumes that there will be no change to the current availability of grant mechanisms.

While the nature of housing need in the Park area suggests that it is correct that priority is attached to social rented housing and low cost home ownership solutions, more recognition also needs to be given to the scope of unsubsidised market housing (entry level housing) to meet certain types of housing need. PAN74 allows for such developments to be considered as 'affordable housing'.

The tenure breakdown in paragraph 5.52 appears quite prescriptive and does not seem to make any allowance for unsubsidised market

housing as a form of affordable housing provision.

It is unclear how the waiting list will be used as an effective means of identifying potential occupants of low cost homeownership. It is likely that many people with local connections and aspirations to live in a home of their own within the Park will not appear on a waiting list. The possibility of the CNPA duplicating the waiting lists of RSLs and LAs is a move away from the statutory function of the CNPA. It is the role of the constituent LAs to compile waiting lists although it is recognised that these lists would be for non social rented housing.

The Plan does not appear to acknowledge the economic benefits to be gained by attracting economically active residents into the Park area who might have no existing connections. (This could, however, simply be a matter of definitions.) Providing affordable housing options for such people could be an important contribution to the future sustainability of the area.

It is suggested that paragraph 5.51 should also support developments which promote the concept of mixed communities.

Paragraph 5.56 would benefit from clarification of the status of Section 75 agreements in relation to land ownership and potential occupiers. At paragraph 5.59 it is unclear how the Park Authority would implement and police waiving developer contributions in the circumstances described.

Summary

The target set is ambitious and go well beyond the PAN 74 benchmark. There seems to be a lack of necessary justification (e.g. local needs assessment) to support these figures. Also the contribution made by the 2 percentage targets to the overall supply of affordable housing land is not clear. Clearer reference to what the need is (par 5.48) and the level of affordable housing likely to be delivered by operation of this policy is required. The targets set may frustrate the housing market and reduce the likelihood of achieving any affordable housing contribution in the park area which would be counter-productive acting as a deterrent to development in the area. In using experience from elsewhere, the Executive wonders if the quotas of 30% and 50% are achievable or whether this will make it unattractive for developers to build within the Park area and drive developers and residents to other areas. The word carried out by Heriot Watt and the Three Dragons suggests a level of 25% to be most realistic.

Within the provision more recognition should be given to the scope of unsubsidised market housing (entry level housing) to meet certain types of housing need. PAN74 allows for such developments to be considered as 'affordable housing'.

The tenure breakdown in para 5.52 seems prescriptive and does not seem to make any allowance for unsubsidised market housing as a form of affordable housing provision.

How will the waiting lists be used to identify potential occupants and not duplicate the work of RSLs and LAs? .

There is no acknowledge the economic benefits to be gained by attracting economically active residents into the Park area who might have no existing connections. Providing affordable housing options for such people could be an important contribution to the future sustainability of the area.

Para 5.51 should also support developments which promote the concept of mixed communities.

Para 5.56 should be clarified to explain the status of Section 75 agreements in relation to land ownership and potential occupiers.

Para 5.59 should be clarified to explain how the Park Authority would implement and police waiving developer contributions in the circumstances described.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name Dominic Fairlie	Company	Scotia Homes Ltd	Objector Ref	452d
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Representation

It is appreciated that the Cairngorm National Park Authority consider that affordable housing is an issue and a strict policy needs to be in place in order to provide housing for people that live and work within the park, particularly the young people who otherwise leave to find opportunities elsewhere. However, the allocation rates of 50% and 30% are too high.

We agree that all developments over a certain size need to be given every encouragement to provide affordable housing on site as part of the development. However, the provision of affordable housing on site is not cheap and too high a requirement may well detract from the development as a whole. In our experience affordable housing is best (in terms of the design of a mixed development) at a level of up to 25% within the site. We have no experience at all of affordable levels of up to 50% and have doubts that it will have the desired effect.

Modifications:

Policy 24 para 1 line 4 – delete “will” and insert “may”

Policy 24 para 2 lines 4 & 5 – delete “50%” and insert “30%”

Policy 24 para 3 line 3 – delete “30%” and insert “25%”

Adjust other words to suit (clauses 5.53 and 5.54 in particular)

Summary

The proportions for provision of affordable houses on development sites at 50% and 30% is too high. Too high a requirement may well detract from the development as a whole, and the policy should be amended to reflect national guidance at 25%. We have no experience at all of affordable levels of up to 50% and have doubts that it will have the desired effect.

The policy wording should therefore be amended to:

Policy 24 para 1 line 4 – delete “will” and insert “may”

Policy 24 para 2 lines 4 & 5 – delete “50%” and insert “30%”

Policy 24 para 3 line 3 – delete “30%” and insert “25%”

Adjust other words to suit (clauses 5.53 and 5.54 in particular)

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471j

Representation

5.53 - There seems to be a contradiction between:

“Where a development is for two or three units only, the requirement will not include social rented accommodation but will be expected to incorporate an element of other forms of affordable housing.”; and the first paragraph of the Contributions to Affordable Housing policy: “Proposals for housing developments of two or more units will be required to incorporate a proportion of the total number of units as affordable housing. This housing will include social rented housing...”

It is not clear why social rented housing is not included? The policy should be open to this. In small communities the contribution of very small amounts of social rented housing can made a great difference to meeting that community's housing need.

Summary

Seeks clarification of para 5.53 and relation to their wording of policy 24. Question why social rented housing is not included? Stresses that in small communities, the contribution of very small amounts of social rented housing can make a great difference to meeting that community's housing need.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Davall Developments Ltd

Company Davall Developments Ltd

Objector Ref

461c

Agent Gary Johnston Building Consultants Ltd

Representation

Policy 24 - Contributions to Affordable Housing with specific reference to Kingussie

Grounds of your objection - Object to the blanket 50% affordable housing requirement from sites of 2 or more houses. Provision of affordable housing relies upon cross-subsidies from the profits from private development. However, in current circumstances where infrastructure and other planning gain costs are now significantly higher this reduces the availability of such cross-subsidies. The potential of many small sites such as in Kingussie can also be limited through topography or woodland safeguards. In such circumstances the provision of 50% affordable housing will not be viable.

We accept that in special circumstances the requirement can be varied in line with SPP3 and PAN 74 but this should not be a blanket requirement across the whole National Park area where a more realistic proportion will help with the delivery of infrastructure improvements for example. A blanket 50% affordable housing requirement from sites of 2 or more houses deter developers from building houses. This will also suppress land values and so discourage land owners from making land available for development. The result will be an even more acute shortage of all tenures of housing not just that required to meet affordable needs. This situation will not be conducive to attracting business investment and the creation of jobs in the National Park area placing it at a disadvantage when seeking to compete for the share of jobs with the A96 Corridor for example, where the requirement is 25%. Henceforth this will not support the sustainable development objectives of the National Park.

Modifications to resolve this objection

A reduction in the proportion of affordable housing to 25 to 30% in line with the quotas set out in the Deposit Draft Local Plan where subsidy is not guaranteed. In the larger settlements of the National Park, such as Kingussie, the threshold for provision should remain at 10 or more dwellings which will allow more significant and viable affordable housing developments to be achieved. In smaller communities the threshold should be 4 or more dwellings. Such changes would be consistent with the Highland Council's recently agreed policy.

Summary

Object to 50% affordable housing requirement on sites for 2 or more houses. This will not be viable with lack of cross-subsidies from the profits of private development, and with infrastructure and planning gain costs being so high.

Accept that in special circumstances the requirement can be varied in line with SPP3 and PAN 74 but still believe this should not be a blanket requirement across the whole national park area. The 50% policy will deter developers from building houses, suppress land values and discourage land owners from making land available for development, hence leading to an even more acute shortage of all tenures of housing, and not just to meet affordable needs. This would disadvantage the national park area compared to the A96 corridor, which there requirement is 25%.

Seek a reduction in the proportion of affordable housing to 25-30% in line with the quotas set out in the deposit plan where subsidy is not guaranteed. In the larger settlements, the threshold should remain at 10 or more dwellings. On smaller settlements, the threshold should be 4 or more dwellings.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the

local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24 **Name** Housing and Property Services **Company** The Highland Council **Objector Ref** 471n

Representation

5.57 - In the spirit of partnership working, we would suggest that the following wording is used "The National Park Authority will work with housing providers to ensure the allocations policies operating in the park are responsive" rather "seek to influence".

Summary

Suggest that the following wording is used "The National Park Authority will work with housing providers to ensure the allocations policies operating in the park are responsive" rather "seek to influence".

CNPA analysis

The comment is noted. In the review of the approach to affordable housing a more positive form of wording will be considered in line with the proposal made.

Policy Policy 24 **Name** Housing and Property Services **Company** The Highland Council **Objector Ref** 471q

Representation

5.60 - We are unsure why this specific mechanism is included - it may not be relevant in the future. In addition it should be considered that Highland's Housing Strategy states that open market Homestake in pressured areas (i.e. Badenoch and Strathspey) will only be available to existing RSL and Council tenants – this is unlike other parts of Scotland. We would suggest that the last 2 sentences are not included. Nonetheless we are interested in working with CNP on this issue.

Summary

Seek the removal of the last 2 sentences in para 5.60, as specific mechanisms mentioned may not be relevant in the future.

CNPA analysis

The comment is noted. In the review of the approach to affordable housing the mechanisms for delivery will be reviewed and the wording amended accordingly.

Policy Policy 24 **Name** Glenmore Properties Ltd **Company** Glenmore Properties Ltd **Objector Ref** 453j
Agent Steve Crawford

Representation

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

to fund such development, RSLs will not be able to build this many affordable houses and developers will not accept such onerous requirements. The Plan's own figures do not back up this requirement. On page 42 it states a housing 'need' of 132 units per annum yet this is not taken into account in table 3. Had it been the housing requirement would have been significantly higher. It is also useful to note that housing need assessment is a very contentious issue (Aberdeen City Local Plan Inquiry recently reported, reducing affordable housing requirements from 25% to 10% based on major errors and over-estimates in the housing needs assessment). There is no reason to assume that the National Park should not adhere to national planning policy that suggests 25% as a notional figure. Allocating land specifically for affordable and key worker housing should be considered a viable alternative to meet any shortfall.

Modifications:

Alter policy wording to be less onerous and consider allocating land specifically for affordable housing.

Summary

The policy is unworkable, onerous and will discourage development in the Park. Communities Scotland will not be able to fund such development, RSLs will not be able to build this many affordable houses and developers will not accept such onerous requirements. The plan's own figures do not back up this requirement (Para 5.31 states a housing 'need' of 132 units per annum yet this is not taken into account in table 3. Had it been the housing requirement would have been significantly higher.) There is no evidence to suggest the Park should not adhere to the national policy guidance of 25%. Perhaps allocating land for affordable and key worker housing should be considered to meet any shortfall.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Simon Blackett

Company

Invercauld Estate

Objector Ref

442d

Representation

We question the proposal for 50% of development to be affordable, even when public subsidy is available. We welcome the options for affordable housing (para 5.49). However the expected quality of development cannot be provided by developers if they are expected to provide greater than 30% affordable. There needs to be an element of flexibility within each development.

Summary

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

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will

deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (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 Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471o

Representation

Statement on how the Park intends to use common housing register and waiting lists.

This has been discussed through one of the Park's newly formed delivery groups: "Making housing more affordable & sustainable". For the purposes of the response our comment would be:

- 1.The Highland Council operates its waiting list in accordance with the Housing (Scotland) Act 2001, as do the RSLs, and operates the a Highland-wide policy; it does not exist solely to reflect the CNP aims.
- 2.The agreed Highland Common Housing Register allocation policy awards additional points to applicants if they have a need to reside in the community. This reflects communities concerns to ensure that social rented housing is provided to 'local' people.
- 3.The waiting lists in Highland cannot be used at present to directly nominate potential house buyers. We would be very happy nonetheless to work the CNP to look at ways to improve nomination processes for house buyers – and hope to be doing this through the above Delivery Group. A number of RSLs operate processes to make sure that appropriate households in need of affordable housing are 'allocated' LCHO properties such as Homestake.

We feel that there may be scope for the CNP to work with them. Whilst the CNP would not be able to 'gain access' to the data on the council's waiting list or the Common Housing Register, there could be potential for the Council/RSLs to carry out mailshots/PR on behalf of the CNP for any housing developments that would be of interest to waiting list applicants.

Summary

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

- 1.The Highland Council operates its waiting list in accordance with the Housing (Scotland) Act 2001, as do the RSLs, and operates the a Highland-wide policy; it does not exist solely to reflect the CNP aims.
- 2.The agreed Highland Common Housing Register allocation policy awards additional points to applicants if they have a need to reside in the community. This reflects communities concerns to ensure that social rented housing is provided to 'local' people.
- 3.The waiting lists in Highland cannot be used at present to directly nominate potential house buyers. We would be very happy nonetheless to work the CNP to look at ways to improve nomination processes for house buyers – and hope to be doing this through the above Delivery Group. A number of RSLs operate processes to make sure that appropriate households in need of affordable housing are 'allocated' LCHO properties such as Homestake.

We feel that there may be scope for the CNP to work with them. Whilst the CNP would not be able to 'gain access' to the data on the council's waiting list or the Common Housing Register, there could be potential for the Council/RSLs to carry out mailshots/PR on behalf

of the CNP for any housing developments that would be of interest to waiting list applicants.

CNPA analysis

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 Policy 24	Name Jamie Williamson	Company	Alvie and Dalraddy Estate	Objector Ref	439s
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Representation

There will be situations where there is not sufficient local demand for affordable houses.

Any house built that is occupied by an existing resident helps relieve the problem of local demand exceeding the available supply. A house occupied as a second home or by an incomer employed elsewhere does not relieve this problem. Tax on single house developments (5.59) is not the solution as it does not address the problem.

The most affordable houses are those built for rent. Traditionally Estates and the largest employers provided accommodation for their staff, either in the form of tied accommodation or on short assured tenancies. Some employers also provide housing for retired staff. In Scotland's rural areas 53% of rented accommodation is provided by the private sector, almost entirely without government assistance (As reported by Andrew Bradford in a seminar organised by CNPA – source possibly 2002 Scottish House Condition Survey). If encouraged with incentives rather than disincentives, the private sector would increase the units of rented accommodation provided to meet the current shortfall. In many cases private sector businesses both own land suitable for housing and already provide rented accommodation, they are therefore likely to be able to both build and rent accommodation more cost effectively at less cost to the government than a government financed Housing Association. Providing houses for rent can be a valuable means of diversification for many rural land holdings.

If the Cairngorms National Park Authority and/or the National government were to encourage rather than discourage the private sector to build and provide houses for rent the Park would not need to attract large a large amount of additional public funding to build the number of houses required. (5.35).

Since 1946 the increase in employment by government plus social housing for those least able to pay market rents has been provided by local authority housing. The current increase in demand over supply of affordable homes in our rural areas nationally is largely the result of the decline in the building of homes by the Local Authorities (Council houses) compounded by the selling off of Local Authority homes, See figure 23. It is important that the affect of government policies in expanding government employment whilst at the same time reducing the number of local authority homes for rent is not compounded by discouraging the private sector to provide accommodation for their own staff and/or filling the vacuum in rented accommodation created by the government's withdrawal from the supply of rented homes.

Households should not require to be registered and approved by a Local Authority or Housing association housing list to be eligible to be a tenant of a private sector landlord. (page 48).

What the National Park requires is a range of accommodation that will meet the needs of businesses including accommodation for visitors and those willing to invest in our rural economy. A recent study concluded that "social housing" only really delivered on affordability (Nick Fletcher, July 2007, CIH in Scotland Position Paper 'The future of the social housing sector in Scotland in delivering successful, mixed communities' page 3). If local businesses were encouraged to provide accommodation to meet the needs of their staff, or failing that to link with other businesses that could provide this accommodation for rent, a significant proportion of the demand for affordable" housing would be satisfied.

The insistence of social rented housing being provided by Registered Social Landlords (5.49) is an unnecessary restriction further discouraging the private sector to fill the vacuum created by government in rented accommodation. What is required is encouragement to the private sector by freeing up the market to rent not further restrictions, regulations and taxes.

Developers add the loss they make on providing affordable houses below the cost of supply to the price of houses sold on the open market. This proposed policy will create a gap in the price range of houses between those sold on the open market and those built as 'affordable' homes.

The perceived lack of affordable accommodation is a problem we face now, not in 20 or even 50 years time. Insisting on houses being built to be rented in perpetuity (5.49) is another disincentive for the private sector to build to rent. If this disincentive is compounded by insisting on a "below market" rent in perpetuity, it is unlikely that the private sector will provide the "affordable" accommodation to fill the vacuum created by the decline in Local Authority accommodation to rent. Building houses to rent should be encouraged not discouraged. If the investor in the home to be built cannot perceive a reasonable return on their investment, homes will be built as cheaply as possible. If the "below market" rent does not cover the investors costs and provide a net return, further homes for rent will not be built.

If adjacent local authorities require 25% of a development to be 'affordable' houses and the Cairngorms National Park Authority 50%, this may persuade developers to develop just outside the Park. Houses may not be built where they are most required.

It should be remembered that transfer of ownership normally occurs approximately every 20 to 30 years. As rented accommodation does not enjoy business relief, rented accommodation on transfer is liable for Inheritance Tax at up to 40% of the value of the asset. If transferred in life the Capital Gains Tax could be as much as 40% of the asset value. In addition the impact of VAT, Stamp Duty and Rates must also be taken into account when assessing the return to the investor in rented accommodation.

We recommend that the Cairngorms National Park Authority carefully assesses the likely net return to the private sector investor of building houses to rent and ensures that any package provides a reasonable net return net of tax to the investor. We also recommend that the Park Authority compares the true cost to the government of encouraging the private sector to build and manage houses to rent in our rural areas with the cost of housing associations carrying out this task. When the full extent of income from rates and taxes are

taken into account over the longer term we believe that the government would still be better off financially even if they subsidised the building of private sector houses for rent with a 100% grant.

We suggest that affordable housing" should be considered as houses subject to a section 75 agreement over a period of between 20 and 50 years that restricts occupancy to rented accommodation for residents, dependents of residents, households with full time employment in the area or households investing in the economy of the area. We are concerned that restricting rents rather than restricting demand may result in less houses being built to rent. The Park Authority should not be determining the level of private sector rents unless they have contributed financially to the building or management of the property.

We suggest that as an alternative to a section 75 Agreement the Park Authority should consider a loan to the developer secured on the property being developed. The loan would have to be repaid with interest plus a penalty if the property is taken off rent and/or sold on the open market within say 20 years. We are concerned that if the property is tied into renting in perpetuity (5.49) it will lower t[.e value of the investment when sold or transferred. To make the investment worthwhile either the initial grant aid or the rent charged will have to be higher.

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

Modifications proposed -

Proposals for housing developments of two or more units (delete will) may be required to incorporate a proportion of the total number of units as affordable housing. This housing (delete will) may include tied or rented accommodation, social rented housing provided through Communities Scotland grants as well as low cost home ownership and/or rent options provided through public subsidy or by the developer.

Where public subsidy is (delete available) used to help fund affordable housing, the overall affordable contribution of the development will be (delete expected to be) assessed according to local demand for subsidised accommodation. (delete 50%, with any shortfall between the public subsidised element and 50% target made up by developers)

Where no public subsidy is available, the developer (delete will) may be required to provide (delete all of the affordable housing on a site to a target of 30%) a proportion of the accommodation as rented accommodation. This proportion to be assessed according to estimated local demand.

Proposals for single open market houses (delete will) may also be required to make a contribution towards affordable housing in the Cairngorms National Park area. (delete This will be a cash payment towards the development of affordable housing in the local area)

Summary

Taxing the provision of single houses does not help address the problem. There should be a greater emphasis on the buildings of houses to rent. There will be situations where there is not sufficient local demand for affordable houses, and this is also seen as a traditional form of housing provision in the area.

If this form of housing was supported there would be less reliance on public funding. Households should not require to be registered and approved by a Local Authority or Housing association housing list to be eligible to be a tenant of a private sector landlord. (page 48).

The insistence of social rented housing being provided by Registered Social Landlords (5.49) is an unnecessary restriction further discouraging the private sector to fill the vacuum created by government in rented accommodation.

The cost of providing affordable housing is off set against the cost of open market housing, and the approach proposed in this policy will create a gap in the price range of houses between 'affordable' and 'open market'. Insisting on houses being built to be rented in perpetuity (5.49) is another disincentive for the private sector to build to rent. If this disincentive is compounded by insisting on a "below market" rent in perpetuity, it is unlikely that the private sector will provide the "affordable" accommodation. The impact of the current taxation system is a further disincentive.

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

The policy must carefully consider the true economics of housing development, particularly in the rented sector. A change in the definition of an 'affordable' house should be made to one subject to a section 75 agreement over a period of between 20 and 50 years that restricts occupancy to rented accommodation for residents, dependents of residents, households with full time employment in the area or households investing in the economy of the area.

As an alternative to a section 75 Agreement the Park Authority should consider a loan to the developer secured on the property being developed. The loan would have to be repaid with interest plus a penalty if the property is taken off rent and/or sold on the open market within say 20 years. We are concerned that if the property is tied into renting in perpetuity (5.49) it will lower the value of the investment when sold or transferred. To make the investment worthwhile either the initial grant aid or the rent charged will have to be higher.

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

Amended wording –

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

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

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

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

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

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

In para 4 delete final sentence.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the

needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name Housing and Property Services	Company The Highland Council	Objector Ref 4711
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Representation

5.55 - welcome this – perhaps needs to be broader e.g. community needs assessment rather than survey which is only one methodology (and a range being piloted by the CNP at the moment).

Summary

Welcome reference to community needs surveys, but suggest a broader community needs assessment may be more appropriate.

CNPA analysis

CNPA is considering different approaches and methods of assessing community need not just in housing but also for other services. This work will continue and feed into the local plan process.

Policy Policy 24	Name David Horsfall	Company Homes for Scotland	Objector Ref 391b
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Representation

We object to the following policy wording:

‘Where public subsidy is available to help fund affordable housing the overall affordable contribution of the development will be expected to be 50%, with any shortfall between the public subsidy element and the 50% target made up by the developer.’

We object to the 50% affordable housing requirement on the basis that it will result in landowners refusing to sell their land as a result of unreasonably low site values. PAN 74 paragraph 34 states that a percentage figure should create a climate of certainty and suggests a benchmark figure of 25% of the total number of units.

A high affordable housing requirements will reduce the ability of the private sector to subsidise affordable housing sites. The requirements for 50% affordable housing would result in less spare funding available for common infrastructure costs and build costs. High affordable housing will affect land value and land acquisition will become more difficult. Furthermore, the affordable housing requirement must be realistic and the subsidised affordable housing should be fully justified with evidence of available public sector funding.

Changes that will resolve this objection –

The policy wording should delete reference to a 50% affordable housing requirement and replace with a 25% requirement to accord with the benchmark set out in PAN 74 paragraph 34.

The percentage requirement must be revised until an up to date housing needs assessment is produced with accurate information from all of the four Local Authorities

Summary

Object to the requirement for affordable housing where there is public subsidy available, with an expectation that the developer provide 50% of the costs. High affordable housing will affect land value and land acquisition will become more difficult. In line with PAN 74 the requirement should be 25% to encourage a climate of certainty.

A high requirement for affordable houses will reduce the ability of the private sector to subsidise affordable housing sites. Set at 50% there would be less spare funding available for common infrastructure costs and build costs. The % affordable units must be realistic and the subsidised affordable housing should be fully justified with evidence of available public sector funding.

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

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Gordon Pyper

Company

Angus Council

Objector Ref

468a

Representation

Housing is a major policy issue for all local plans and the Cairngorm National Park Deposit Local Plan is no different. Policies on conversion of (vernacular) buildings, replacement houses and house extensions and alterations are generally compatible with existing policies of the adopted Angus Local Plan. However in the case of affordable housing, although the Angus Local Plan contained Policy H6 Affordable Housing, this was a fairly broad based policy. Policy 24 — Contributions to Affordable Housing set out in the Cairngorms Deposit Local Plan is a more demanding policy with a threshold of provision on developments of 2 or more houses, Target provision varies between 30% or 50% depending on whether public subsidy is involved. Proposals for single houses on the open market are also required to make a contribution towards affordable housing via a cash payment towards the development of affordable housing in the local area, which is defined as the relevant secondary school catchment. It is however unclear from the policy wording and supporting

text of Policy 24 whether the thresholds and guidance applies only to proposals within settlements or whether it also applies proposals for conversion of traditional and vernacular buildings under Policy 27 — Conversions of existing Traditional and Vernacular Buildings. This is a matter that the Head of Planning & Transport is taking up with the National Park Authority.

This policy is intended to ensure delivery of a wide range of housing options to a wide range of households in the Park. The Deposit Local Plan indicates that the policy will be used by planning authorities to ensure that many house units built in the CNP will be for households in housing need who live and work in the park and areas close to its boundary. The Deposit Local Plan sets out information on implementation and monitoring of the policy. Although the principle of the policy recognises the small scale developments that can take place in rural areas and the need for a range of solutions it might be helpful to have a more detailed Affordable Housing protocol that can be used by the constituent planning authorities and developers. Such a protocol was recently developed in connection with the Angus Local Plan Review to assist understanding and implementation of the affordable housing policy. (Report 486/07 — 'Implementation Guide for Angus Council's affordable Housing Policy'; Infrastructure Services Committee, 14 June 2007 refers). Given the geographic area of the park within Angus it is unlikely that there will be numerous planning applications of the type however affordable housing applications give rise to additional work for Angus Council's Housing and Development Management staff and better implementation guidance associated with the Cairngorms Park policy would be helpful. Again this a matter that the Head of Planning & Transport is taking up separately with the Cairngorms National Park Authority.

Summary

The approach taken is generally compatible with the existing Angus Local Plan approach. However the policy for affordable houses is more demanding, but the wording is unclear if it applies to all development or just development in settlements, and if it applies to conversions. It might be helpful to have a more detailed Affordable Housing protocol that can be used by the constituent planning authorities and developers.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN). 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 Policy 24

Name John Anderson

Company

Kincraig & Vicinity Community Council

Objector Ref

463r

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Makes reference to 'Proposals for housing developments of two or more units being required to incorporate a proportion of the total number of units as affordable housing' to include 'social rented housing through Communities Scotland grants as well as low cost home ownership and/or rented options provided through public subsidy or a developer'. Note that the present level of development to include affordable housing is 10 or more units — suggest that 'four or more units' would be a more acceptable start point — see next comment. Note also that 'Where no public subsidy is available, the developer will be required to provide all of the affordable housing on a site to a target of 30%' and that 'Proposals for single open market houses will also be required to make a (cash) contribution towards affordable housing in the CNP area'. No reference is made to the level of contribution required.

Summary

Generally support Alvie estate view on this policy. Suggest using 4 or more units as starting point for this policy, and not 2 or more. Questions what the required level of contribution will be for single open market houses.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24	Name Reidhaven Estate	Company	Reidhaven Estate	Objector Ref	456g
	Agent Jill Paterson				

Representation

Reidhaven Estate support the principle of a policy on affordable housing and its background however consider this policy to be unworkable and onerous.

The threshold of only two houses seems excessive, impacting on the viability of schemes and effectively discouraging against new development in Park, thus reducing the number of units overall coming forward.

In operational terms it would be difficult to see how this policy might operate. RSLs may find it difficult to manage very small numbers of units in various locations and may not be able to build this number of homes. In addition Communities Scotland are unlikely to fund such development.

The 50% requirement is considered too high and is contrary to national guidance in PAN 74 without any sufficient justification. The Plan's own figures do not back up this requirement. On page 42 it states a housing need of 132 units per annum yet this is not taken into account in table 3. Had it been the housing requirement would have been significantly higher. It is also useful to note that housing need assessment is a very contentious issue (Aberdeen City Local Plan Inquiry recently reported, reducing affordable housing requirements from 25% to 10% based on major errors and over-estimates in the housing needs assessment). There is no reason to assume that the National Park should not adhere to national planning policy that suggests 25%.

The requirement for single open market houses to make a contribution towards affordable housing is also considered to be unduly onerous and will likely discourage development. It should include an exception (e.g. for housing in remote areas) for where there is no household in need in the immediate area.

Paragraph 5.59 refers to 'equivalent unit' however this is not defined in the plan. It is important for this to be defined in order to provide greater clarity for developers.

Modifications: The policy should be reworded to provide a more flexible approach to affordable housing.

Summary

The requirements of the policy are onerous and unworkable, and will impact on the viability of schemes discouraging new development and reducing the overall number of houses provided. The RSLs may find it difficult to manage small numbers of units in various locations and may not be able to build the numbers required. Is the communities Scotland funding available to support this level of development.

The % is contrary to PAN 74 and no justification is given for this. Page 42 states a housing need of 132 units per annum yet this is not taken into account in table 3. Had it been the housing requirement would have been significantly higher. The requirement for single open market houses to make a contribution towards affordable housing is also considered to be unduly onerous and will likely discourage development. It should include an exception for where there is no household in need in the immediate area. Para 5.59 refers to 'equivalent unit' however this is not defined in the plan and this is needed to give appropriate level of clarity.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24

Name Housing and Property Services

Company The Highland Council

Objector Ref 471k

Representation

5.54 - Please add social rented (e.g. via transfer to an RSL) to affordable rented as the policy distinguishes between them in the earlier definition.

We would be grateful for a discussion on what last sentence means e.g. what implications?.

Summary

Seek the addition of social rented (Eg via transfer to an RSL) to affordable rented as the policy distinguishes between them in the earlier definition.

Seek clarification as to what the implications are in the last sentence.

CNPA analysis

The comment is noted, and the reference to social rented will be added to the revised. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken drawn up in consultation with the key partners.

Policy Policy 24

Name Rothiemurchus Estate **Company**
Agent Howard Brindley Consulting

Rothiemurchus Estate

Objector Ref

446b

Representation

The Estate welcomes the inclusion of the proposed new community at An Camas Mor in the Deposit Local Plan. The process began with a proposal by Aviemore and vicinity Community Council during the 1988 Local Plan consultation. It has included the 1994 Public Local Inquiry into the Draft Badenoch and Strathspey Local Plan, inclusion in the adopted Local Plan in 1997 and the Highland Structure Plan in 2001. Since the adoption of these two documents the Estate has been working towards the realisation of the new community. The Cambusmore Action Group led by the Estate and Highland Council explored options and set out objectives and guiding principles for the new community. A Vision and an Indicative Land Use Plan for this proposed new community has been prepared by the Estate's team following considerable consultation with key stakeholders in the public agencies and the local Aviemore and area community.

The proposal is for An Camas Mor to be a balanced community with a full range of home types and occupation, including a proportion of the homes in the affordable category.

The Indicative Land use Plan demonstrates the capacity of the site to accommodate 1500 units and accompanying tables illustrate how this can provide a substantial element of affordable housing at An Camas Mor to meet the social and economic needs of the Aviemore area.

Consequently the proposed community design allows for high density smaller house units as part of the balanced provision. It is expected that 80% of the houses will be between one and three bedrooms, and that a proportion of these will be for rent by social landlords or available for low cost ownership.

Policy 24 states that the overall affordable contribution of development will be expected to be 50% where public subsidy is available. This implies that 50% of the one to three bedroom housing units proposed in the An Camas Mor Indicative Land Use Plan will be in the affordable category. This would make it more difficult to accommodate residents from the middle income groups who make up the largest constituent of a thriving economy. In our view, as currently drafted, this would not be compatible with the overall vision of a balanced community. In addition there is currently a need to achieve a housing ladder so that as the needs and circumstances of families change they can move out of subsidised housing. This also allows for a move to a larger house or to downsize. The proposed policy reduces the range of housing and therefore options and choice. It could also reverse recent progress in Aviemore which is building a more balanced and cohesive community and moving away from the previous clear division between large privately built

houses and ex local authority stock.

Provision of a blanket 50% affordable housing is a considerable additional burden on the developer and risks diminishing the ability to invest in the higher design and environmental expectations that are contained in the Vision for An Camas Mor and which are appropriate to a new community in the National park.

Therefore Policy 24 is too prescriptive as a policy to be applied to An Camas Mor as a whole. PAN 74, which is the basis for national policy on affordable housing, states (para 34) that the benchmark figure is that each site should contribute 25% to the total number of affordable units, and (para 35) that a higher percentage may be sought on a specific site, but only in exceptional circumstances. We accept that at times there may be an exceptional circumstance within a phase in which a site may be appropriate for an innovative form of affordable housing. Such a decision is best left to agreements between developers, householders and the Authority. It is inappropriate as a blanket policy for a whole community.

Modifications:

Policy 24 should be re-worded to indicate that the national policy benchmark for affordable housing should be applied generally to major new housing developments.

Summary

The Estate is working on the development of an indicative land use plan, and within this is demonstrating how to make a contribution to the needs for affordable housing in the area. The proposed community design allows for high density smaller house units as part of the balanced provision. It is expected that 80% of the houses will be between one and three bedrooms, and that a proportion of these will be for rent by social landlords or available for low cost ownership.

Policy 24 requirement for 50% affordable houses would, within the proposed An Camas Mor Indicative Land Use Plan make it more difficult to accommodate residents from the middle income groups who make up the largest constituent of a thriving economy, which would not be compatible with the overall vision of a balanced community. There is also a need to achieve a housing ladder to meet the needs of the whole community. The policy reduces the range of housing and therefore options and choice. It could also reverse recent progress in Aviemore which is building a more balanced and cohesive community and moving away from the previous clear division between large privately built houses and ex local authority stock.

The blanket 50% affordable housing is an additional burden on the developer and may impact on the design and environmental expectations within the Vision for An Camas Mor and which are appropriate to a new community in the National park. The policy is therefore too prescriptive to be applied to An Camas Mor as a whole. PAN 74 gives a benchmark of 25% allowing for a higher percentage on specific sites, but only in exceptional circumstances. The decision on when such exceptional circumstances occur best left to agreements between developers, householders and the Authority. It is inappropriate as a blanket policy for a whole community. The policy should therefore be reworded to indicate the national policy benchmark for affordable housing should be applied generally to major new housing developments.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will

deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 24 **Name** Housing and Property Services **Company** The Highland Council **Objector Ref** 471m

Representation

5.56 - Should there be a broader explanation of when s75 agreement will be needed (as the policy defines affordable housing as 'in perpetuity')?

Summary

Seeks a broader explanation of when s75 agreements will be required.

CNPA analysis

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 24 **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025d

Representation

6. We welcome the intention in Policy 24 - Contributions to Affordable Housing - to ensure the delivery of a wide range of housing options to a wide range of households within the Park. However, we are concerned that the policy will discourage private developers from building in the Park and drive pressure for development to settlements just outside the park boundary.

7. Policy 24, para 5.56 - we feel it is very important to provide more detail in this para so as to fully clarify what is meant with regard to Section 75 Planning Agreements and the implications for managing, monitoring and ability to move on, etc.

8. Policy 24, para 5.57 - we welcome the planned use of existing waiting lists or common housing register as a method prioritising applicants for ownership of property within the National Park. In this connection we suggest amending para 5.57, sentence 2, to read "The Park Authority will continue to work with the relevant organisations operating within the Park to develop their allocations' policies to ensure they are as responsive to the needs of individuals and communities in the Park as possible." (Allocations' policies should also be consistent with homelessness duties of local authorities and registered social landlords). Overall, however, we are unclear how the proposals in relation to allocations will work in the context of a housing ownership market - what would be the criteria for selection, how would the question of regulation be addressed, wouldn't prioritising key workers be potentially discriminatory? There are still a lot of questions to be answered here – for example, key workers (not defined) could be given priority. But the main question is who will make

the decision about what criteria will be used? And if the Park does develop its own waiting list, the policy should be specific about what housing this will be for (presumably not Local Authority or Registered Social Landlord-owned properties). Will planning consent be given on condition that the developer, including Registered Social Landlords and potentially Local Authorities, enter into a nominations' agreement with the Park Authority?

Summary

Other supportive of the idea behind policy 24, there is concern that this discourage private developers building in the Park, driving development pressure to the surrounding areas. In the detail, there needs to be additional information on how Sec 75 agreements would be used and monitored. With the use of waiting lists, the wording should be amended in 5.57 sentence 2 to "The Park Authority will continue to work with the relevant organisations operating within the Park to develop their allocations' policies to ensure they are as responsive to the needs of individuals and communities in the Park as possible." Allocations' policies should also be consistent with homelessness duties of local authorities and registered social landlords. Additional clarity is also needed on how the allocation or residents will work in terms of a housing ownership market in terms of selection, regulation, and local connection. Also additional clarity is needed on who will be responsible for the allocations criteria and who will maintain the waiting lists. There may be a need for some agreement through planning condition regarding developers entering into a nominations agreement - more clarity on this is needed.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (WORK WITH DEVELOPERS, HOUSING ASSOCIATIONS, GOVERNMENT AGENCIES, LOCAL AUTHORITY HOUSING SECTIONS, CNPA ECONOMIC DEVELOPMENT SECTION AND OTHERS TO ENSURE WIDEST AGREEMENT ON APPROACH BEING TAKEN)

Policy Policy 25

Name Glenmore Properties Ltd

Company

Glenmore Properties Ltd

Objector Ref

453k

Agent Steve Crawford

Representation

This policy effectively allows for new housing in small settlements where they are a cohesive group of 15 or more dwellings. Aberdeenshire Council already operates a similar and successful policy that allows such developments in cohesive groups of 5 or more houses (rather than 15) with a 20% increase in the size of the group every 5 years (similar to Policy 26 of the CNPA Local Plan). This effectively supports rural settlements and their services and, as a result, the economic development opportunities in these more rural areas. We believe that this is a good example that should be adopted by the CNPA to support their rural settlements. Good design and criteria for location are required to enable this type of approach to work.

Modifications:

We believe that this policy should be altered to allow for this approach in smaller settlements than 15 units, allow for new housing in settlements that contain significant industrial or employment uses (such as distillery villages) and ensure that development on the outskirts

of such settlements could be considered, but we fully support the principle.

Summary

The wording should be altered to allow for such levels of developments in smaller settlements than 15 dwellings, particularly where there are existing employment and industrial uses e.g. distillery villages. This would support rural settlements and their services and the economic development opportunities in these areas. Good design and criteria for location are required to enable this type of approach to work. The policy should also allow development on the outskirts of such settlements.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (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 Policy 25	Name John Forbes-Leith Esq	Company Dunachton Estate	Objector Ref 418m
	Agent Debbie Mackay		

Representation

This policy is being used by the Park Authority as a "Catch-all" for all but 15 of the settlements within the National Park. The Finalised Plan does not contain allocations for anything other than the 15 largest settlements despite 30 settlements being highlighted and provided with short and longer term allocations in the Consultative Draft Plan. This is a retrograde step as it has created an atmosphere of uncertainty around what will be considered acceptable in the smaller settlements. The policy also suggests that no settlement should increase by more than 20%. This is an extremely restrictive policy.

This policy is also designed to capture all but the largest of settlements. The large settlements have specific allocations but the large numbers of smaller settlements are expected to be captured by this policy. This means that substantial, medium sized settlements will only be allowed to expand by a recommended 20%. In the case of a settlement of 20 houses, this would only allow expansion by the figure of 4 houses. This policy will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. The extremely small growth allowed by this policy would probably prove uneconomic to develop in many instances, given the strict affordable housing requirements (Policy 24) proposed in the Plan, costs of construction in remote areas, and developer contributions required by Policy 19 in the Plan.

The lack of allocations in the small to medium sized settlements is a significant change from the Consultative Draft Plan. A large number (30) small/medium sized settlements were specifically identified and given allocations in the Consultative Draft. The Finalised Draft only identifies 15 settlements.

A significant number of allocations were also given to each settlement both for the short and longer term development. This provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for

the planned and appropriate growth of these settlements. Instead their growth will be restricted and will happen in a more piecemeal fashion as the Planning Authority responds to individual planning applications.

While the scope to extend smaller rural settlements is welcomed, the threshold of 15 houses is unnecessarily high. There will be a number of situations where small housing clusters (4 plus houses) could assist in providing a small number of additional plots which would contribute to the sustainability of local services and provide much needed housing in the Park area. There is support for such an approach in Scottish Planning Policy 15 Rural Development which promotes policy in favour of small housing clusters.

Modifications to resolve this objection -

There should be specific allocations for medium sized settlements.

Growth of over 20% should be allowed in these settlements.

The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

Summary

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis

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

Policy Policy 25	Name Maurice Stack	Company	Aberdeenshire Council	Objector Ref	473s
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Representation

Policy 25 welcomed. Does not mention affordable housing. Does this mean if it is 2 or more units, Policy 24 applies anyway?

No mention of links to public transport network, or accessibility by foot or bicycle (See comment on Policy 26).

Defined as cohesive groups of 15 or more houses, gives Dinnet as an example. Why doesn't the plan identify these all specifically, there can't be many throughout the Park area and it would save argument over the status of settlements.

Summary

Welcome Policy 25. Not clear if this means affordable housing. Also suggest mentioning links to public transport network, or accessibility by foot or bicycle. Questions why if CNPA define cohesive groups as being 15 or more houses, why does the plan not identify them specifically to help save arguments over the status of settlements.

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. (WORK WITH COMMUNITY COUNCILS AND NATURAL HERITAGE GROUP)

Policy Policy 25	Name Jenny Smith	Company	Objector Ref	417b
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Representation

Policy 25 – existing rural settlement of Corgarff being scattered does not have a cohesive group of 15 or more settlements, yet there has been planning permission in the past for more housing. An option should remain open.

Changes being sought - That more housing could be built mirroring the scattered nature of the community with own septic tanks, water supply etc if requested. I am requesting greater flexibility for the future / options.

Summary

There should be greater flexibility on what development is permitted outwith settlements to meet local need.

CNPA analysis

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the

specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. (WORK WITH COMMUNITY COUNCILS AND NATURAL HERITAGE GROUP)

Policy Policy 25	Name Mr Michael Bruce Agent Sinead Lynch	Company Glen Tanar Estate	Objector Ref 403j
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Representation

Small rural settlements are defined as a cohesive group of fifteen or more dwellings and that are clearly connected through their built form, settlement pattern or landscape features. It is our submission that Glen Tanar is such a small rural settlement, and should be identified as such in the Deposit Local Plan.

Summary

Glen Tanar should be designated as a small rural settlement in line with the definition of such a group of dwellings in a cohesive group.

CNPA analysis

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

Policy Policy 25	Name Dr A M Jones	Company Badenoch & Strathspey Conservation Group	Objector Ref 400g(g)
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Representation

Object to "will be permitted" on grounds that this policy appears to bypass the planning process.

Object to justification for policy on grounds of supporting the Park Plan's objectives for Landscape. We know of no recent housing developments that have enhanced the landscape.

5.60 - Object to inclusion of reference to Homestake 'off the shelf' grant pilot scheme, on grounds that this is coming into force long before the finalised LP is up and running, and that inclusion of a specific scheme such as this is inappropriate within a DLP.

5.62 - Whereas the statement "development that would lead to growth of the settlement by more than 20 per cent is unlikely to enhance the character of the settlement" is reasonable, we note with concern that proposals in the DLP contradict it. We object to all these allocations that would lead to growth of a settlement by over 10%.

Summary

The tone of wording implies bypassing of the planning process. Also the justification does not support the Park Plans objectives as listed.

Para 5.60 – Homestake should not be mentioned specifically as it is already up and running long before the adoption of the Plan .

Para 5.62 – Statements throughout the plan contradict this para. The text should comply with this throughout the plan.

CNPA analysis

The comment regarding the tone of the wording is noted and the wording will be reviewed to ensure the correct level of guidance and clarity is included. The further comments regarding the implementation of housing policies is also noted. Further amendments are needed to provide clarity in wording and ensure the policies do deliver their original intentions.

Policy Policy 25	Name The Crown Estate Agent Debbie Mackay	Company The Crown Estate	Objector Ref 419m
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Representation

This policy is being used by the Park Authority as a “Catch-all” for all but 15 of the settlements within the National Park. The Finalised Plan does not contain allocations for anything other than the 15 largest settlements despite 30 settlements being highlighted and provided with short and longer term allocations in the Consultative Draft Plan. This is a retrograde step as it has created an atmosphere of uncertainty around what will be considered acceptable in the smaller settlements. The policy also suggests that no settlement should increase by more than 20%. This is an extremely restrictive policy.

This policy is also designed to capture all but the largest of settlements. The large settlements have specific allocations but the large numbers of smaller settlements are expected to be captured by this policy. This means that substantial, medium sized settlements will only be allowed to expand by a recommended 20%. In the case of a settlement of 20 houses, this would only allow expansion by the figure of 4 houses. This policy will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. The extremely small growth allowed by this policy would probably prove uneconomic to develop in many instances, given the strict affordable housing requirements (Policy 24) proposed in the Plan, costs of construction in remote areas, and developer contributions required by Policy 19 in the Plan.

The lack of allocations in the small to medium sized settlements is a significant change from the Consultative Draft Plan. A large number (30) small/medium sized settlements were specifically identified and given allocations in the Consultative Draft. The Finalised Draft only identifies 15 settlements.

A significant number of allocations were also given to each settlement both for the short and longer term development. This provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and will happen in a more piecemeal fashion as the Planning Authority responds to individual planning applications.

While the scope to extend smaller rural settlements is welcomed, the threshold of 15 houses is unnecessarily high. There will be a number

of situations where small housing clusters (4 plus houses) could assist in providing a small number of additional plots which would contribute to the sustainability of local services and provide much needed housing in the Park area. There is support for such an approach in Scottish Planning Policy 15 Rural Development which promotes policy in favour of small housing clusters.

Modifications to resolve this objection -

There should be specific allocations for medium sized settlements.

Growth of over 20% should be allowed in these settlements.

The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

Summary

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis

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

Policy Policy 25

Name Gordon Pyper **Company** Angus Council

Objector Ref

468b

Representation

In terms of more general housing policy in the Park area, Policy 25 sets out guidance for 'Housing Developments in Small Rural Settlements'. These are defined as being a cohesive group of 15 or more dwellings. Development will be permitted where the proposal reinforces and enhances the character of the settlement. There are no such settlements coming with the above definition, within the Angus part of the National Park; Clova village the largest community in the area falls below that threshold. It should be noted that the existing development boundary for Clova, established by the Angus Local Plan, will also be removed.

Summary

The definition used of groups of 15 would mean there are no such settlements within the Angus Glens. The plan does however remove the previous development boundary for Clova.

CNPA analysis

The comment is noted. No modification proposed as a result of this representation.

Policy Policy 25

Name Frank Bardgett **Company** Boat of Garten Community Council

Objector Ref

092a

Representation

The Boat of Garten Community Council accepts the premise of Policy 25 that "development as a part of existing small rural settlements where there is a cohesive group of 15 or more dwellings will be permitted where the proposal reinforces and enhances the character of the settlement".

This formulation and its associated text differs significantly from Policy 26 both by not including the limit of not more than 20% of existing size within the Policy itself, and in abandoning the permitted list of reasons for building included in Policy 26. Clarity is important in the planning process.

We consider that the small rural settlements of Drumuillie and Street of Kincardine both fall within Policy 25 as currently drafted. The Local Plan should therefore specifically mention these settlements as potentially falling within Policy 25.

We therefore object to the Background text associated with Policy 25.

Further it should be made clearer under which other Policies that proposed developments in small rural settlements that cannot be assessed under Policy 25 (i.e. the proposed development does not integrate with the existing built form, settlement pattern or landscape features and thus does not reinforce or enhance the character of the settlement), will be assessed.

What changes are you seeking in modifications to resolve this objection -

At the least, revise paragraph 5.62 to read:..."They include settlements such as Dinnet, Laggan Bridge, Gergask, Drumuillie and Street of Kincardine.".

Our reading of the Deposit Local Plan suggests that any proposed housing developments in small rural communities falling outside Policy

25 would be assessed under Policy 26 (Housing proposals outwith Settlements), unless the intention is to convert (Policy 27), replace (Policy 28) or extend (Policy 29) a single existing building. But perhaps Policy 23 (Sustainable balance of House Sizes) and Policy 24 (Contribution to Affordable Housing) would also apply?

Greater clarity of the CNPA's intention in paragraph 5.63 could be achieved by specifying which default policies would apply rather than the existing negative form of the sentence.

Summary

Additional clarity is required to explain the different housing options proposed by policy 25 and 26 in regard to the scale appropriate to the setting. Specific mention should be included of the settlements to which policy 25 refers. Additional information should also be given on how the policies link together, for example the impact on the landscape. Paragraph 5.62 should therefore read "They include settlements such as Dinnet, Laggan Bridge, Gergask, Drumuillie and Street of Kincardine."

CNPA analysis

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

Policy Policy 25	Name The Crown Estate	Company The Crown Estate	Objector Ref	419s
	Agent Debbie Mackay			

Representation

The Finalised Plan does not contain allocations for anything other than the 15 largest settlements despite 30 settlements being highlighted and provided with short and longer term allocations in the Consultative Draft Plan. This is a retrograde step as it has created an atmosphere of uncertainty around what will be considered acceptable in the smaller settlements.

Instead all other settlements are expected to be encompassed within the "catch-all" policy of Policy 25 – Housing Development in Small Rural Settlements. This policy is not an appropriate way to plan for the future development of the settlements in the Park. The policy also suggests that no settlement should increase by more than 20%. This is an extremely restrictive policy.

This means that substantial, medium sized settlements will only be allowed to expand by a recommended 20%. In the case of a settlement of 20 houses, this would only allow expansion by the figure of 4 houses. This policy will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. The extremely small growth allowed by this policy would probably prove uneconomic to develop in many instances, given the strict affordable housing requirements (Policy 24) proposed in the Plan, costs of construction in remote areas, and developer contributions required by Policy 19 in the Plan.

In the Consultative Draft Plan a significant number of allocations were also given to each settlement both for the short and longer term development. This provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for a planned and appropriate growth of these settlements. Instead their growth will be restricted and will happen in a more piecemeal fashion as the Planning Authority responds to individual planning applications.

Modifications to resolve this objection -

There should be specific allocations for medium sized settlements.

Growth of over 20% should be allowed in these settlements.

Summary

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters.

The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis

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

Policy Policy 25

Name Jamie Williamson **Company**

Alvie and Dalraddy Estate

Objector Ref

439t

Representation

This is too prescriptive, what justifies the figure of 15 dwellings? There are many isolated communities within the Park that would benefit from more residents. Retiring staff in rural communities may wish to remain within the community requiring additional housing for replacement staff.

Proposed Modification –

Proposals for new housing development as a part of existing small rural settlements (delete where there is a cohesive group of 15 or more dwellings) will be permitted where the proposal reinforces and enhances the character of the settlement

Summary

Wording is too prescriptive and the figure '15' is not justified. The policy does not support rural communities that would benefit from more residents.

Amended wording – Delete 'where there is a cohesive group of 15 or more dwellings'

CNPA analysis

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

Policy Policy 25

Name Susan Davies **Company**

Scottish Natural Heritage

Objector Ref

465p

Representation

Housing development in small rural settlements. We note that this policy effectively replaces settlement maps for many of the smaller settlements included in the Consultative draft Local Plan. In the light of the important role for this policy, we recommend adding a statement that proposals for new housing development should not detract from the settlement's landscape setting. This might be phrased "development...will only be permitted where..." to reinforce the importance of appropriate development under this policy. We also recommend considering re-instating settlement maps for the smaller communities within National Scenic Areas (e.g. Coylumbridge and Inverey), given the greater landscape sensitivities in such locations.

Summary

Note this policy replaces settlement maps for many of the smaller settlements. Recommend adding a statement that proposals for new housing development should not detract from the settlement's landscape setting. Recommend reinstating settlement maps for the smaller communities within the NSAs, eg Coylumbridge and Inverey, due to the greater landscape sensitivities in these locations.

CNPA analysis

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

Policy Policy 25

Name John Anderson

Company Kincaig & Vicinity Community Council

Objector Ref 463s

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: The phrase 'social and economic importance to the community' is much used in the Deposit Local Plan. The planning function should take account of this aspect of development to distinguish between 'affordable housing' and 'open market housing', making planning conditions for the former easier than for the latter so that we work to a presumption that first priority will be given to affordable housing for local people. We suggest that any reference to housing should therefore be prefixed by either 'affordable' — preferably 'affordable to rent' housing given the low wage economy in much of the Park area — or 'open market' as appropriate. Kincaig & Vicinity Community Council response to CNPA Deposit Local Plan — September 2007 Setting an arbitrary bottom limit of '15 or more dwellings' is too restrictive and indeed unnecessary.

Summary

Generally support Alvie estate view on this policy. Suggest the plan should distinguish between 'affordable housing' and 'open market housing', and make planning conditions easier for the former than the latter so that there is a presumption that first priority will be given to affordable housing for local people. Suggest any reference to housing should be prefixed with either 'affordable' (and preferably 'affordable to rent') or 'open market' as appropriate. Arbitrary bottom limit of '15 or more dwellings' is too restrictive and unnecessary.

CNPA analysis

Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (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 Policy 25

Name Little Tolly Properties Ltd

Company

Objector Ref

039

Agent Gordon Gauld architectural services

Representation

Existing settlements in Aberdeenshire consist of hamlets with less than 15 houses and therefore this number should be reduced to take this into consideration.

Changes being sought -

Either reduce the figure from 15 to (5-8) or have a comprehensive list of these types of settlements ie Roughpark, Bellabeg, Waterside etc Drawing GG1138/1 enclosed showing area of ground at Waterside suitable for residential development including some affordable homes.

Summary

The size of the group should be reduced to reflect the traditional size of settlements in Aberdeenshire. (to 5-8). A suggested site at Waterside for affordable housing should be considered.

CNPA analysis

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

Policy Policy 25

Name DW and IM Duncan

Company

Objector Ref

037k

Representation

This is fine but the scale of any new development should be such as to enhance the existing settlements., The conversion of croft land to mini-housing estates (such as has occurred at Balgowan, Laggan recently) should not be permitted. This is not what the crofts fought for in the 19th century!

Summary

New development in rural settlements should only be permitted where it enhances the character of that settlement.

CNPA analysis

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

Policy Policy 25

Name George Alder **Company** Laggan Community Association

Objector Ref 392a

Representation

Laggan seems to be regarded in the Deposit Local Plan as a Small Rural Settlement. It is important that the Plan should make absolutely clear what this means to the interests of local people. (Points a and b above are closely related. Policy 25 specifically mentions settlements at Gergask and Laggan Bridge. Policy 26 refers to proposals outside settlements. Neither of these policies embraces our own picture of "Laggan" as the populated area extending from Creag Dubh and Glentruim in the east to Kinlochlaggan and Garvamore in the west. We see scope for environmentally sensitive development throughout this area.)

Summary

Clarify what is meant by a 'small rural settlement' in terms of what impact this will have on development opportunities.

CNPA analysis

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

Policy Policy 25

Name Rona Main **Company** Scottish Enterprise Grampian
Agent Steve Crawford

Objector Ref 425p

Representation

This policy effectively allows for new housing in small settlements where they are a cohesive group of 15 or more dwellings. Aberdeenshire Council already operates a similar and successful policy that allows such developments in cohesive groups of 5 or more houses with a 20% increase in the size of the group every 5 years (similar to Policy 26 of the CNPA Local Plan). This effectively supports rural settlements and their services and, as a result, the economic development opportunities in these more rural areas. We believe that this is a good example that should be adopted by the CNPA to support their rural settlements. Good design and criteria for location are required to enable this type of approach to work.

Summary

Support this policy.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 25

Name John Forbes-Leith Esq **Company** Dunachton Estate
Agent Debbie Mackay

Objector Ref 418s

Representation

The Finalised Plan does not contain allocations for anything other than the 15 largest settlements despite 30 settlements being highlighted and provided with short and longer term allocations in the Consultative Draft Plan. This is a retrograde step as it has created an atmosphere of uncertainty around what will be considered acceptable in the smaller settlements.

Instead all other settlements are expected to be encompassed within the "catch-all" policy of Policy 25 – Housing Development in Small Rural Settlements. This policy is not an appropriate way to plan for the future development of the settlements in the Park. The policy also suggests that no settlement should increase by more than 20%. This is an extremely restrictive policy.

This means that substantial, medium sized settlements will only be allowed to expand by a recommended 20%. In the case of a settlement of 20 houses, this would only allow expansion by the figure of 4 houses. This policy will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. The extremely small growth allowed by this policy would probably prove uneconomic to develop in many instances, given the strict affordable housing requirements (Policy 24) proposed in the Plan, costs of construction in remote areas, and developer contributions required by Policy 19 in the Plan.

In the Consultative Draft Plan a significant number of allocations were also given to each settlement both for the short and longer term development. This provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for a planned and appropriate growth of these settlements. Instead their growth will be restricted and will happen in a more piecemeal fashion as the Planning Authority responds to individual planning applications.

Modifications to resolve this objection -

There should be specific allocations for medium sized settlements.

Growth of over 20% should be allowed in these settlements.

Summary

The approach to rural settlements is a retrograde step from the Draft Plan and is overly restrictive creating an atmosphere of uncertainty regarding what would be acceptable and how large a settlement could grow, as the wording implies no settlement could grow by more than 20%, regardless of how large the settlement is at present. Where a settlement has 20 houses this would only allow 4 additional houses which will severely limit the scope to provide housing in rural settlements to meet housing need, grow the population, support rural services and support the rural economy. This level of development may prove uneconomic, given the strict affordable housing requirements, , costs of construction in remote areas, and developer contributions required by Policy 19.

The approach also removes sites that were allocated for development in the draft plan which provided a greater degree of certainty to the development community in bringing forward sites and planning for the longer term. It also allowed for the planned and appropriate growth of these settlements. Instead their growth will be restricted and be more piecemeal resulting in the Authority responding to individual planning applications.

The threshold of 15 houses is unnecessarily high. There may be occasions where small housing clusters (4 plus houses) could assist in providing a small number of additional plots to contribute to the sustainability of local services and provide local housing. This is supported by SPP15 Rural Development which promotes policy in favour of small housing clusters. The plan should therefore be amended to provide specific allocations for medium sized settlements where growth of over 20% should be allowed. The threshold for Small Rural Settlements should be reduced to a minimum of 4 houses.

CNPA analysis

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

Policy Policy 25	Name Phil Rowsby	Company	SRPBA	Objector Ref	429f
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Representation

The SRPBA object to this policy as it currently stands and recommend that additional work is carried out on this section. This policy is too prescriptive. Where are there justifications behind the figure of 15 dwellings, many isolated communities could benefit from increased residents. Another point is related to retiring staff who may wish to remain in the area, therefore meaning that additional houses will be needed for replacement staff.

Summary

The policy is too prescriptive and should demonstrate the reasoning behind the figures used. The policy will not support the growth of small communities and does not acknowledge the desire of local people who retire and wish to remain in the area but wish to down size for example.

CNPA analysis

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

Policy Policy 25,26

Name Anne MacNamara, Planning Directorate

Company Scottish Government

Objector Ref 422t

Representation

Policies 25 and 26 may give rise to confusion for those wishing to build new houses outwith defined settlement boundaries. It would be more helpful if the "small rural settlements" were defined on the proposals map and listed in the plan; it would then be clear that Policy 26 applies to anywhere else in the Park. It is also unclear as to the scale of new housing development which will be allowed in these locations. Is it only single houses or are larger developments likely?

Summary

The approach may be confusing for those wishing to build a new house outwith a settlement. The small rural settlements should be defined on the proposals maps. This would clarify if policy 25 or 26 was applicable. The scale of development allowed in rural settlements is also unclear.

CNPA analysis

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

Policy Policy 25,26

Name Colonel F.M.K. Tuck

Company

Objector Ref

011d

Representation

Policies 25 and 26 are incompatible and difficult to separate. Policy 25 is sensible and straightforward except that it is difficult to define "a small settlement of 15 dwellings". For example would 'Strathdon' count or 'Roughpark' or 'Corgarff'. We are surely not alone in being spread out? While Policy 25 then allows building, Policy 26 in contrast is entirely restrictive and would prevent any further building in Corgarff where we badly need more residents of whatever sort. Why does this policy only permit affordable housing for workers? There used to be a rule allowing a 10% increase in housing where there was a group of 5 or more houses and this should be restored. Certainly any development which included a business facility should be permitted.

Summary

How do you define 'a small settlement of 15 dwellings'? (Policy 25) If the settlement eg. Strathdon, does not fall within this definition under Policy 26 the only housing that would be permitted would be affordable housing for workers. There used to be a rule allowing 10% increase in housing where there was a group of 5 or more. This should be restored. Certainly any development which included a business facility should be permitted.

CNPA analysis

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

requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. (WORK WITH COMMUNITY COUNCILS AND NATURAL HERITAGE GROUP)

Policy Policy 26

Name Colin Lawson (Builders) Ltd **Company** Colin Lawson (Builders) Ltd **Objector Ref**

341

Representation

We are a local building firm who employ and train local people within the area. We have recently expanded our business and have moved out to a new site at Achnagonalin Industrial Estate. Our business mainly deals with building individual houses and we have become extremely concerned after reading the Deposit Local Plan, and in particular Policy 26.

Our main objections are as follows:

The Plan seems to be out of touch with Local Businesses and all of the aims that the Cairngorms National Park has set out. The policy seems very restrictive and promotes large scale developments, and in particular with Grantown, the settlement areas have already been bought by larger scale developers, who the majority are based outwith the Cairngorms National Park! Policy 26 certainly does not 'promote sustainable economic, and social development'. The larger scale developers have a significant financial backing that the local builders will be unable to compete with. Such developers have come into our home town with huge financial backing and offered people and land owners ridiculous figures for land and houses that the local people and builders cannot compete with. This only drives up the cost of housing in the area.

We are extremely concerned that there have been no other areas outwith the settlement areas for potential housing! There has been no consideration and understanding for the local builders who's majority of work consists of individual houses!

Modifications needed to resolve this objection – the Deposit Local Plan is fantastic for the large scale developers who have already acquired the majority of the land in the settlement areas but for the local builders who employ a large amount of local people, this Plan in its current form offers a very bleak future for us all!

We would offer the Cairngorms National Park Authority to meet with ourselves and the other Local Builders to discuss the Local Plan and the future of the Local Businesses.

Summary

The policies within the plan do not support sustainable communities or local economic growth as there is over concentration on large housing sites for development by large scale builders. There should be a better balance of sites allocated with potential for development by small scale local builders who provide important employment for local people and build houses for local people.

CNPA analysis

The policies as drafted do provide for small scale development on sites which are not specifically allocated within the Plan. The wording of policies for new development outwith allocated sites will be revisited to clarify the range of opportunities available and provide the appropriate level of guidance is available for developers. The Plan cannot however retain certain sites to be developed by particular developers, and local developers must be reassured that there are appropriate opportunities to meet their aspirations for the life time of the Plan.

Policy Policy 26	Name Fiona Toovey	Company	Objector Ref 369
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Representation

I note that the deposit local plan specifically mentions the scenario where the farmer on retiring has to move out of his house, yet still wishes to stay in the area, and he can build a small 1 or 2 bedroom property. However it looks like there is currently no scope in the plan for building a larger property and prior to retiring. I also believe that this would apply to many other farmers in the area. Given the uncertainty of farming, we would like to diversify our farming interests to also include another income stream - as well as satisfying out retirement needs. Our plan would be to build a new house which we could lease out as holiday lets until the time when we leave the farm - I consider that to do this the property should be 3 or 4 bedrooms in order to maximise the available market. (a similar sized property to our current rented farmhouse) I would not necessarily plan to stay in this property following retirement as it may not be suitable (eg not on roadside) but if we could then sell this business / house we would then be able to purchase another property in the area for our retirement. Given the prices of houses in the area at the moment (due to the severe lack of availability) it appears outwith our scope to purchase an existing property of this type without building a new one.

What change(s) you are seeking in future modifications to the Local Plan which could resolve your objection: Consideration to be given for existing land managers to build property to diversify their business with a view to securing their retirement needs.

Summary

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

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26	Name Mrs Audrey MacKenzie	Company Aviemore & vicinity Community Council	Objector Ref 4161
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Representation

The boundaries of the settlement are incorrect. Outside the settlement someone can apply to build a house anywhere. They will not have to comply with the local plan. It does not cover home working.

5.66 – gives them carte blanche to do what they like. It will be used and abused.

The boundaries of the settlement have been drawn far too tight. The settlement boundaries shown be redrawn to more clearly and realistically identify our community.

Summary

The settlement boundaries are incorrect. There needs to be greater clarity of development opportunities outwith settlement boundaries. It may result in abuse of the policy.

CNPA analysis

The policy as written permits housing in the countryside only for those who fall into categories a-e. It does not in any way promote an approach which would allow anyone to build anywhere as suggested in the comment. The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPP1 a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. (WORK WITH COMMUNITY COUNCILS AND NATURAL HERITAGE GROUP)

Policy Policy 26	Name Frogmore Estates Scotland Ltd	Company Frogmore Estates Scotland Ltd	Objector Ref	026d
	Agent Philip Clarke			

Representation

2.18 SPP15 increased the scope and justification for small scale rural housing development, including replacement housing and holiday homes, with its statement (Paragraph 18, Page 6) that the overall message is that there is considerable scope for allowing more housing developments of this nature".

2.19 SPP15 confirms (Paragraph 22, Page 7) that occupancy conditions tying dwelling units to agriculture and forestry use will no longer be relevant to the new housing groups to which it refers. However, it acknowledges that planning authorities may wish to continue to implement them where a new dwelling is obviously tied to the agricultural or forestry use of the land in question.

2.20 SPP15 further states (Paragraph 23) that: "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steadying conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so. They should adopt a supportive approach and ensure that new development fits in the landscape. There is an unmet demand for plots on which unique, individually designed houses can be built in rural locations. Consideration should be given by planning authorities to formulating supportive policies in their local plans where such developments may be justifiable for economic reasons. The availability of new, originally designed housing and plots should help to encourage entrepreneurs and investors to live in rural Scotland and to start new businesses. In addition, local contractors, using local materials, should often be able to benefit."

2.21 Policy 26 of the Cairngorms National Park Deposit Local Plan identifies the instances where new housing development will be permitted outwith existing settlements. These instances are either where the proposals are for affordable housing which cannot be accommodated within a settlement, or where the housing can be justified by the operational needs of a rural business. Although

occupancy conditions are not specifically mentioned within Policy 26, the subtext which follows (Paragraph 5.67) suggests that housing which would not constitute affordable housing may be required to be subject to a Section 75 Agreement to ensure that it remains linked to the rural business and its workers.

2.22 Whilst it may be appropriate to think some new housing to rural businesses in circumstances in which an operational need is the primary justification for such development, the present wording of Policy 26 is unduly restrictive in its consideration of housing outwith settlements. New housing in the rural area, if not affordable housing or justified by the operational needs of a rural business and most likely tied to that business by means of a Section 75 Agreement, would not be acceptable under any circumstances under the current provisions the policy.

2.23 SPP15 has relevance to national parks and, accordingly, it is submitted that the Cairngorms National Park Local Plan should be more flexible in its approach to rural housing in order to allow appropriate development where it would not impact upon any of the special qualities of the Park, In certain circumstances not acknowledged •in Policy 26, new housing could be accommodated satisfactorily outwith settlements without compromising the aims and special qualities of the Park.

2.24 Although the provisions of the equivalent policies have remained relatively unchanged from the Consultative Draft Local Plan, the subtext which previously accompanied those policies was more supportive of housing development in the rural areas.

2.25 The Consultative Draft Cairngorms National Park Local Plan allowed greater scope for rural housing, when associated with groups or clusters of existing dwellings (Paragraph 3.102). It also stated (Paragraph 3.106): "In many areas of the Park there are derelict properties and ruinous houses which may be suitable for renovation back to habitable standard. Many of these ruins will be integral to the cultural heritage of the Park, and may be integral to the 'historical' landscape."

2.26 The absence of this text from the Deposit Plan adjusts the spirit of the provisions of the Plan and, in particular, reduces its compliance with SPP15. The Deposit Plan states, in reference to replacement houses, that where the original structure is not largely intact (Paragraph 5.71, Page 51) "Development proposals on abandoned house sites and ruins would be considered as new housing development." As discussed earlier, new housing development would be subject to Policy 26 and is, therefore, required to be either affordable housing or to support a rural worker.

Policy 26 should be modified to include an additional point after e) stating: 'or,

f) the proposed dwelling is sited on previously developed land and does not result in any adverse impact upon the special qualities of the Park.

Summary

Object to the overly restrictive wording used in identifying where new housing development will be permitted outwith existing settlements. These instances are either where the proposal is for affordable housing which cannot be accommodated within a settlement, or where the housing can be justified by the operational needs of a rural business. The use of occupancy conditions through Sec 75 agreement is suggested in the supporting para 5.67.

Whilst it may be appropriate to link some new housing to business use in this way, the wording precluded any other form of housing provision. The approach, in line with SPP15 should be more flexible to allow development where it would not impact on any of the special qualities of the Park. The underlying attitude towards housing in the countryside is much changed from the Consultative Plan (para 3.106) and the absence of this adjusts the spirit of the provisions of the Plan and reduces its compliance to SPP15.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26	Name Mr Michael Bruce Agent Sinead Lynch	Company Glen Tanar Estate	Objector Ref 403k
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Representation

Glen Tanar Estate broadly supports the changes to Policy 26 from the consultation to the deposit version of this Local Plan.

Summary

Support the policy regarding housing outside settlements.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 26	Name Donside Community Council	Company Donside Community Council	Objector Ref 073c
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Representation

We do not understand the very tight rules for building a dwelling in policy 26. somewhere like Corgarff and our other small scattered communities would benefit from additional occupied dwellings especially if attached to or providing a business (as in 26a?) or even if not. There seems no reason not to increase the total number of houses in the Park by adding one or two to each hamlet or wherever there is no environmental reason not to do so.

Summary

Additional housing in the countryside should be facilitated whether or not it is linked to business development, where no environmental reason exists to prevent development.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26	Name Nick Thompson	Company	Objector Ref 350
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Representation

This policy should be extended to cover a greater number of situations. To limit it to a retiring farmer or a worker tied to a rural business is

to deny the very diversity that the park is trying to encourage. There are and will be many retiring people, like ourselves, who wish to remain in an area close to where their business was situated and where they have lived and brought up their families but wish to downsize their living accommodation. Some of these will have been in the area for many years. Many in excess of 10 and some more than 20. It is unreasonable to expect these people to move into settlements when they have lived in the country for so long.

This area has many diverse businesses, many related to tourism and in the future many related to Conservation within the CNPA. These people have all chosen to live in the countryside and planning laws need to be relaxed to allow them to build new houses and remain in the rural places that they love.

Indeed some of them will have lived in the countryside all their lives. On retiring, they do not want to leave that countryside or the area in which they have made their home, and should be allowed to subdivide existing plots to build themselves retirement homes. This area has more tourism based industry than farming and recognition must be given to this within the Park community.

Summary

The policy should be expanded to include other situations to promote diversity in rural living within the Park. This should include provision for local retiring people and housing associated to tourist and conservation activities which form a greater part of the activity in the area than farming.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name Roy Turnbull

Company

Objector Ref

390v

Representation

I support the restriction of a local employment connection on housing outside settlements as given in the Policy (a) to e), however: The first paragraph should read, "... outside settlements will be considered more favourably where ... "

The second paragraph should read "Proposals for other new housing outside settlements will be more favourably considered where: In both of the above cases the need is to avoid giving automatic approval to proposals that meet certain criteria.

Summary

Reword 1st para to read "outside settlements will be considered more favourably where..."

Reword 2nd para to read "Proposals for other new housing outside settlements will be more favourably considered where..."

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26 **Name** George Alder **Company** Laggan Community Association **Objector Ref** 392b

Representation

Laggan has long believed that its character as a community is best served by buildings that are geographically dispersed, and of traditional style. We would like to see this view of our type of community respected in the Local Plan.
(Points a and b above are closely related. Policy 25 specifically mentions settlements at Gergask and Laggan Bridge. Policy 26 refers to proposals outside settlements. Neither of these policies embraces our own picture of "Laggan" as the populated area extending from Creag Dubh and Glentruim in the east to Kinlochlaggan and Garvamore in the west. We see scope for environmentally sensitive development throughout this area.) (The reference to "traditional style" in Point 2 was inserted because of the local reaction to a recent development that is certainly not in harmony with its environment.)

Summary

The use of rural settlements does not promote the traditional building character of the area which is dispersed. The policy should be revised to reflect and accommodate this type of development.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26 **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473t

Representation

Policy 26 welcomed. Would welcome inclusion of wording similar to Policy Hou\5 of ALP: "the site is accessible to local services by public transport, foot or bicycle"

Policy 26 - How will the CNPA ensure that the house remains affordable? The policy should refer to any mechanism (e.g. Section 75 agreements) that would be used to ensure this.

The policy should refer to other relevant policies notably relating to design and siting criteria.

Why "within or connected to"? in last paragraph? Could lead to arguments of whether something is connected, and there is NO definition of a cohesive group (you'd think they would have learnt from ALP and avoided all mention of cohesive groups!)

Summary

Policy 26 welcomed, but would seek the addition of the following - "the site is accessible to local services by public transport, foot or bicycle".

Question how CNPA will ensure houses remain affordable. Suggest the policy should refer to the mechanisms that would be used to ensure this. Also suggest th policy should refer to other relevent policies, such as design and siting criteria.

Concern over use of wording "within or connected to" , and the lack of definition of a cohesive group. If there is no definition, could lead to arguments about whether or not something is connected.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26	Name Glenmore Properties Ltd	Company Glenmore Properties Ltd	Objector Ref	4531
	Agent Steve Crawford			

Representation

We support this policy where it allows development of affordable housing outside of settlements. To be more pro-active the CNPA could designate such sites on settlement maps. The policy, however, is too restrictive for smaller settlements where policy 25 is not altered as per the above comments. Smaller settlements with 5 or more houses set in a cohesive form should not simply be restricted to affordable housing. They should also be able to accommodate mainstream housing.

The National Park is also home to many Dispersed Rural Settlements where the local services are supported by houses and farms over a wider area than a tightly defined settlement. Limited new housing in these areas, in line with the requirements of SPP3, could help support the local economy and community. The Plan should incorporate some allowance and mechanism for such development.

Modifications: Extend policy provisions as described in summary.

Summary

To allow for proactive supply of such developments appropriate sites could be marked on the proposals maps. The wording of the policy is however too restrictive for smaller settlements. Settlements with a group of 5 or more houses should not be restricted to affordable housing. They should also be able to accommodate mainstream housing. Limited new housing in dispersed rural settlements where the local services are supported by houses and farms over a wider area than a tightly defined settlement should also be permissible, in line with SPP3.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Further analysis of the impacts of the approach taken to affordable housing will be undertaken to ensure it is workable, realistic and will deliver the level of affordable houses required in the area. Further clarification is also needed to ensure housing delivered meets the needs of local people. The policy review will take into account national advice on affordable housing delivery and match it against the local situation, and additional information will be supplied to clarify the background being taken to justify the level of affordable housing required. (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 Policy 26	Name Phil Rowsby	Company SRPBA	Objector Ref 429g
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Representation

The SRPBA objects to this policy as it stands as we believe that this policy is too prescriptive. Members think that paragraph (c) requires additional qualification.

In respect of paragraph (e) members recognise this as being more prescriptive than the national guidance, on this basis we suggest that paragraph (e) is reviewed.

This policy must not restrict landowners from improving or replacing dwellings, the LP should not be so prescriptive that it could threaten the survival and sustainability of some rural communities.

Summary

The policy is too prescriptive and in c) and e) need additional clarification. The policy must not restrict land owners from improving or replacing dwellings to the detriment of local rural communities.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1. Further work is also needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 26	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref 425q
	Agent Steve Crawford		

Representation

We support this policy where it allows development of affordable housing outside of settlements. To be more pro-active in assisting developers and RSL's, it would be helpful if the designation of such sites could be depicted on settlement maps.

Summary

It would be helpful if the designation of sites outside settlements could be shown on the proposals maps.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name Susan Davies

Company Scottish Natural Heritage

Objector Ref

465q

Representation

Housing proposals outside settlements. It is not clear whether proposals have to comply with all, or some, of clauses a – c. We recommend that the wording of this policy is made tighter and clearer as follows:

- Second paragraph change to 'Proposals..... will only be permitted...';
 - At the end of criteria (a) and (b) insert 'and';
 - At the end of the last paragraph add 'Where relevant the above criteria will be secured through conditions or agreements'.
- Para 5.66 - We recommend adding a sentence equivalent to that used in 5.63, stating that unless the developer has demonstrated compliance with Policy 26, the proposal will not be determined using this policy.

Summary

Seek tightening of wording of Policy 26 as follows:

- Second paragraph change to 'Proposals..... will only be permitted...';
 - At the end of criteria (a) and (b) insert 'and';
 - At the end of the last paragraph add 'Where relevant the above criteria will be secured through conditions or agreements'.
- Recommend adding a sentence to para 5.66 equivalent to that used in 5.63, stating that unless the developer has demonstrated compliance with Policy 26, the proposal will not be determined using this policy.

CNPA analysis

The comments are noted and the wording will be reviewed to ensure clarity and easy understanding. In regard to the use of the policy, the intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Policy Policy 26

Name John Anderson

Company Kincaig & Vicinity Community Council

Objector Ref

463t

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Para (e) makes reference to a 'Proposed dwelling being for a retiring farmer or crofter' Suggest this be extended to include retiring farm, forest and other rural employee. Note that 'Where the proposal is for a location within or connected to a cohesive group of five or more houses, the proposal must not add more than 20% to the existing size of the cohesive group'. This is too restrictive and should be assessed on merit.

Any significant development must also provide amenity / play areas.

We repeat the comment made in relation to Policy 25: The phrase 'social and economic importance to the community' is much used in the Deposit Local Plan. The planning function should take account of this aspect of development to distinguish between 'affordable housing and 'open market housing', making planning conditions for the former easier than for the latter so that we work to a presumption that first priority will be given to affordable housing for local people. We suggest that any reference to housing should

therefore be prefixed be either 'affordable' — preferably 'affordable to rent' housing given the low wage economy in much of the Park area - or 'open market' as appropriate.

Should this be accepted, there would be a case for restricting Policy 26 to read 'Proposals for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements and/or they meet demonstrable local need in the rural location' and leave it at that. The significance of using two different phrases '... will be considered favourably and '... will be permitted ...' escapes us. If the phrases are deemed to have different meanings (here and elsewhere), these need to be spelt out in a Glossary of Terms.

Summary

Generally support Alvie estate view on this policy. Suggest extending para (e) to include retiring farm, forest and other rural employees. Suggest the final para of the policy is too restrictive, and proposals should be assessed on merit. State that any significant development must provide amenity / play areas. Repeat concerns made about Policy 25, in suggesting that the plan should distinguish between 'affordable housing' and 'open market housing', and make planning conditions easier for the former than the latter so that there is a presumption that first priority will be given to affordable housing for local people. Suggest any reference to housing should be prefixed with either 'affordable' (and preferably 'affordable to rent') or 'open market' as appropriate. If this was to be accepted, then there would be a case for restricting Policy 26 to read "Proposals got development for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements and/.or they meet demonstrable local need in the rural location". Questions why 2 different phrases are used: '...will be considered favourably...' and '... will be permitted...'. If the terms have different meaning this should be set out in the glossary.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400g(h)

Representation

Object to this policy on grounds of being too permissive and too much lacking in suitable, strong safeguards.

We object to inclusion of "favourably" in 1st paragraph on grounds that this appears to bypass the planning process. We recommend an appropriate wording would be along the lines of "There is a presumption that proposals for new affordable housing outside settlements would only be considered where there are no suitable sites within settlements and/or they meet a demonstrable local need in the rural location".

We object to "will be permitted" in 2nd paragraph on grounds that appears to bypass the planning process, is not justified in the DLP, is not backed up by sufficiently strong conditions in a-e, and is more permissive than for affordable houses.

Object to a, c and d on grounds of being too all encompassing, insufficiently specific, and open to spurious justification from developers, that the CNPA will not have the time or the local knowledge to identify or counter.

Object to b on grounds of being too unspecific as to what types of work would meet this criteria.

We note with concern that this policy appears to be wide open to abuse: planning permission can be obtained on grounds of employment, circumstances then change through chance or design, and the house is sold on the open market without any restrictions as to employment.

Summary

Throughout the Policy is too open ended, open to interpretation and permissive and the wording implies bypass of the planning process. Wording should be amended to "There is a presumption that proposals for new affordable housing outside settlements would only be considered where there are no suitable sites within settlements and/or they meet a demonstrable local need in the rural location".

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name Jamie Williamson **Company** Alvie and Dalraddy Estate

Objector Ref

439U

Representation

This policy is too prescriptive and restrictive.

If the Park Authority wants more housing within the Park they will need to go somewhere. There will be many circumstances where the local economy and our cultural heritage would be better preserved by building more houses in the countryside than expanding or infilling existing settlements.

There will be situations where a rural land holding would benefit economically and socially by diversifying into another economic activity. The person requiring the new house may be self employed or the owner or tenant of the land holding. What is important is that the house is required for a resident with some tie to the landholding and does not become a second home or used by a household commuting outside the Park with no other investment, economic or family ties within the Park.

Many workers in tied houses or owner occupied dwellings have lived most of their lives in the countryside; they have no desire to move into an urban environment on their retirement. It is not just farmers and crofters who retire from occupations where they live and work in the countryside.

As people marry, divorce, have children, children grow up and spouses leave or die, houses that were at one time appropriate to the household may no longer meet their requirements. Any policy must be sufficiently flexible to cater for changing family circumstances. Some houses deemed adequate 20 or more years ago may now be considered below standard and it may be deemed more cost effective to replace rather than improve the property. This policy must not restrict landholders from improving or replacing their dwellings.

The Local Plan should not be so prescriptive that it precludes additional housing that is required to sustain the local community or land holding. The policy as proposed is so prescriptive that it could threaten the survival and sustainability of some rural communities. (5.65) Any section 75 Agreement should be for a fixed time or open to renegotiation in the event of a change in circumstances. The investor (owner of the landholding) should be able anticipate a return on his investment net of tax. (5.66), otherwise there is a danger of such a restriction contributing to economic stagnation.

Proposed modifications –

Proposals for new affordable housing outside settlements will be considered favourably where (delete there are no suitable sites within settlements and/or) they meet a demonstrable local need in the rural location.

Proposals for other new housing outside settlements will be permitted where:

- a) The proposal is for (delete a worker in an occupation appropriate to the rural location) an economically active resident; or
- b) The presence of the (delete worker) person on site is (delete essential) desirable in order to provide 24-hour supervision of the rural business; or
- c) There is no suitable alternative residential accommodation available; and
- d) The proposed dwelling is within the (delete immediate) vicinity of the workers place of employment
or
- e) The proposed dwelling is for a retiring worker (delete farmer or crofter, or land managed by them for at least the previous ten years), where their previous accommodation is required for (delete the new main operator of the farm or croft business) their replacement. (delete Where the proposal is for a location or connected to a cohesive group of five or more houses, the proposal must not add more than 20 per cent to the cohesive group (based on the size of the group on the date the Plan is adopted). New housing must be in keeping with its location and not compromise the cultural heritage of the area.

Summary

The policy is too prescriptive and restrictive. New housing to meet demand needs to go somewhere and housing in the countryside may fit better with the local economy and cultural heritage than with expanding existing settlements. The policy should allow for wider eventualities that those included, for example retiring country folk, changing family circumstances, etc. The policy should be suitably flexible to cater for change in people's aspirations and circumstances.

Amended wording –

In para 1 delete 'there are no suitable sites within settlements and/or'

In a) delete 'a worker in an occupation appropriate to the rural location' and replace with 'an economically active resident',

In b) replace 'worker' with 'person' and 'essential' with 'desirable'

In b) add 'or' at the end of the section

In d) delete 'immediate'

In e) delete 'farmer or crofter, or land managed by them for at least the previous ten years' and replace with 'worker'.

In e) delete 'the new main operator of the farm or croft business' and replace with 'their replacement'.

Replace final section with 'New housing must be in keeping with its location and not compromise the cultural heritage of the area'.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to

support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26 **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025q

Representation

Policy 26a) - what is an "occupation appropriate to the rural location"?

Summary

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

CNPA analysis

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 26 **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422u

Representation

Policy 26 – Housing Proposals Outside Settlements appears to provide scope for additional house building outwith defined settlements. The policy is in two parts and as set out the first part relates to affordable housing - the plan still lacks clear guidance on what constitutes "demonstrable local need"; and secondly other new housing for essential workers (parts b), c) and d) relate to essential workers and should sit under a) rather than be separate bullets) and retiring farmers/crofters. This latter element of the policy is questionable in terms of it being equitable (excluding as it does anyone who is not a retiring farmer or crofter), but as you are aware, other planning authorities including Highland and Angus have also gone down this route. The policy is not particularly clear and it is not apparent whether it relates solely to affordable housing or to all forms of housing, neither is there guidance as to the scale of development allowed by this policy other than where it is connected to a cohesive group of five or more houses.

The general thrust of the housing policies/land allocations do appear to relate well to the sustainable communities objectives of the National Park Plan in relation to focusing growth in the main settlements whilst also allowing for growth to meet local community needs. This approach is also broadly in line with SPP3.

There are difficulties in defining 'key workers' as referred to on page 48 and this has the potential to discriminate against many categories of people with genuine housing needs.

There is no indication of how this chapter of the Plan relates to the Local Housing Strategies and development policies of the constituent local authorities. This could have a direct bearing on the effectiveness of Park policies. The open market Homestake pilot is unlikely to be running by September 2007 and will not apply to all areas of the Park. This reference needs to be adjusted in paragraph 5.60.

Summary

What constitutes "demonstrable local need"?

The layout of the bullet points should be clarified to avoid confusion. The relationship between the various bullet points in regard to affordable housing is also confusing. In regard to retiring farmers and crofters, how equitable is this approach excluding anyone not a farmer or crofter. There is also a need for guidance as to the scale of development allowed by this policy other than where it is connected to a cohesive group of five or more houses.

In explaining how the waiting lists will be used, how are 'key workers' to be defined as this has the potential to discriminate against many categories of people with genuine housing needs.

How does the whole housing section relate to the Local Housing Strategies and development policies of the constituent local authorities. This could have a direct bearing on the effectiveness of Park policies.

The open market Homestake pilot is unlikely to be running by September 2007 and will not apply to all areas of the Park and this should be clarified in para 5.60.

CNPA analysis

The comments regarding the clarity of this policy are noted, and modifications will endeavour to resolve this. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken. The reference to Local Housing Strategies and development policies of the constituent local authorities is also noted, and the text will be amended accordingly. The reference to Homestake will also be reviewed to ensure clarity across the Park area.

Policy Policy 26

Name Housing and Property Services

Company The Highland Council **Objector Ref** 471r

Representation

Does the definition of affordable match the definition under policy 24? If so thought should be given in particular to how it will apply in relation to discounted serviced plots and LCHO funded by developers etc.

Summary

Questions does the definition of affordable match the definition under policy 24? If so thought should be given in particular to how it will apply in relation to discounted serviced plots and LCHO funded by developers etc.

CNPA analysis

Throughout the plan further cross referencing will be made to ensure that policies are consistent within themselves and when compared to others. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. Additional information will also be included to consider the situation raised in the representation.

Policy Policy 26

Name Ian Francis **Company**

RSPB Scotland

Objector Ref

424n

Representation

The potential environmental impacts of any such proposals should be explicitly considered as a separate clause:

e.g. f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6.

It would also be good practice to build in requirements for surveys for bird species that nest in buildings such as Barn Owls and Swifts, with provision being made to incorporate appropriate design features that allow the species the chance to continue nesting following building/conversion.

Summary

An additional clause should be added: f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6.

The policy should also build in a requirement for surveys for bird species nesting in the buildings, and appropriate design measures to allow these species to continue using the building after conversion.

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. There is not therefore a need to state that developments must comply with particular policies.

Policy Policy 26

Name Gordon Pyper

Company Angus Council

Objector Ref

468c

Representation

Turning now to housing development outside settlements, this is set out in Policy 26. The policy is intended to allow for the development of affordable and essential worker housing outside settlements and to maintain thriving rural communities. A copy of Policy 26 is set out in appendix 4. The policy for housing outside settlements is totally different from the policy currently being operated through the Angus Local Plan which recognises particular issues relating to remote rural areas — Category 2 Rural Settlement Units. In such areas the current policy is for a presumption in favour of individual new houses in countryside locations where appropriate Development Criteria can be met. This includes aspects of site area, road frontage length, self containment, visual and environmental impact and matters of design. The proposed Cairngorm Local Plan policy focuses more on issues of affordability and linkage with occupation and rural business and by implication suggests that market housing would not be supported. Although there have been few planning applications for new market houses in the area it is a shift in emphasis from the current operational policy. The Head of Planning & Transport does not consider that a formal objection should be made, but the implementation of the policy should be monitored to identify the effectiveness of this changed approach.

Summary

The approach proposed is completely different to that used in Angus, as there seems to be a presumption against open market housing in the countryside. However due to the small number of applications received in the Angus Glens, this is unlikely to have an adverse

impact on development aspirations in the area.

CNPA analysis

The comment is noted. No modifications proposed as a result of this representation.

Policy Policy 26	Name The Crown Estate Agent Debbie Mackay	Company The Crown Estate	Objector Ref 419n
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Representation

This policy is highly prescriptive and does not embrace the requirements of Scottish Planning Policy 15 Rural Development and Scottish Planning Policy 3 Planning for Housing, both of which advance policy in respect of; "small scale rural housing developments including clusters and groups in close proximity to settlements, replacement housing, plots on which to build individually designed houses and holiday homes. The overall message is that there is considerable scope for allowing more housing developments of this nature and that this should be expressed in development plans." (Paragraph 18)

The housing policies in the plan do not allow for enabling housing as per paragraph 16 of SPP15.

Paragraph e) makes reference to a "Proposed dwelling being for a retiring farmer or crofter". Given the changing nature of the rural economy there should also be scope for this to be extended to include other forms of retiring rural employees.

Modifications to resolve this objection -

The Plan should seek to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises.

Criteria e) should include an element for retiring rural employees.

Summary

The policy is too prescriptive and does not embrace SPP15 and SPP3 regarding rural development opportunities. The policy does not allow for enabling housing (para 16 SPP15) and restricts provision to retiring farmers or crofters. This does not provide for other forms of retiring rural employees.

The plan should therefore be amended to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises. Criteria e) should include an element for retiring rural employees.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name John Forbes-Leith Esq
Agent Debbie Mackay

Company Dunachton Estate

Objector Ref

418n

Representation

This policy is highly prescriptive and does not embrace the requirements of Scottish Planning Policy 15 Rural Development and Scottish Planning Policy 3 Planning for Housing, both of which advance policy in respect of; "small scale rural housing developments including clusters and groups in close proximity to settlements, replacement housing, plots on which to build individually designed houses and holiday homes. The overall message is that there is considerable scope for allowing more housing developments of this nature and that this should be expressed in development plans." (Paragraph 18)

The housing policies in the plan do not allow for enabling housing as per paragraph 16 of SPP15.

Paragraph e) makes reference to a "Proposed dwelling being for a retiring farmer or crofter". Given the changing nature of the rural economy there should also be scope for this to be extended to include other forms of retiring rural employees.

Modifications to resolve this objection -

The Plan should seek to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises.

Criteria e) should include an element for retiring rural employees.

Summary

The policy is too prescriptive and does not embrace SPP15 and SPP3 regarding rural development opportunities. The policy does not allow for enabling housing (para 16 SPP15) and restricts provision to retiring farmers or crofters. This does not provide for other forms of retiring rural employees.

The plan should therefore be amended to adhere to national planning policy and provide support for a range of rural housing opportunities including small housing clusters, individually designed houses and holiday homes. It should also allow in certain situations for enabling housing development to support the development of rural enterprises. Criteria e) should include an element for retiring rural employees.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26

Name Reidhaven Estate
Agent Jill Paterson

Company Reidhaven Estate

Objector Ref

456h

Representation

This policy is overly restrictive in its criteria for new development. The National Park is home to many Dispersed Rural Settlements where the local services are supported by houses and farms over a wider area than a tightly defined settlement. Limited new housing in these

areas, in line with the requirements of SPP3, could help support the local economy and community.

Modifications: The policy should be reworded to incorporate some allowance and mechanism for limited new housing associated with dispersed groups of housing.

Summary

The wording is too restrictive. The policy does not support the traditional dispersed rural settlements found across the Park, and limited new housing in such areas in line with SPP3 could help support local economy and community. The policy should be reworded to include some allowance for limited new housing associated with dispersed groups of housing.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 26	Name Amanda Howard	Company The Moray Council	Objector Ref	414d
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Representation

- Affordable: The policy heading does not refer to affordable. If this is a policy on houses in the countryside, with affordable provision dealt with under Policy 24, why does it make reference to 'affordable' in the first line? If the reference to 'affordable' is correct, then the policy for housing outwith settlements not considered 'affordable', but still applied for in the context of a rural business, needs to be clarified.
- Visual impact: This policy is entirely focused on eligibility criteria. Where are the criteria for visual impact; setting etc? if the relevant criteria are in e.g. Policy 18 then a linkage between the policies is required.

Summary

The policy heading should refer to affordable housing. It is unclear within the policy how it relates to policy 24. This needs to be clarified and there should be detail provided on the visual impact of development, rather than just eligibility criteria

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. In this instance there would therefore be a presumption that the proposal would not only have to consider the limitations of policy 26 but also policy 24, 17 and 18 as well as all the other policies in the plan.

Policy Policy 26	Name Mairi Maciver	Company Communities Scotland	Objector Ref	025r
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Representation

Para 5.67 - what would happen in the event that the original "rural business" no longer functions?

Summary

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

CNPA analysis

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 26	Name Jenny Smith	Company	Objector Ref	417a
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Representation

Policy 26 – too rigid for scattered community of Corgarff. Our population base could be increased, especially as a result of holiday homes. Broadband access here will bring future job opportunities. This may not require 24 hour supervision, nor would a shop outlet (eg good brand) nor would arts and crafts based workers from home of which we have a few.

Changes being sought - Greater flexibility for independent minded self-employed business people – the policy appears relevant to those in 24 hour animal husbandry.

Summary

The policy is too rigid for dispersed communities and does not encourage development in support of sustainable communities.

CNPA analysis

The approach taken in policy 26 will be reviewed to ensure it allows for the appropriate level of development and is flexible enough to support local people in their own communities. The wording and approach taken on the proposals maps will also be reviewed against national guidance on the issue of rural development to ensure the appropriate level of clarity is provided to developers in line with SPP1.

Policy Policy 27	Name Glenmore Properties Ltd	Company	Glenmore Properties Ltd	Objector Ref	453m
	Agent Steve Crawford				

Representation

We support the ability of such buildings to be converted for residential use. Further clarification is required in part a) of "commercial or economic future".

Modifications - Clarification of terms

Summary

Clarification is needed on a) 'commercial or economic future'.

CNPA analysis

The comment is noted and additional clarification will be included within the supporting text and policy.

Policy Policy 27

Name John Forbes-Leith Esq **Company**

Dunachton Estate

Objector Ref

418o

Agent Debbie Mackay

Representation

This policy should better reflect Scottish Planning Policy 15 which states in paragraph 23 that; "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so."

The policy should also acknowledge that the cost of retaining original features in vernacular buildings can be a disincentive to providing affordable housing. The Plan should recognise that not all properties or sites are appropriate for affordable housing.

Modifications to resolve this objection -

The policy should be altered to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for modern housing requirements. Steading conversions can lend themselves to attractive contemporary additions and the policy should allow for this.

The plan should recognise that conversions of traditional buildings may not be suitable for affordable housing.

Summary

The policy should reflect SPP15 regarding "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so." The wording regarding original features could be a disincentive to providing affordable housing. The Plan should recognise that not all properties or sites are appropriate for affordable housing.

The plan should be amended to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for modern housing requirements, and should recognise that conversions of traditional buildings may not be suitable for affordable housing.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 27

Name Jamie Williamson **Company**

Alvie and Dalraddy Estate

Objector Ref

439v

Representation

There will be circumstances where traditional buildings can be sympathetically modernised to meet today's requirements, buildings sometimes benefit from being upgraded or converted before they become redundant.

Proposed Modification –

Proposals for the conversion of existing traditional and vernacular buildings will be permitted where the following criteria are met

- a) The building is redundant for its original use, (delete and) or it (delete can be demonstrated that it) is unlikely to have a commercial or economic future; and or
- b) The proposal where practical is designed to maintain the style and character of the original building in terms of form, scale, materials and detailing where they contribute positively to the character of the area.

Summary

The wording should recognise that traditional buildings can be sympathetically modernised before it becomes redundant

Amended wording –

In a) replace 'and' with 'or'

In a) delete 'can be demonstrated that it'

In b) insert 'where practical' after 'the proposal'.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 27

Name Phil Rowsby

Company

SRPBA

Objector Ref

429h

Representation

The SRPBA would like to suggest the following amendments are made to the wording of paragraph (a):

- a) The building is redundant for its original use, or it can be demonstrated that it is unlikely to have a commercial or economic future; and

We suggest that this policy should acknowledge that the cost of retaining original features is can be a disincentive to providing affordable housing. The CNPA should recognise that not all properties or sites are appropriate for the provision of affordable housing. The SRPBA believe it would be more appropriate to provide a commuted sum if working on a vernacular building.

Summary

In a replace 'and' with 'or'. The policy should acknowledge the cost of retaining original features and the impact this can have on development costs. The policy should recognise that not all properties or sites are appropriate for affordable housing provision. A commuted sum may be more appropriate in such cases.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 27 **Name** William Stuart Paterson **Company** **Objector Ref** 409i

Representation

I think people moving into to property within the park should be required to keep their property and land for a 5 to 10 year period before being allowed to divide property / land and building additional housing.

Summary

There should be a residency restriction to ensure people moving to the Park are not allowed to subdivide their property or land within 5-10 years.

CNPA analysis

The comment is noted but unfortunately is not something that could be reasonably included within Planning Policy. No modification considered necessary as a result of this representation.

Policy Policy 27 **Name** Mr Michael Bruce **Company** Glen Tanar Estate **Objector Ref** 403i
Agent Sinead Lynch

Representation

Glen Tanar Estate supports Policy 27.

Summary

Support the policy 27

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 27 **Name** The Crown Estate **Company** The Crown Estate **Objector Ref** 419o
Agent Debbie Mackay

Representation

This policy should better reflect Scottish Planning Policy 15 which states in paragraph 23 that; "Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so."

The policy should also acknowledge that the cost of retaining original features in vernacular buildings can be a disincentive to providing affordable housing. The Plan should recognise that not all properties or sites are appropriate for affordable housing.

Modifications to resolve this objection - The policy should be altered to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for modern housing requirements. Steading conversions can lend themselves to attractive contemporary additions and the policy should allow for this.

The plan should recognise that conversions of traditional buildings may not be suitable for affordable housing.

Summary

The policy should reflect SPP15 regarding “Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so.” The wording regarding original features could be a disincentive to providing affordable housing. The Plan should recognise that not all properties or sites are appropriate for affordable housing.

The plan should be amended to embrace the requirements of SPP15, allowing some additions to the traditional buildings to create an appropriate footprint for modern housing requirements, and should recognise that conversions of traditional buildings may not be suitable for affordable housing.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 27	Name Ian Francis	Company	RSPB Scotland	Objector Ref	424o
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Representation

The potential environmental impacts of any such proposals should be explicitly considered as a separate clause: e.g. f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6. It would also be good practice to build in requirements for surveys for bird species that nest in buildings such as Barn Owls and Swifts, with provision being made to incorporate appropriate design features that allow the species the chance to continue nesting following building/conversion.

Summary

An additional clause should be added: f) the likely effects on the natural heritage of the Park have been fully considered and are consistent with Policies 2-6.

The policy should also build in a requirement for surveys for bird species nesting in the buildings, and appropriate design measures to allow these species to continue using the building after conversion.

CNPA analysis

The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. The comments regarding nesting birds is also noted. The wording of the policy will be reviewed to ensure that best practice is followed, and consideration will be given to including such level of detail within supplementary guidance such as the Sustainable design guide.

Policy Policy 27

Name Maurice Stack

Company

Aberdeenshire Council

Objector Ref

473u

Representation

The proposal is to maintain the style and character in terms of form scale and materials. It is recommended that, where appropriate, redundant buildings can be totally rebuilt/replaced, using original materials to incorporate the renewable technologies and ensure the buildings meet optimum insulation levels. We consider that the footprint of such new building should not necessarily have to replicate that of the building it replaces, in terms of shape and scale, but should be based on suitability of use for which the replacement building is planned.

Is there no limit on steading extensions? Too many extensions to the original structure would potentially affect its character.

How much of the original structure should exist before a conversion can be considered?

Summary

Suggest that if buildings are being totally rebuilt using original materials etc, that the footprint of such new buildings should not necessarily have to replicate that of the building they replace, but that it should be based on suitability for the new use for the building.

Question why there is not limit on the number of extensions permitted to steadings. Too many additions can affect character.

Questions how much of the original structure should exist before a conversion can be considered.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Further work is also needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 27,28

Name John Anderson

Company

Kincraig & Vicinity Community Council

Objector Ref

463u

Representation

Policy 27 - We support the Alvie Estate view on this Policy.

Policy 28 - We support the Alvie Estate view on this Policy.

Summary

Support Alvie estate view on these policies.

CNPA analysis

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

Policy Policy 27,28 **Name** Mrs Audrey MacKenzie **Company** Aviemore & vicinity Community Council **Objector Ref** 416m

Representation

It is too tight and restrictive.

Summary

The policies are too restrictive.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 27,28 **Name** Kirsty Cameron, Archaeology **Company** The Highland Council **Objector Ref** 470f

Representation

Policies 27 & 28: I am pleased to see that development proposals on abandoned house sites and ruins will be considered as new developments (para 5.71). I welcome these policies but note that where an extension to, conversion of, or replacement of a traditional, vernacular or historic building is proposed (including those that are not designated listed buildings) mitigation must be proposed to allow the recording of that building in advance of alteration or demolition. This should be considered within the development planning and the development control processes.

Summary

Welcomes the fact that development proposals on abandoned house sites and ruins will be considered as new developments. Note that where extension to, conversion of, or replacement of a traditional, vernacular or historic building is proposed (including those not designated as listed buildings), seek the inclusion of need for recording buildings in advance of alteration or demolition.

CNPA analysis

The comment is noted. However, this would not be considered a reasonable addition to the policy, and could not therefore be enforced. No modification considered necessary as a result of this representation.

Policy Policy 28 **Name** Glenmore Properties Ltd **Company** Glenmore Properties Ltd **Objector Ref** 453n
Agent Steve Crawford

Representation

We support the principles of this policy but request that it allows the replacement of a single house with more than one house where the site allows such development. This could be on large sites where new development fits the landscape well or to replace larger than average houses.

The Moray Local Plan operates a 4-stage recognition policy where replacement housing is considered acceptable. This ranges from

actual evidence of a previous house i.e. evidence of all four walls although not fully intact to the house effectively still standing. We suggest that the CNPA adopt a similar policy. The National Park grew up over the years with housing scattered about the countryside. This is a key feature but many of these houses have been abandoned. We don't believe that the retention of derelict dwellings is desirable feature of the Park and where the location is acceptable then replacement of such dwellings could be appropriate. There should be no occupancy requirement in these cases.

Modifications: Alter policies to reflect comments in summary.

Summary

The policy should also allow for the replacement of a single house with one or more houses where the site would allow. The example of Moray Local Plan policy might be used. The development of scattered housing in the countryside is typical of development in the Park's history, and the retention of a derelict building is not desirable. There should be no occupancy requirement in these cases.

CNPA analysis

The comment is noted, and in light of the comments received regarding this policy the wording in d) will be assessed to consider its reasonableness. Key to this will be the impact any environmental development might have. In regard to the mention of derelict properties and occupancy conditions, any proposal would be measured against the terms of this policy. The wording will however be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 28

Name John Forbes-Leith Esq
Company
Agent Debbie Mackay

Dunachton Estate

Objector Ref

418p

Representation

This policy is onerous in term so its requirement that the existing house retains its roof. This policy could be very useful for enabling ruinous houses to contribute to the housing provision in the Park. There is no particular necessity for the roof to still be in place – considering the house is being replaced. The policy being put forward by Moray Council in their current Modifications to their Plan allows replacement housing on a site where the original footprint of the house is readily identifiable. It does not require all external walls and the roof to be in place.

Modifications to resolve this objection -

The policy should provide greater flexibility. Criteria c) should be altered to allow for the replacement house if the footprint of the original dwelling is clearly visible.

Summary

The policy should not require the roof to be retained. It should be used instead to enable ruinous houses to contribute to the housing provision. The Policy in Moray Council may provide a useful guide. The policy should therefore be amended to provide greater flexibility and should allow for the footprint to be used as the guide to the appropriateness of a site.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 28	Name Phil Rowsby	Company SRPBA	Objector Ref	429i
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Representation

The SRPBA recognise that there are often problems for example associated with replacing an old cottage with a new one, it would help developers if this policy made this easier to achieve.

Summary

The policy is too difficult to implement and should be reviewed.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 28	Name Jamie Williamson	Company Alvie and Dalraddy Estate	Objector Ref	439w
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Representation

If the Park Authority wants more houses they cannot afford to be too prescriptive. Locating new buildings where old buildings were located previously could help retain some of the built cultural heritage of the area, particularly where the form, scale and materials are the same as before even though the use of the building might be different.

Proposed Modifications –

The replacement of an existing house with a new house will be permitted where:

- a) The existing house is not a listed building;
- b) If the existing house is a traditional vernacular design, it is demonstrated to be (delete Structurally incapable of) unsuitable for rehabilitation and cannot be retained;
- c) The existing house remains largely intact (delete with external walls and roof) or it has been permanently occupied within the previous (delete five) fifteen years;
- d) (delete The proposal is for no more than the existing number of house units; and)
- e) The new house is located on the site of the existing house unless an alternative adjacent site would minimise any negative environmental, social or economic effects of development If an adjacent site is permitted, the planning authority will normally condition the demolition of the existing house prior to occupation of the new house.

Summary

The wording should allow new development on the site of old buildings to retain the cultural heritage of the area, particularly where the

form, scale and materials are the same as before even though the use of the building might be different.

Amended wording -

In b) delete 'structurally incapable of' and replace with 'unsuitable for';

In c) delete 'with external walls and roof' and replace 'five' with 'fifteen'

In d) delete this section

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. The proposed wording will be assessed in this regard.

Policy Policy 28 **Name** Fred Mackintosh **Company** The Highland Council **Objector Ref** 472h

Representation

Existing Highland Council Policy regarding road adoption, "the 4 house rule", to be applied in respect of all new developments.

Summary

Seek the inclusion of the current Highland Council Policy for road adoption (the 4 house rule) for all new developments.

CNPA analysis

The comment is noted. However the issue is one of a technical nature that can be applied to planning permissions as required, rather than creating a rule across the Park as a whole which may not be relevant or reasonable in every case. No modification considered necessary as a result of this representation.

Policy Policy 28 **Name** The Crown Estate **Company** The Crown Estate **Objector Ref** 419p
Agent Debbie Mackay

Representation

This policy is onerous in term so its requirement that the existing house retains its roof. This policy could be very useful for enabling ruinous houses to contribute to the housing provision in the Park. There is no particular necessity for the roof to still be in place – considering the house is being replaced. The policy being put forward by Moray Council in their current Modifications to their Plan allows replacement housing on a site where the original footprint of the house is readily identifiable. It does not require all external walls and the roof to be in place.

Modifications to resolve this objection -

The policy should provide greater flexibility. Criteria c) should be altered to allow for the replacement house if the footprint of the original dwelling is clearly visible.

Summary

The policy should not require the roof to be retained. It should be used instead to enable ruinous houses to contribute to the housing provision. The Policy in Moray Council may provide a useful guide. The policy should therefore be amended to provide greater flexibility and should allow for the footprint to be used as the guide to the appropriateness of a site.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 28 **Name** Mairi Maciver **Company** Communities Scotland **Objector Ref** 025s

Representation

Para 5.71, second sentence – what is meant by “recent past” in this context?

Summary

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

CNPA analysis

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

Policy Policy 28 **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473v

Representation

How close a replacement house would have to be from the existing house to be considered acceptable? Would the new house have to be:

- Adjacent to the existing house but within the existing curtilage or
- Adjacent to the exiting curtilage?

Summary

Questions how close would a replacement house have to be from the existing house to be considered acceptable? Would it have to be:

- adjacent to the existing house but within the existing curtilage or
- adjacent to the existing curtilage?

CNPA analysis

Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 28 **Name** Frogmore Estates Scotland Ltd **Company** Frogmore Estates Scotland Ltd **Objector Ref** 026e
Agent Philip Clarke

Representation

Replacement Houses (Page 51), provides scope for such development where, the existing house is relatively intact with external walls and roof, or has been occupied in the past 5 years. The re-use of existing permanent structures which were previously dwellings, of which there are many throughout the Park, offers the most sustainable means of providing housing outwith settlements, without compromising the landscape qualities of the Park through the introduction of new structures. At present, the combined provisions of Policy 26 and Policy 28 are not in keeping with SPP15 and require adjustment accordingly.

Objection is made, therefore, to the wording of Policy 26 - Housing Proposals Outwith Settlements and it is recommended that this be modified by the inclusion of an additional point after e) stating: "or; f) The proposed dwelling is sited on previously developed land and does not result in any adverse impact upon the special qualities of the Park."

Objection is also made to the wording of Policy 28 - Replacement Houses which should be amended to remove point c), which requires that the original building must either be intact with external walls and roof or must have been occupied over the previous five years.

Summary

The re-use of existing permanent structures which were previously dwellings offers the most sustainable means of providing housing outwith settlements, without compromising the landscape qualities of the Park through the introduction of new structures. At present, the combined provisions of Policy 26 and 28 are not in keeping with SPP15 and require adjustment accordingly. The wording should be amended to remove point c), which requires that the original building must either be intact with external walls and roof or must have been occupied over the previous five years.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 28 **Name** Dr A Watson **Company** **Objector Ref** 020q

Representation

Policy 28, e), should there not be a limit on the expansion extent compared with the original house? e.g. Kincardine & Deeside used to say up to 50% more. Should be some limit.

Summary

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

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Additional information and detail will be added as appropriate.

Policy Policy 28 **Name** Frogmore Estates Scotland Ltd **Company** Frogmore Estates Scotland Ltd **Objector Ref** 026f
Agent Philip Clarke

Representation

2.31 Objection is made to the second and third sentences of Paragraph 5.71 which should be deleted. Paragraph 3.106 of the Consultative Draft Local Plan, which referred to the rehabilitation of derelict houses, should be included in the Deposit Local Plan after Paragraph 5.70 in the Implementation and Monitoring section.

2.32 The objections and subsequent recommendations for the modification of Policies 26 and 28 and their associated subtext would ensure that the Cairngorms National Park Local Plan is consistent with the aims and objectives of SPP15, allowing for the creation of housing in the rural area but, by limiting this to sites of previous development, the historical landscape will be retained and the special qualities of the Park protected.

Summary

The 2nd and 3rd sentences of para 5.71 should be deleted and para 3.106 from the consultative draft plan should be reinstated after para 5.70.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 28 **Name** Colonel F.M.K. Tuck **Company** **Objector Ref** 011e

Representation

The fact that a building is listed (especially at a lower category) does not mean that it can not be altered, adapted, changed in use, or even demolished. It just means that greater thought and care have to be given in planning decisions. 28a should be modified to reflect this.

Summary

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

CNPA analysis

The consideration of listed buildings is considered under Policy 10. Additional clarification will be added to the introduction to explain in greater detail that all policies of the Plan must be considered when assessing any proposal or application.

Policy Policy 28 **Name** Reidhaven Estate **Company** Reidhaven Estate **Objector Ref** 456i
Agent Jill Paterson

Representation

It is our view that this policy is over restrictive, particularly in relation to part (c) as this effectively precludes the redevelopment of semi-derelict sites. A key characteristic of the National Park is the housing that has been built over the years throughout the countryside, including many traditional properties. Many of these houses have however been abandoned and often the roof is the first element to fall into disrepair. The retention of these derelict buildings, we believe, is not a desirable feature of the Park and therefore the replacement of such dwellings could be appropriate. There should be no occupancy requirement in these cases.

Modifications: Amend part (c) of the policy to remove the reference to roof.

Summary

The wording is overly restrictive, particularly in c) which precludes the redevelopment of semi-derelict sites. A characteristic of the area is dispersed housing throughout the countryside, including many traditional properties. Where these are abandoned the roof is often the 1st element to collapse. The retention of these derelict buildings is undesirable and their replacement should be provided for. There should be no occupancy requirement in these cases. The wording should be amended to remove the reference to roof.

CNPA analysis

The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. The proposed wording will be assessed in this regard.

Policy Policy 28 **Name** Anne MacNamara, Planning Directorate **Company** Scottish Government **Objector Ref** 422v

Representation

It is unclear why Policy 28 should restrict the replacement of an existing house with no more than the existing number of units. Such renovations would seem to offer an opportunity in some circumstances to increase the number of units available without greatly increasing the environmental impact.

Summary

There is no explanation why the number of units permissible under this policy should be restricted to the original number on the site.

CNPA analysis

The comment is noted, and in light of the comments received regarding this policy the wording in d) will be assessed to consider its reasonableness. Key to this will be the impact any environmental development might have.

Policy Policy 29 **Name** Maurice Stack **Company** Aberdeenshire Council **Objector Ref** 473w

Representation

Does the policy apply to former steadings that have been converted into houses?
 What is a 'significant and unacceptable detrimental impact' on neighbouring properties?
 What is an 'acceptable level of private garden space'? Would it include unusable space (e.g. narrow strip of land at the side of a

house, driveway/turning area)?

All very unspecific, no limits on extensions along mutual boundaries, no % of plot, no privacy distances, no area for garden ground.

Maybe included in supplementary guidance which would save all the departure nonsense we have due to the specific policies in ALP.

Summary

Does the Policy apply to former steadings that have been converted into houses.

What is a 'significant and unacceptable detrimental impact' on neighbouring properties?

What is an 'acceptable level of private garden space'? Would this include unusable space, for example a narrow strip of land at the side of a house, driveway/turning area?

Policy 29 is very unspecific. It contains no limits on extensions along mutual boundaries, no percentage of plot, no privacy distances.

Questions whether this will be included in Supplementary guidance?

CNPA analysis

The comments are noted, and the wording will be revised to clarify the types of development affected, the impact on proposals, and the way in which the policy should be implemented. To support policies such as this there is also a need for a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken.

Policy Policy 30

Name Susan Davies

Company

Scottish Natural Heritage

Objector Ref

465s

Representation

Paragraph 5.75 and Policy 30 miss opportunities to deliver the policies and priorities identified in the Outdoor Access Strategy concerning sustainable transport. For example, it would be useful for the Local Plan to promote provision of safe routes to school and workplaces, cycle routes, and public transport facilities at car parks.

Summary

Seek the inclusion in the plan of promotion of safe routes to schools and workplaces, cycle routes, and public transport facilities at car parks, in line with the open access strategy.

CNPA analysis

The comment is noted, and efforts will be made to amend the policy to take a more positive approach to alternative forms of transport including the ones referred to.

Policy Policy 30

Name Maurice Stack

Company

Aberdeenshire Council

Objector Ref

473x

Representation

Scope of transport assessment is wider than just public transport, it also consider the potential impacts on infrastructure. The Scottish Government definition is: "A Transport Assessment is a comprehensive and consistent review of all the potential transport impacts of a proposed development or redevelopment, with an agreed plan to reduce any adverse consequences."

Changing the wording of Policy 30 would be welcomed.

5.77: The terminology in this paragraph may be slightly confusing.

The phrase “transport network” appears to refer to a public transport service, as most (if not all) developments will connect to a transport network, i.e. a road. I would suggest a rewording of this paragraph to make it clearer.

Summary

Changing the wording of Policy 30 would be welcomed. The phrase “transport network” appears to refer to a public transport service. As most (if not all) developments will connect to a transport network, i.e. a road, suggest rewording paragraph to make it clearer. Furthermore, the scope of transport assessments is wider than just public transport, they also consider potential impacts on infrastructure.

CNPA analysis

The wording of the policy will be cross checked against Scottish Government guidance to ensure there is no confusion or omissions. The wording selected may also have resulted in confusion and will be amended accordingly.

Policy Policy 30	Name Anne MacNamara, Planning Directorate	Company Scottish Government	Objector Ref 423a
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Representation

Transport Scotland objects to the fact that there is no wording in Policy 30, or elsewhere in the Deposit Local Plan, that recognises that there is a general presumption against new trunk road junctions.

Modifications to resolve this objection -

Transport Scotland requests the inclusion of a general policy statement in Policy 30 related to the presumption against new trunk road junctions, using the text provided below.

“Given the strategic role of the trunk road network, there is a general presumption against new trunk road accesses which is highlighted in SPP17. Therefore, a development which proposes a new access must be thoroughly appraised in terms of need, location and access, to determine the potential trunk road and rail impact, public transport access and travel plan content.”

Where new access to the trunk road is being considered within the transport accessibility assessment for a specific land use allocation, full and detailed justification will require to be provided in support of such an access strategy. This will be required to take the form of a development appraisal examining the decision process undertaken regarding the allocation of development and an assessment of access options in accordance with the Scottish Transport Appraisal Guidance (STAG). This will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road access in a particular instance”.

Summary

There should be a presumption against new trunk road junctions. The policy should be amended to

“Given the strategic role of the trunk road network, there is a general presumption against new trunk road accesses which is highlighted in SPP17. Therefore, a development which proposes a new access must be thoroughly appraised in terms of need, location and access, to determine the potential trunk road and rail impact, public transport access and travel plan content. Where new access to the trunk

road is being considered within the transport accessibility assessment for a specific land use allocation, full and detailed justification will require to be provided in support of such an access strategy. This will be required to take the form of a development appraisal examining the decision process undertaken regarding the allocation of development and an assessment of access options in accordance with the Scottish Transport Appraisal Guidance (STAG). This will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road access in a particular instance”.

CNPA analysis

The reference to trunk roads is noted, and the wording of the policy will be amended to reflect current agreements and presumptions to certain scales of development within the Park.

Policy Policy 30

Name Anne MacNamara, Planning Directorate

Company Scottish Government

Objector Ref 423b

Representation

Transport Scotland objects to the fact that there is no wording in Policy 30, or elsewhere in the Deposit Local Plan, that recognises that there is a requirement to carry out an appraisal, in accordance with Scottish Transport Appraisal Guidance (STAG), to find transport solutions to transport problems and potential opportunities for developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and that, in all other circumstances, STAG should be used as best practice appraisal to find transport solutions to transport problems and potential opportunities.

Modifications to resolve this objection -

Transport Scotland requests that the text provided below be inserted in Policy 30 after the sentence ending with “National Park”.

“There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions to transport problems and potential opportunities for developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and that, in all other circumstances, STAG should be used as best practice appraisal to find transport solutions to transport problems and potential opportunities.

Summary

There should be a requirement to carry out an appraisal in accordance with STAG to find transport solutions to transport problems and potential opportunities for developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and that, in all other circumstances, STAG should be used as best practice appraisal. The following wording should be added: “There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions to transport problems and potential opportunities for developments where Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding is required and that, in all other circumstances, STAG should be used as best practice appraisal to find transport solutions to transport problems and potential opportunities.”

CNPA analysis

The comments regarding STAG are noted. The wording of the policy will be revisited to ensure that it complies with the requirements of such guidance. Where appropriate additional information may be included within the supporting text.

Representation

Transport Scotland objects to the fact that the Deposit Local Plan does not set down a clear approach to integrated land use and transport planning, in accordance with SPP17, that:

- seeks to reduce car dependency;
- seeks to maximise the mode share of sustainable travel modes (walking, cycling and public transport) compared to the mode share by private car;
- adopts the priority/ hierarchy of travel modes set down in SPP17 as follows: walking; cycling; public transport followed by motorised modes; and
- seeks to reduce the need to travel.

Section 5.77 of the Plan states that “Efforts to reduce transport requirements should be considered, and within such a rural setting as is found within the Park, the opportunity exists to consider innovative options, for example through ‘community cars’ and car sharing.” This statement does not constitute a clear sustainable integrated land use and transport planning policy. For example, it is not clear what is meant by “transport requirements” and “community cars” and “car sharing” are only one of several options that could be adopted as part of an integrated transport and land use policy.

Modifications to resolve this objection -

Transport Scotland requests that a clear approach to integrated land use and transport planning is set down in the Deposit Local Plan, in accordance with SPP17, that:

- seeks to reduce car dependency;
- seeks to maximise the mode share of sustainable travel modes (walking, cycling and public transport) compared to the mode share by private car;
- adopts the priority/ hierarchy of travel modes set down in SPP17 as follows: walking; cycling; public transport followed by motorised modes; and
- seeks to reduce the need to travel.

Summary

There should be a clear approach to integrated land use and transport planning, in accordance with SPP17. The wording should expand to explain what is meant by “transport requirements”; and “community cars” and “car sharing” are only one of several options that could be adopted as part of an integrated transport and land use policy.

The policy should be amended to give this clear approach in a policy which

- seeks to reduce car dependency;
- seeks to maximise the mode share of sustainable travel modes;
- adopts the priority/ hierarchy of travel modes set down in SPP17 as follows: walking; cycling; public transport followed by motorised modes; and
- seeks to reduce the need to travel.

CNPA analysis

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The wording selected may also have resulted in confusion and will be amended accordingly.

Policy Policy 30	Name DW and IM Duncan	Company	Objector Ref	0371
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Representation

In general a good policy but the proposed house building programme will inevitably lead more private vehicles on the roads, thus making cycling a less attractive option unless there is a huge investment in separate cycle tracks.

Summary

The scale of proposed new housing will lead to the need for additional sustainable transport links and there should be additional investment in cycle tracks to match the demand.

CNPA analysis

The policy is intended to promote alternative forms of transport other than the private car. The CNPA is committed to more sustainable development in all its senses, and new housing developments will have to comply with this policy in the same way as any other proposed development. No modification considered necessary as a result of this representation.

Policy Policy 30	Name Nicola Abrams	Company	SEPA	Objector Ref	3991
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Representation

SEPA objects to the wording of the Policy and supporting text.

Reason for Objection - SEPA considers that the local plan should set out the need to consider the air quality implications of new development in accordance with SPP17 and Scottish Executive Planning and Air Quality guidance.

Suggested Modification - SEPA requests that reference is made in Policy 30 or the supporting text for the need to ensure that transport from new development does not result in breaches of National Air Quality Standards.

Summary

The local plan should set out the need to consider the air quality implications of new development in accordance with SPP17 and Scottish Executive Planning and Air Quality guidance. Reference should be made in Policy 30 or its supporting text for the need to ensure that transport from new development does not result in breaches of National Air Quality Standards.

CNPA analysis

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The wording selected may also have resulted in confusion and will be amended accordingly.

Policy Policy 30

Name Nicola Abrams

Company

SEPA

Objector Ref 399SEA(m)

Representation

SEPA accepts the results of the assessment undertaken with regard to this policy. Please refer to SEPA's representation on the Finalised Local Plan for detailed comments on the Local Plan.

Summary

SEPA accepts the results of the assessment in regard to Policy 30.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 30

Name Anne MacNamara, Planning Directorate

Company Scottish Government

Objector Ref 423I

Representation

It is unclear why there is an emphasis on the link between transport and communications in sections 5.75 and 5.77 of the Deposit Local Plan. Also, section 5.77 contains the following statement:

“New developments should ensure that they connect to any transport network which currently exists, and where this is not in place, make provision to improve the general provision for access to the development site. Efforts to reduce transport requirements should also be considered, and within such a rural setting as is found within the Park, the opportunity exists to consider innovative options, for example through ‘community cars’ and car sharing.” It is not clear why this statement is contained in the section on Telecommunications.

Modifications to resolve this representation - The link between transport and communications in the Deposit Local Plan needs to be clearly explained.

Also, the part of section 5.77 following on from the first sentence should be encompassed within “Policy 30 – “Integrated and Sustainable Transport Network”.

Summary

Why is there a link between transport and communications in sections 5.75 and 5.77. Also in 5.77 why is the reference to connections to transport networks contained within this section. The link between transport and communications needs to be clearly explained. Also the mentioned section in 5.77 should be included in Policy 30.

CNPA analysis

The comments are noted and the layout of the plan will be reconsidered to ensure that it is clear, logical and easy to follow.

Representation

- a) Public Transport: Consultation with the Council's Passenger Transport Coordination Team will be required on all matters of public transport.
- b) Walking and Cycling: For larger developments a Green Transport Plan may be required as part of any Transport Assessment requested. The enhancement and expansion of existing walking and cycling facilities within the area will generally be welcomed. You will note that Highland Council will only consider for adoption those facilities that have been designed and constructed to an adoptable standard, and provide a major link between houses, schools, shops, public recreation and entertainment areas or form part of an existing adopted network.
- c) Road Network and Facilities. Public parking is limited in many settlements within the Badenoch and Strathspey area. Suitable car and coach parking is essential for visitors and the provision of additional facilities should be encouraged wherever and whenever possible. There is a high car dependency within the area and public transport services are limited, consequently national guidelines in respect of maximum parking standards are not generally applicable.

Note: Highland Council has in place and has applied a policy whereby commuted charges can be levied on a development where adequate car parking cannot be provided within the curtilage of the development. Sums raised in this way are used to enhance the provision of public transport local to the development or increase areas of public parking within reasonably close proximity of the development. It is recommended that a similar policy be included in the Cairngorms National Park Local Plan.

Roadside Signage. Highland Council currently operate a general policy on tourist signposting on roads within the Badenoch and Strathspey area.

Summary

- a) Public Transport. Consultation with Highland Council's Passenger Transport Coordination Team is suggested on all matters of public transport.
- b) Walking and Cycling. For larger developments a Green Transport Plan may be required as part of any Transport Assessment requested. The enhancement and expansion of existing walking and cycling facilities within the area will generally be welcomed. NB Highland Council will only consider for adoption those facilities that have been designed and constructed to an adoptable standard, and provide a major link between houses, schools, shops, public recreation and entertainment areas or form part of an existing adopted network.
- c) Road Network and Facilities. Public parking is limited in many settlements within the Badenoch and Strathspey area. Suitable car and coach parking is essential for visitors and the provision of additional facilities should be encouraged wherever and whenever possible. There is a high car dependency within the area and public transport services are limited, consequently national guidelines in respect of maximum parking standards are not generally applicable.

NB : Highland Council has in place and has applied a policy whereby commuted charges can be levied on a development where

adequate car parking cannot be provided within the curtilage of the development. Sums raised in this way are used to enhance the provision of public transport local to the development or increase areas of public parking within reasonably close proximity of the development. It is recommended that a similar policy be included in the Cairngorms National Park Local Plan.

CNPA analysis

The comments are noted. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken and this will include the issue of transport provision, design standards, etc.

Policy Policy 30	Name Mairi Maciver	Company Communities Scotland	Objector Ref 025u
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Representation

We welcome Policy 30 - Integrated and Sustainable Transport Network - and the requirement for developers to submit a transport assessment covering local transport impacts of the development. However, where Communities Scotland is providing grant support for a development, our grant can be for housing purposes only and cannot be used for contributions to transport infrastructure.

Summary

Support developer requirement to submit a transport assessment covering local transport impacts of developments, but note that where Communities Scotland funding is being used for a development, it can only be used for housing purposes and not as a contribution to transport infrastructure.

CNPA analysis

The limitations of the funding available to certain sectors is recognised. The policy will be reconsidered in line with the requirements of SPP17 to ensure that the requirements place on all developers is not onerous.

Policy Policy 30	Name Fred Mackintosh	Company The Highland Council	Objector Ref 472e
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Representation

Policy 30. Proposals for Retail/Commercial Development. As previously stated adequate parking provision will be essential and for larger developments improvements to existing road, cycle and pedestrian networks may be required. Attention is drawn to the note above, relative to Policy 22 (c), regarding commuted sums for public parking provision.

Summary

Seeks the inclusion of reference to the need for adequate parking provision for larger developments and improvements to existing road, cycle and pedestrian networks may also be required.

CNPA analysis

The comment is noted and the wording of the policy will be amended to consider the issue of parking associated with developments.

Further work is also needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes for use by staff across the 4 local authorities and the CNPA to ensure a consistent approach is taken and this will include the issue of parking.

Policy Policy 30

Name Frogmore Estates Scotland Ltd

Company Frogmore Estates Scotland Ltd **Objector Ref** 026g

Agent Philip Clarke

Representation

2.33 Two of the principal elements of achieving sustainability in terms of transport are the encouragement of walking and cycling, the use of public transport and reducing the need to travel. Whilst these two themes run throughout SPP17: Planning for Transport, Scottish Ministers are realistic about the practicality of these requirements in remote and rural areas. SPP17 states (Paragraph 12, Page 3) that: "Away from settlements, particularly in remoter localities, development plans should be realistic about the likely availability of public transport access. Rural development may be permitted on social and economic grounds where regular and frequent public transport cannot be justified and where the impact of vehicle movements on the local road network would not be significant."

2.34 SPP17 acknowledges (Paragraph 50, Page 14) that "Significant travel generating uses should be located to support more sustainable travel patterns...". The distinction between significant travel generating uses and non-significant travel generating uses is of relevance.

2.35 PAN73 (Paragraphs 34 — 36) confirms that greater reliance on the car is often inevitable in rural areas and, whilst measures to encourage bus travel, cycling or walking can and should be promoted, it is necessary to be realistic about traffic generation in enabling rural development. PAN73 (Paragraph 26) also advises that applying matters of principle to individual circumstances requires careful consideration of all economic and social as well as environmental factors.

2.36 Circular 12/1996 identifies the role which planning agreements can play in the development control process, but recognises that these should only be sought where they are required to make a proposal acceptable in land use planning terms (Paragraph 4). It states (Paragraph 5): "A planning authority should not, however, treat an applicants need for planning permission as an opportunity to obtain a benefit, financial or environmental, which is unrelated in nature, scale or kind to the development proposed."

2.37 The issue of scale and kind is defined in Circular 12/1996 (Paragraph 11): Planning agreements should be related in scale and kind to the proposed development. Developers may, for example, reasonably be expected to pay for or contribute to the cost of infrastructure which would not have been necessary but for the development. The effect of such infrastructure investment may be to confer some wider benefit but payments should be consistent with the scale of the proposed development. Attempts to extract excessive contributions to infrastructure costs from developers or obtain extraneous benefits are, therefore, to be strongly discouraged. For example, developers should not be asked to fund local road improvements unless the need for these improvements arises wholly or substantially from the proposed development."

2.38 Policy 30 — Integrated and Sustainable Transport Network in the Deposit Local Plan (Page 52) states: "All proposals should make a positive contribution towards the improvement of the sustainable transport network within the Cairngorms National Park."

2.39 Policy 30 also confirms that, where traffic generation from a proposed development would be significant, then a traffic assessment will be required.

2.40 It is appreciated that, where a development has a significant impact upon the local road network through traffic generation it is appropriate for that impact to be mitigated and a contribution towards the sustainable transport network secured. However, in the case of minor developments this may not be appropriate

2.41 Any minor proposals which would not generate a significant amount of traffic or have any material impact upon the existing road or public transport network should not be required to contribute towards the sustainable transport network.

2.42 Where the scale of a proposed development is minor it may be impossible for it to make a positive contribution towards the sustainable transport network. An otherwise acceptable proposal for a single dwelling in the rural area, under the current wording of Policy 30 would be required to make such a contribution. Given the remoteness of some areas of the Park, it may be unfeasible for such proposals to be required to contribute towards public transport or walking and cycling routes, as it may be the case that the development is inaccessible to any of these modes of transport as a realistic means of travel. Alternatively, even if the proposed dwelling is near a public transport route, the level of finance required to result in any positive impact upon a local bus service would be entirely out of keeping with the scale of the development proposed.

2.43 In light of this, objection is made to the wording of Policy 30 — Integrated and Sustainable Public Transport Network which is overly prescriptive in its requirement that all proposals must make a positive contribution towards the sustainable transport network.

Summary

Two principal elements of achieving sustainability in terms of transport are to encourage walking and cycling, public transport and reduce the need to travel. Whilst these two themes run throughout SPP17 Scottish Ministers are realistic about the practicality of these requirements in remote and rural areas) Specific reference should be made to para 12, 50 and PAN 73 para 26, 34-36, and also circular 12/1996 para 5 and 11.

In terms of the Policy it is appreciated that, where a development has a significant impact on the local road network through traffic generation it is appropriate for that impact to be mitigated and a contribution towards the sustainable transport network secured. However, in the case of minor developments this may not be appropriate. Any minor proposals which would not generate a significant amount of traffic or have any material impact upon the existing road or public transport network should not be required to contribute towards the sustainable transport network.

With such minor developments it may be impossible for it to make a positive contribution towards the sustainable transport network. An otherwise acceptable proposal for a single dwelling in the rural area would be required to make such a contribution. Given the remoteness of some areas of the Park, it may be the case that the development is inaccessible to any of the methods of transport commonly identified as achieving sustainability. Even if the proposed dwelling is near a public transport route, the level of finance required to result in any positive impact a local bus service would be entirely out of keeping with the scale of the development proposed. The wording is therefore overly prescriptive in its requirement that all proposals must make a positive contribution towards the sustainable transport network.

CNPA analysis

The wording of the policy will be cross checked against Scottish Government guidance and in particular SPP17 to ensure there is no confusion or omissions. The wording selected may also have resulted in confusion and will be amended accordingly.

Policy Policy 30 **Name** Scottish & Southern Energy Plc **Company** Scottish & Southern Energy Plc **Objector Ref** 447i
Agent Jones Lang Lasalle

Representation

Policy 30 states: "All proposals should make a positive contribution towards the improvement of the sustainable transport network within the Cairngorms National Park."

It is questionable whether it is practical for all projects that might come forward within The National Park to make a positive contribution towards the improvement of the sustainable transport network within the National Park. It is considered that it would be more appropriate here to include a reference to projects of a particular size or class, such as major and national developments as defined by the Planning etc (Scotland) Act 2006. This would be more consistent with the principles of PAN 49.

Summary

Can all projects in the Park really make a positive contribution towards the improvement of the sustainable transport network? It would be more appropriate here to include a reference to projects of a particular size or class, such as major and national developments and would make the policy more consistent with PAN 49.

CNPA analysis

The comment is noted and the wording of the policy will be revisited to consider those occasions when development proposals do not affect the transport network.

Policy Policy 30 **Name** Sandra Heberton **Company** Network Rail **Objector Ref** 368b

Representation

We support the change in wording from the previous Policy 22 but would further recommend the provision of more detailed guidance on the circumstances when a transport assessment will be required.

Summary

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

CNPA analysis

The comments are noted. Further work is needed to clarify how policies will be implemented through the development management process and to ensure the wording is not open to unnecessary interpretation. It is proposed to produce a series of working practice notes which will provide the detail necessary to address the issue raised.

Policy Policy 30,31 **Name** Colonel F.M.K. Tuck **Company** **Objector Ref** 011f

Representation

Para 5.78 and Policies 30 and 31 - the layout does not follow that of the rest of the document. Better to list both Policies first and then

include 5.75 in background and justification. Other utilities and services can be just as intrusive as telecoms and should be included here, e.g electricity pylons and poles.

Summary

Revise the layout to match with the rest of the Plan and its policies. There are other services which make as much of an impact as telecoms and should be included, eg pylons and poles.

CNPA analysis

The comments regarding the layout are noted. Modifications will endeavour to ensure the plan and its policies are clearly laid out and are easy to understand and implement. The comment regarding other forms of utilities provision is noted and agreed with.

Developments such as those mentioned would be considered under other policies in the Plan including the impact the development would have on the landscape, natural heritage, etc. Additional information will however be added to clarify the need for all developments to take full account of all the policies in the Plan.

Policy Policy 31	Name Susan Davies	Company Scottish Natural Heritage	Objector Ref	465t
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Representation

It would be useful to refer to the need for developers to consider concealment, camouflage and disguising techniques (see PAN 62). Para 5.78 - It would be useful to explain that there are no permitted development rights for telecommunications developments in National Parks except in an emergency.

Summary

It would be useful to refer to the need for developers to consider concealment, camouflage and disguising techniques (see PAN 62). Para 5.78 - It would be useful to explain that there are no permitted development rights for telecommunications developments in National Parks except in an emergency.

CNPA analysis

The comments regarding additional information are noted, and further information will be included within the supporting text to expand on the issues raised.

Policy Policy 31	Name Mrs Jane Angus	Company	Objector Ref	437p
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Representation

This is a very difficult clause as future patterns could be quite different from any present projection. In Points 5.75-9 — There is a need for better security for wireless broadband.

Summary

How does the policy accommodate future changes in coverage. There is also a need for better security for wireless broadband

CNPA analysis

The policy has been written to allow new telecommunications developments to occur in the most appropriate locations, designed to minimise the impact on the landscape. The wording should not therefore preclude changes in technological requirements. While the comments regarding broadband security are noted, this is not a matter for consideration under a land use planning document. No modification considered necessary as a result of this representation.

Policy Policy 31	Name Dr A Watson	Company	Objector Ref	0201
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Representation

Policy 31, para 1, 2nd last sentence. This misuses the terms “ecology” and “archaeology”. Ecology is a science, likewise archaeology. I suggest “impact on affected wildlife species, habitats or archaeological features”.

Summary

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

CNPA analysis

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

Policy Policy 31	Name Rona Main	Company Scottish Enterprise Grampian	Objector Ref	425r
	Agent Steve Crawford			

Representation

The development of high quality telecommunications is an essential element of modern business. This policy attempts to protect the environment from visual intrusion by such equipment. We support the recognition that telecommunications equipment is required but suggest that, in demonstrating an established need that the business need is seen as being valid.

Summary

In demonstrating an established need the business need should be seen as valid.

CNPA analysis

The policy has been worded to ensure that new developments occur in the most appropriate locations, and are designed to minimise the visual and landscape impact. Any business case outside that normally considered in line with national guidance should not be seen to override this requirement. No modification considered necessary as a result of this representation.

Policy Policy 32	Name Nicola Abrams	Company SEPA	Objector Ref	399n
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Representation

SEPA welcomes the promotion in the policy of local waste management schemes but objects to the wording of the policy.

Reason for Objection - SEPA objects to the wording of the policy which seems to promote local composting and energy from waste schemes over other types of waste management facilities, for example it is not clear why other waste management facilities such as local recycling centres should not be equally promoted.

Suggested Modification - SEPA requests that the wording of the policy be amended to clearly refer to recycling centres.

Additional Comments - SEPA welcomes the upfront commitment to energy from waste in the policy but SEPA recommends that the policy could be further improved to reflect SEPA's thermal treatment guidelines, and SPP10 both of which promote the production of both heat and power, for example by adding at the end of the first paragraph at the end "For example the use of the energy generated to provide district heating and to serve other users."

Summary

The wording of the policy seems to promote local composting and energy from waste schemes over other types of waste management facilities. EG it is not clear why other waste management facilities such as local recycling centres should not be equally promoted. The wording of the policy should be amended to clearly refer to recycling centres.

In addition, SEPA welcomes the upfront commitment to energy from waste in the policy but recommends that the policy could be further improved to reflect SEPA's thermal treatment guidelines, and SPP10 both of which promote the production of both heat and power, for example by adding at the end of the first paragraph at the end "For example the use of the energy generated to provide district heating and to serve other users."

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. It will also be amended to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy.

Policy Policy 32	Name Nicola Abrams	Company	SEPA	Objector Ref	399m
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Representation

SEPA welcomes the inclusion of a policy in the Local Plan to address waste management issues. However, SEPA objects to the policy as it stands as it does not set the policy context for non municipal waste proposals nor does it require waste management proposals to comply with the principles of the National Waste Strategy. While SEPA welcomes the reference to the Area Waste Plans, at present they only deal with landfill diversion targets for municipal waste.

Reason for Objection - The policy as it stands does not set the context for non municipal waste which accounts for the majority (approximately 75%) of waste arisings in Scotland. It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote the principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPP10 (paragraph) 1 which states that planning authorities assist in helping to further the

National Waste Plan objectives in relation to sustainable waste management.

Suggested Modification - A clear reference is made in the policy or supporting text that the Area Waste Plan only deals with municipal waste and that waste management facilities can extend beyond the requirements of the Area Waste Plans whereby direction is required for a//waste management proposals. Within Policy 32 it should be clearly stated that all new waste management developments require to comply with the objectives of the National Waste Strategy and National Waste Plan.

Summary

The policy does not set the policy context for non municipal waste proposals nor does it require waste management proposals to comply with the principles of the National Waste Strategy. While welcoming the reference to the Area Waste Plans, at present they only deal with landfill diversion targets for municipal waste.

It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote the principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPP10 (para 1) which states that planning authorities assist in helping to further the National Waste Plan objectives in relation to sustainable waste management. A clear reference should be made in the policy or supporting text that the Area Waste Plan only deals with municipal waste, and that waste management facilities can extend beyond the requirements of the Area Waste Plans whereby direction is required for a//waste management proposals. It should be clearly stated that all new waste management developments require to comply with the objectives of the National Waste Strategy and National Waste Plan.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 32

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

Representation

In the first paragraph of Policy 32, insert "business to manage their waste and" after 'assist', to better reflect national policy. References to SPP and PAN in paragraph 5.81 require amendment.

Delete "the responsibility for which lies with the relevant waste authority" from paragraph 5.83 as this is superfluous. The first sentence of paragraph 5.84 also requires editing, with the deletion of "of the relevant waste authorities" and "to assist where possible in the delivery of their strategies" and the replacement of "these authorities" with "local authorities".

Summary

In para 1 of the policy insert "business to manage their waste and" after 'assist', to better reflect national policy. Amend references to SPP and PAN in para 5.81.

In para 5.83 delete “the responsibility for which lies with the relevant waste authority”. Also edit the 1st sentence of para 5.84 to delete “of the relevant waste authorities” and “to assist where possible in the delivery of their strategies” and the replacement of “these authorities” with “local authorities”.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 32	Name Jamie Williamson	Company	Alvie and Dalraddy Estate	Objector Ref	439x
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Representation

Although we welcome recycling and reuse of waste products there will always be a requirement for landfill. In an age when we are endeavouring to reduce our energy requirements landfill close to the point where the waste is being produced is preferable to transporting it long distances. The Cairngorms National Park Authority should not be taking a NIMBY approach.

There should not be a presumption in favour of exporting our problems outside the National Park. Why should others accept what we don't want? Dumping our waste over the fence (outside the Park) should not be entertained as a solution. There will still be need for landfill in the foreseeable future. Material for landfill should be disposed of locally minimising transport costs.

There are a number of inconsistencies in what we describe as waste and how we deal with it. Decomposing wood is considered both a waste product and a valuable slow release fertiliser. Similar types of animal bi-products (waste) are treated differently depending on where it is sourced. Dead cows, sheep, horses and hens can no longer be buried on our land; they must be transported to Keith for processing by rendering. However we are allowed to bury the gralloch from deer when shot on the hill but not the skin if we remove it in the larder. We can also bury ducks, dogs and humans. When dead stock is rendered down at the knackery, a bi-product is tallow which used to be used as a bio-fuel in the rendering process. This is no longer allowed; they must now use fossil fuel that is non renewable and contributes to carbon emissions and global warming.

Organic waste including livestock and human manure, tree stumps and other vegetative material are usually better buried where they can return organic material to the ground, enrich the soil, improve its structure and improve its capacity for vegetative growth. In forestry it is customary when felling trees to leave branches and roots to decompose on site and return nutrients to soil. Why then should we insist when recycling on removing organic material from the area? Our attitudes and practices in dealing with organic matter are inconsistent. Much of the Cairngorms National Park area is covered in glacial moraine which can be ideal for absorbing and converting organic waste into useful fertiliser that can help sustain future vegetative production.

We endorse the Local Plan's support for recycling and composting where practical. There should be a presumption in favour of recycling and composting locally. It is normally easier and more cost effective to sort waste or bi-products at source, however there is a

problem in persuading people to sort their waste. Producing energy from waste should be supported regardless of whether there is a clear benefit to the local community.

Proposed Modifications –

Proposals which are appropriately sited and designed and which assist local authorities to meet or surpass their Area Waste Plan targets will be favourably considered. This will include municipal solid waste schemes and local schemes particularly where they involve the production of compost and/or energy from the waste, and also where there is a direct community benefit.

(delete There will be a presumption against the development of) New landfill sites within the National Park and proposals for the extension of existing sites may be considered acceptable, subject to the consideration of a full Environmental Impact Assessment (EIA). Prior to the closure of an operational landfill site (once it becomes full or redundant) details for its site restoration, after-care and after-use will be required for approval by the planning authority.

Summary

The approach should not presume to export the waste problem from the Park and make no provision for it within its boundaries. There will still be a need for landfill into the future, and such material should be disposed of minimising transport costs. There should be a presumption in favour of recycling and composting locally. It is normally easier and more cost effective to sort waste or bi-products at source, however there is a problem in persuading people to sort their waste. Producing energy from waste should be supported regardless of whether there is a clear benefit to the local community.

Amended wording –

In para 2 delete 'There will be a presumption against the development of'

In para 2 add 'and' before 'proposals'

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Policy Policy 32

Name Robert Maund

Company

Scottish Council for National Parks

Objector Ref

434k

Representation

The consultative draft plan drew attention to the fact that the three waste management authorities have three different sets of targets. Waste management in Scotland has lagged behind the rest of the UK and the UK has lagged behind much of Europe. To bring a consistent, effective approach across the Park will require the Park Authority to take a positive lead in bringing the waste authorities together and setting out clearly what is required to meet the Park's needs.

Summary

The policy should ensure that the Park Authority takes a positive lead in bringing the waste authorities together and set out clearly what is

required to meet the Park's needs.

CNPA analysis

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to be reached across the Park. The wording of the policy will be reviewed to ensure this is achieved through the local plan where possible.

Policy Policy 32	Name Nicola Abrams	Company	SEPA	Objector Ref	399o
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Representation

SEPA objects to the second paragraph of the policy in relation to landfill developments.

Reason for Objection - While the National Waste Strategy seeks to promote a move away from landfill, there will always be instances where residual landfill may be required for example; for the use of inert material to restore land. The local plan does not provide clear guidance on how suitable locations for landfill may be found.

Suggested Modification - It is therefore recommended that this Policy be amended to say "There will be a presumption against the development of new landfill sites within the CNP unless the development meets the following criteria- (some example criteria)

- the objectives of the National Waste Strategy and National Waste Plan
- appropriate environmental criteria including restoration of the site
- the option of site selection which helps secure reinstatement of derelict or despoiled land has been fully considered.
- The capacity and location of the site complies with the principles of self sufficiency and the proximity principle, located as close as practicable to the source of the generation of the waste and minimising, where possible, the transportation of waste by road.
- any facilities required to recycle/treat waste on site are included within the development proposal."

Summary

In relation to landfill developments, while the National Waste Strategy seeks to promote a move away from landfill, there will always be instances where residual landfill may be required for example; for the use of inert material to restore land. The local plan does not provide clear guidance on how suitable locations for landfill may be found. The policy should be amended to say "There will be a presumption against the development of new landfill sites within the CNP unless the development meets the following criteria- (some example criteria)

- the objectives of the National Waste Strategy and National Waste Plan
- appropriate environmental criteria including restoration of the site
- the option of site selection which helps secure reinstatement of derelict or despoiled land has been fully considered.
- The capacity and location of the site complies with the principles of self sufficiency and the proximity principle, located as close as practicable to the source of the generation of the waste and minimising, where possible, the transportation of waste by road.
- any facilities required to recycle/treat waste on site are included within the development proposal."

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National

Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Policy Policy 32	Name John Forbes-Leith Esq Agent Debbie Mackay	Company Dunachton Estate	Objector Ref 418q
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Representation

This policy makes reference to “a presumption against the development of new landfill sites within the CNP”.

If however existing landfill sites cannot be extended, it is unreasonable to expect other local authority areas to find space for waste from the Park Area. Transporting waste long distances to external landfill sites will add significantly to the carbon footprint of waste management.

Modifications to resolve this objection - The policy should state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

Summary

It is unreasonable to expect other local authority areas to find space for waste from the Park Area and to drive waste to such sites if existing areas cannot be extended. The policy should be amended to state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 32	Name Nicola Abrams	Company SEPA	Objector Ref 399SEA(n)
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Representation

SEPA accepts the results of the assessment undertaken with regard to this policy. Please refer to SEPA's representation on the Finalised Local Plan for detailed comments on the Local Plan.

Summary

SEPA accepts the results of the assessment in regard to Policy 32.

CNPA analysis

No modification considered necessary as a result of this representation.

Policy Policy 32

Name James and Evelyn Sunley

Company

Objector Ref

056p

Representation

5.8/5.85 (Policy 32) We believe that waste management which comes under the control of the four local authorities needs to be changed. A consistent and uniform policy and method of waste collection should be implemented throughout the Park. Local authorities should be encouraged to implement this.

Summary

Waste management should be consistent across the 4 local authorities.

CNPA analysis

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to be reached across the Park. The wording of the policy will be reviewed to ensure this is achieved through the local plan where possible.

Policy Policy 32

Name John Anderson **Company** Kincaig & Vicinity Community Council

Objector Ref

463v

Representation

We generally support the Alvie Estate view on this Policy.

KVCC comment: Makes reference to 'a presumption against the development of new landfill sites within the CNP'. If existing landfill sites cannot be extended, it is unreasonable to expect others to find space for our rubbish. There should be a presumption against taking our waste long distances to external-to-the-park landfill sites which would otherwise add to the carbon footprint of waste management.

Summary

Generally support Alvie estate view on this policy. State that if existing landfill sites cannot be extended, it is unreasonable to expect others to find space for our rubbish. State there should be a presumption against transporting waste long distance to landfill sites outside the park, which would add to the carbon footprint of waste management.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Policy Policy 32

Name Mrs Jane Angus

Company

Objector Ref

437q

Representation

I would suggest consideration of fuller collection/local storage/high plasma furnace disposal. c.f.Hampshire.

Summary

The plan should consider a fuller collection/local storage/high plasma furnace disposal. c.f.Hampshire.

CNPA analysis

The comment is noted and the suggestion will be considered when working with our local authority partners in the future. No modification considered necessary as a result of this representation.

Policy Policy 32 **Name** Dr A M Jones **Company** Badenoch & Strathspey Conservation Group **Objector Ref** 400g(i)

Representation

Policy 32 and 5.80, 5.81, 5.82 - Object to inclusion of energy from waste plants on grounds of being premature, not rigorously justified, likely to discourage waste minimisation, likely to impact negatively on future recycling rates, likely to impact negatively on investment in recycling, and possible health and pollution issues. There has been no recent and informed public debate on this issue, which is a matter of far reaching significance as to how our waste is managed. It is not adequate for the CNPA to promote the inclusion of energy from waste plants in the DLP simply because they are included in the Area Waste Plan. We note that at the time of public consultation prior to the writing of the Area Waste Plan there was substantial concern expressed about EfW plants from respondents within Badenoch & Strathspey. The level of response from B&S was amongst the highest in Highland.

We draw to the attention of the CNPA, that whereas there is much that is unacceptable about present waste management, with waste being transported long distances by road and being landfilled, it can reasonably be argued that there is far more that is unacceptable about an EfW plant (e.g. requiring a guaranteed minimum amount of waste to burn, and potentially being run by a private, profit-driven organisation).

Summary

Statements regarding energy from waste plants are not justified and could discourage waste minimisation. Also there is insufficient detail regarding any potential EfW plant

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Policy Policy 32 **Name** The Crown Estate **Company** The Crown Estate **Objector Ref** 419q
Agent Debbie Mackay

Representation

This policy makes reference to "a presumption against the development of new landfill sites within the CNP". If however existing landfill sites cannot be extended, it is unreasonable to expect other local authority areas to find space for waste from

the Park Area. Transporting waste long distances to external landfill sites will add significantly to the carbon footprint of waste management.

Modifications to resolve this objection -

The policy should state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

Summary

It is unreasonable to expect other local authority areas to find space for waste from the Park Area and to drive waste to such sites if existing areas cannot be extended. The policy should be amended to state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

CNPA analysis

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.