

Response to Informal Consultation to Draft Settlement Maps

Contents

Informal settlement maps – Responses.....	4
General Comment.....	4
Core Path comments.....	13
An Camas Mòr.....	15
Aviemore.....	20
Ballater.....	27
Bellabeg.....	58
Blair Atholl.....	61
Boat of Garten.....	65
Braemar.....	73
Bruar and Pitagowan.....	86
Calvine.....	88
Carr-Bridge.....	90
Cromdale.....	96
Dalwhinnie.....	104
Dinnet.....	107
Dulnain Bridge.....	108
Glenmore.....	111
Glenshee.....	116
Grantown-on-Spey.....	118
Insh.....	141
Inverdrue and Coylumbridge.....	144
Killiecrankie.....	147
Kincraig.....	149
Kingussie.....	153
Laggan.....	160
Nethy Bridge.....	161

Newtonmore 176
Tomintoul 180

Informal settlement maps – Responses

General Comment

Name Kelsey Tainsh

Objector Ref 001 Map/b

Representation

Further to my email comments below, I thought that the attached article in The Times dated September 13 2012 titled 'Build homes for everyone, not just for buyers' by David Pretty, would be of interest to the; Park's Convenor, CNPA Board Members, and the CNPA Planning and Local Plan staff.

Please note that David Pretty was the group chief executive of Barratt Developments until 2006 and that in 2008 he co-chaired a government review into planning.

His following comments (at the bottom of the third column of this article) highlight just how difficult it is going to be in the midst of the Park's present housing and economic crisis, for many members of the Park's established families (especially for those without access to the "bank of mum and dad – to raise a deposit") and local communities, including those with decent jobs and steady incomes, are going to have to get any form of housing in the Park:

- The definition of real housing need is utterly different. It touches a much wider cross-section of society, including young professionals, students with loan debt, newly-weds, people hit by divorce, redundancy or bereavement, the retired, the disabled, the chronically ill and many more

Rather than focusing on the Grantown-on-Spey Housing years 0-5 future opportunity, I suggest that the Park Board should possibly prioritise the building of houses for members of Park local communities on land in the Park which is held by Government and/or Councils.

Please note that this article also highlights that decades of undersupply has resulted in:

- A lost generation of first-time buyers.
- Their average age is now approaching 40, almost 15 years older than in the 1960's.

David Pretty believes that 'the housing problem cannot be ignored any longer and that this crisis can be overcome'.

I trust that the Park Board is up to the challenge, and can facilitate the delivery of sufficient houses (for rent, shared ownership or other low-cost schemes) as those outlined in the attached article.

Summary

Highlights urgent need for the affordable housing for local people in the Park- requests consideration of sites owned by public bodies.

CNPA Response

The policies in the plan reflect a flexible enabling approach to delivering market and affordable housing, including the re-use of land and buildings where appropriate.

Name SEPA

Objector Ref 063 Map/a

Settlement General Comment

Representation

Flood risk

I.1 We would welcome the opportunity to discuss all allocations considered in the proposed plan. A meeting would also allow us to discuss any issues raised within this response, with all relevant parties e.g. Local Authority Planners and Flood Prevention Staff.

I.2 We would like to highlight that there are several sites which are currently within the Indicative 1:200 fluvial flood map but allocated for e.g. tourism or safeguarded as open space. Whilst we understand that existing tourism sites e.g. campsites, may need to be supported for development, it may be significantly constrained by flood risk issues. We support any areas safeguarded as open space which are at risk of flooding to prevent inappropriate development. We would suggest that these areas are highlighted as being safeguarded for flood risk reasons.

I.3 It should be noted that all strategic development proposals should incorporate an adequate assessment of flood risk. The cornerstone of sustainable flood management is the avoidance of flood risk in the first instance. We would welcome the opportunity to assist and support Cairngorm National Park with flood risk issues raised here on any development options or policies proposed for the Local Development Plan.

I.4 For information the Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_extent_maps.aspx.

I.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Cairngorms National Park as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: 'Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities' outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx

Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

As you know we welcome full and early engagement at all stages of the LDP, as such we would welcome the opportunity to assist you in terms of providing comments on proposed text for future policy development and supplementary guidance on issues relevant to our interest. In the meantime, if you

have any queries relating to this letter, please contact me by telephone on 01224 266655 or e-mail at planning.aberdeen@sepa.org.uk

Summary

Suggest meeting would be useful. Point out that several allocation for tourism and open space fall within the 1:200 fluvial flood zone, suggest any sites safeguarded for flood risk reason should be identified as such. All strategic development proposals should incorporate an adequate assessment of flood risk. Highlight the Indicative River & Coastal Flood Map (Scotland), designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/a

Representation

Overall - We are concerned at the limited scope of this informal consultation and that it is not clear how members of the public were informed about it happening or whether they were informed at all. All the allocations should be coded for ease of reference. It is difficult, time consuming and inconvenient for the public to have to describe to the CNPA which area they are referring to and this makes the consultation process open to confusion and misinterpretation by the CNPA of which area a representation is referring to. The stars that indicate opportunity sites, economic growth sites and waste facilities should be outlined showing accurately what site the CNPA is referring to. The stars obliterate the map beneath them making it impossible for the public to appreciate what the site is; the stars do not provide an indicative boundary for the site. The use of stars is imprecise and is not consistent with careful planning. The watermark on the settlement maps of Cairngorms National Park Authority etc should be removed from all the maps. The watermark obscures detail on the maps and makes it hard to interpret the shading of areas on the maps. We welcome all the 'Safeguarded' areas and object if any of these are reduced in size or omitted. The maps should be clearer with important and easily recognisable features (e.g. roads) marked on them. The informal consultation should provide maps showing important natural heritage designations, including Important Areas for Invertebrates, Ancient Woodland Inventory sites and all national and international designated sites (e.g. Natura sites). The following comments are not exhaustive.

Summary

Concerned about the scope of the consultation. Unhappy about the use of stars as they are imprecise. Suggest watermarks should be removed to aid clarity of map. Welcome safeguarded areas. Suggest maps should be clearer with important and easily recognisable features (e.g. roads) marked on them, and include natural heritage designations.

CNPA Response

CNPA have found informal consultation process very useful. Roads and natural heritage designations are shown on the maps

Name Aberdeenshire Council

Objector Ref 086 Map/b

Representation

The CNPA is the access authority for this area of Aberdeenshire and they are the ones who are working with the local communities re access. Also we have a seat on the Cairngorms Outdoor Access Trust and the Trust is fully involved in the delivery of access in the Park area so any access requirements we have/are aware of can be channelled in through COAT.

Therefore the only comment we have in relation to future development of Core Paths would be to create a link from Tarland to Logie Coldstone which would be a cross boundary link. We realise that this does not relate to any specific settlement map.

Summary

Suggest the need to create cross boundary link from Tarland to Logie Coldstone and include this within the Core Paths Plan.

CNPA Response

The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Aviemore and Vicinity Community Council

Objector Ref 129 Map/a

Representation

I refer to the Local Plan - Settlement Maps Informal Consultation. Aviemore and Vicinity Community Council (AVCC) wishes to make the following comments;

Terminology: AVCC find the use of the word 'Safeguarded' to be misleading and gives people reading the document the wrong impression. If a word is used it should mean what it says. i.e. 'safeguarded' means 'protected or secured'. In the Local Plan however, 'safeguarded' does not mean what it says as it should read as 'safeguarded unless other Policies dictate otherwise', which gives the terminology a completely different meaning. AVCC feels that the normal person will not look further than the word 'safeguarded' and its accepted meaning and will therefore fail to comprehend the full effect of the document. AVCC is of the opinion that this should be addressed so that there can be no confusion.

Summary

Question the user friendliness of the term safeguarded.

CNPA Response The use of wording has been reviewed.

Name Dr Scott Shanks of Buglife

Objector Ref 139 Map/a

Representation

We thank you for the opportunity to comment on the Local Development Plan. It is encouraging to see the number of safeguarded areas. We recommend that none of these are removed or reduce in size.

We would point out that proposed development in all settlements next to the River Spey SAC and the River Dee SAC, including An Camas Mor, Nethy Bridge, Newtonmore, Tomintoul, Kingussie, Kincaig, Inverdrue & Coylumbridge, Insh, Grantown-on-Spey, Dulnain Bridge, Dalwhinnie, Cromdale, Braemar, Boat of Garten, and Carrbridge would need to take into account the presence of the SAC annex II species Fresh water pearl mussel (*Margaritifera margaritifera*) in these rivers. This is species that is highly sensitive to pollution from surface water runoff, and increased particulates and sediments in these rivers that may arise during construction.

Many of the settlements indicated in the local development plan are in areas with significant nationally important invertebrate interest (In addition to the internationally important SACs for Fresh water pearl mussels).

Appropriate invertebrate surveys should be carried out prior to development on all settlement sites within the National Park. Site of particular invertebrate interest include: An Camas Mor, School Wood at Nethy Bridge, Carrbridge, The Mossie at Grantown-on-Spey, Kingussie, Boat of Garten.

Summary

Support safeguarding allocations. Highlight importance of SACs and protected species across the

CNPA Response

The policies require consideration of all protected sites and biodiversity.

Name David and Isabel Duncan

Objector Ref 140 Map/a

Representation

I find the colour coding of the on line maps confusing and would hope that the next version is clearer and of a similar format to the previous Local Plan.

Land outside the Settlement Boundaries is not colour coded. Does this imply that development may be considered in these wider areas? I would suggest that land near to but outside settlements which is of environmental/recreational/landscape interest, is also identified and safeguarded.

Summary

Found colour coding confusing. Suggest land outside of settlement boundaries of environmental, recreational, landscape should also be identified and safeguarded.

CNPA Response

The key has been reviewed. Development outside the settlement boundary must comply with all the policies set out in the Plan.

Name Neil MacKenzie

Objector Ref 144 Map/a

Representation

I would like to object to the size and location of some of the new housing development zones proposed for the settlement areas as shown on your plan maps. New housing developments in recent years have encroached on areas of natural habitat, particularly native woodlands in which I have a special expertise having undertaken ecological surveys in Strathspey woodlands for many years. For example, there should not be any housing development at School Wood on the edge of Nethybridge as this area has important biodiversity interests and is popular locally for informal recreation; while the huge development zone at An Camas Mor is effectively a new town, something that would be unprecedented in any other National Park in Europe. Aviemore already has substantial areas of existing permissions for new housing.

Summary

Object to housing allocation at School Wood, Nethybridge and An Camas Mor.

CNPA Response CNPA remain committed to allocation in the current Plan.

Name Scottish Natural Heritage

Objector Ref 040 Map/a

Representation

Thank you for the opportunity to comment on the draft settlement maps for the Proposed Plan, including the core path network. Our detailed comments for each settlement are set out in the annex to this letter. In line with the joint Planning Protocol, these are restricted to matters relating to Natura sites, SSSIs, National Nature Reserves and European Protected Species. We note that many of the settlement boundaries and core paths are the same as or very similar to those indicated in the current Cairngorms National Park Local Plan, on which we were consulted, and which was adopted in October 2010.

We welcome the detailed work carried out to provide a clear framework for future development in the settlements of the National Park. We also welcome this further opportunity for engagement between the statutory Main Issues Report and Proposed Plan stages. We are pleased to see the open spaces being recognised for safeguarding by inclusion within the settlement boundaries. Most of our detailed comments in the annex relate to Natura sites, and these will require to be addressed through the Habitats Regulations Appraisal (HRA) of this plan. We have sought to identify the Natura sites per settlement to be considered within the HRA. We will be pleased to assist you in respect of the HRA, and your attention is drawn to updated SNH Guidance and new Advice Sheets from the Scottish Government both recently published –

<http://www.snh.gov.uk/planning-and-development/environmental-assessment/habitat-regulations-appraisal/http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/enviro-assessment/a-a/HRAAdvicesheets>

We recommend in particular that the HRA should include an assessment of the possible impacts of the core paths on capercaillie. Particular attention should be paid to the core paths at Aviemore, Glenmore, Inverdrue–Coylumbridge, Nethy Bridge, Grantown-on-Spey and Boat of Garten, and any impacts on the Cairngorms SPA, Anagach Woods SPA, Craigmore Wood SPA, Abernethy Forest SPA and Kinveachy Forest SPA. We would be happy to advise further on this aspect of the HRA.

Also in respect of core paths generally, those through woodland and adjacent to watercourses will need to consider capercaillie in the former and otter in the latter where they are new paths still to be constructed/formalised.

We presume that, as for the current Local Plan, the settlement maps in the LDP Proposed Plan will include natural heritage background features, e.g. designated features. Also we presume that where a symbol is currently shown for an 'Opportunity Site – Sustainable Economic Growth' or 'Community Development' out with the settlement boundary (e.g. Boat of Garten, Braemar, Glenmore, Granttown-on-Spey, Newtonmore, Tomintoul) this will be more clearly shown in the Proposed Plan as an allocation proposal, with supporting information.

Summary

Welcome clear framework for future development in the settlements of the National Park. Pleased to see the open spaces safeguarded within settlement boundaries. Comments on Natura sites will need to be addressed through the Habitats Regulations Appraisal (HRA) of the plan. Would be pleased to assist with HRA, and highlight latest government guidance on this. HRA should include an assessment of the possible impacts of the core paths on capercaillie and otters, particularly at Aviemore, Glenmore, Inverdrue–Coilumbridge, Nethy Bridge, Granttown-on-Spey and Boat of Garten, and any impacts on the Cairngorms SPA, Anagach Woods SPA, Craigmore Wood SPA, Abernethy Forest SPA and Kinveachy Forest SPA must be considered. Settlement maps should include natural heritage background features, e.g. Designated features. Request that current symbols for an 'Opportunity Site – Sustainable Economic Growth' or 'Community Development' are shown more clearly in the Proposed Plan as an allocation proposal, with supporting information.

CNPA Response

CNPA have worked closely with SNH on the HRA. Symbols indicating possible longer term locations of development have been removed from the Plan.

Name Scottish Government

Objector Ref 051 Map/a

Representation

Transport Scotland: The inclusion of a distinct boundary to each settlement map now provides the appropriate clarity to confirm where development can take place at these specific locations. There is no indication from the MIR or this further work, that any transport appraisal has been undertaken. In accordance with Scottish Planning Policy, proportionate appraisal work should be undertaken, and ideally prior to the publication of the Proposed Plan, which will provide a clear understanding of the transport implications for your spatial strategy. However, given the nature of your land-use allocations, this should be a straightforward exercise. Transport Scotland would be happy to meet with the National Park to take both the transport appraisal work, and also the other issues raised in this letter forward, in advance of the Proposed Plan being published, which I note from your Development Plan Scheme is likely to be in March 2013

Historic Scotland: Whilst we welcome the consultation prior to the publication of CNPA's proposed plan, overall we were disappointed with the quality and content of the mapping provided. We considered that the level of detail included at this stage was too generic to be able to move beyond the high level comments we provided on the spatial strategy as it was presented in the Main Issues Report. It would have been helpful to have made the site settlement strategy available in GIS format at this stage.

In relation to the core paths consultation, it appears that the maps do not contain information on the whole core paths network within CNPA's area. In addition, it was not clear from the maps whether the core paths identified are existing or proposed. A number of paths shown are in the vicinity of heritage assets. We would be happy to provide further comments on the core paths network when more detailed information is forthcoming. Despite the shortcomings of the information provided in the consultation I attach a table which contains Historic Scotland's comments on the site settlement strategy and core paths network. CNPA should seek the comments of its archaeology and conservation services for matters including unscheduled archaeology, category B and C listed buildings, non-Inventory GDL and conservation areas in addition to those of Historic Scotland if you have not already done so.

Summary

Transport Scotland welcome distinct boundaries of each settlement map. A transport appraisal is needed. A meeting to discuss this may be useful. Historic Scotland question the information provided on the Core Paths Network, and suggest consultation with CNPA archaeology and conservation team needed. Happy to provide further comments on the core paths network when more detailed information is available.

CNPA Response

Comments noted. A meeting was held with Transport Scotland and a Transport Assessment was undertaken. The maps have been improved and will be in GIS format for the next consultation. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 061 Map/a

Representation

The scale of housing proposed in this Plan would unleash an unacceptable level of development, far in excess of what is appropriate in a National Park.

The Cairngorms National Park Authority has failed to identify the damage that this would cause to the landscapes, special character and natural heritage of the Cairngorms National Park.

The Cairngorms Campaign notes that this "informal" consultation has not been of a standard that can be considered acceptable. There has not been sufficient publicity or outreach by the CNPA to properly engage the public, accessibility to the material has been limited largely to the web, and it can reasonably be argued that it gives a weighting to the views of people 'in the know' about the consultation while in effect inhibiting the views of others.

Summary

Object to the level of development proposed in the Plan and question to robustness of the informal consultation process.

CNPA Response

The evidence to support the Plan is set out in the evidence paper. CNPA have found the informal consultation process very helpful.

Name Roy Turnbull

Objector Ref 062 Map/a

Representation

Informal Consultation

I am not aware that the term “informal consultation” is anywhere defined by the CNPA, and I remain unsure of its meaning or purpose. It appears to be without any useful purpose, and gives the impression that representations are not required or will not be properly considered, and thus act as a means of reducing such representations. Its introduction into the consultation process without a clear explanation of its purpose appears to be an entirely retrograde step by the CNPA.

Settlement maps.

I object to the fact that the settlement maps provide no information concerning the number of dwellings in the areas marked for housing development, nor is a numerical value for the area of the proposed development sites given. Also, minimal information is provided concerning other proposals in the settlement maps. The online settlement maps also very briefly show what appears to be a “constraints map” (when the settlement map is re-sized), but its appearance is so brief as to be useless. Further, there are blue and amber arrows on the maps whose meaning is not explained and is unknown. In all, the settlement maps provide too little information and are largely inadequate for consultation.

Over supply of development land.

I object to the general very considerable over-supply of land for housing within the Settlement Maps. I find no evidence whatsoever to support the CNPA claim that the inclusion of An Camas Mor within the Local Plan would help to relieve development pressure on other settlements. On the contrary, the level of proposed development, if carried through, would represent the greatest ever rate of house building within Badenoch and Strathspey and cause very considerable damage to landscape and biodiversity, whilst entrenching the local economy into an unsustainable house building bubble. The consequences of such developer driven policy is the very opposite of what should be happening in a national park that is attempting to conserve the natural and cultural heritage of the area whilst committing itself to sustainable economic and social development. The CNPA is in very real danger of presiding over what will be come to be seen as an international disgrace in the worldwide family of national parks.

Lack of identification of natural heritage features. I object to the lack of information on the Settlement Maps, including the lack of any identification of ancient woodlands, native woodlands, SSSI's, European sites, and National Nature Reserves. This lack of identification and protection is contrary to the requirements of SPP Feb. 2010 p.29 para 146, which states, “Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement.” This lack, and the wholesale disregard for protecting woodlands of high nature conservation value, such as School Wood, Nethy Bridge, and the pinewood at Carrbridge, contrary to what is required by national planning policy even outside national parks, is a disgrace, and one for which the CNPA is wholly responsible.

Summary

Questions the informal consultation process and lack of detailed information about development proposals or natural heritage features on the maps. Objects to over supply of land within the Park, in particular the An Camas Mor development

CNPA Response

CNPA has found the informal consultation process very useful. Natural heritage designations have been added. The evidence that supports the Plan is set out in the evidence paper.

Core Path comments

Name Blair Atholl & Struan Community Council

Objector Ref 046 Map/a

Representation

MAP 29 ATHOLL & GLENSHEE: We propose the extension of the Minigaig Pass route from Bruar Lodge Northwards to where it joins with the Gaik Pass route. This route has considerable historical significance, being originally the only route through the Grampians to Inverness prior to 1725. The starting point of the route is already prominently signposted at Calvine on the B847. Web site links: www.cairngorms-park.com/villages/calvine-and-struan or www.heritagepaths.co.uk/pathdetails.php?path=212 for more detailed information.

Summary

Propose extension of the Minigaig Pass route from Bruar Lodge Northwards to where it joins with the Gaik Pass route. This route has considerable historical significance and the starting point is already prominently signposted at Calvine.

CNPA Response

The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/z

Representation

Transport Scotland supports the work undertaken in preparing the Core Path Plan especially as this type of policy supports more active travel through walking and cycling.

Summary

Supports work undertaken in preparing the Core Path Plan especially as this type of policy supports more active travel through walking and cycling.

CNPA Response

Support welcomed. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Val Hamilton

Objector Ref 117 Map/a

Representation

The Tulloch Moor Road which runs between the B970 (Coylumbridge to Nethy Bridge) near Auchgourish to the Mains of Tulloch turning is a privately owned road not adopted by the Council. It is however a vital and popular link for walkers and cyclists particularly those doing the loop from Loch Morlich past Ryvoan and back over the Sluggan (both of which are core paths, though I note the Forest Lodge track is not).

It seems to me that it should have been included in the Core Paths for the area (Map 20, Boat of Garten) but was probably overlooked because it is not obvious that it is not a public road. However this has now been acknowledged by Highland Council and recognised by the Ordnance Survey who have downgraded it to a "white road" on their maps. I think therefore that it should be included in any review

Summary

Request inclusion of Tulloch Moor Road in Core Paths Plan.

CNPA Response The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Kirriemuir Landward Community Council

Objector Ref 121 Map/a

Representation

With regard to the CNP Local Development Plan there was little comment as there clearly are no settlements nor indeed likely to be in the small part of the Community Council's area which lies within the Park boundary.

With regard to the review of Core Paths there was once again concern that Jock's Road is not included presumably as it is in such a poor state over the higher ground. EC12 and EC1 are in effect the beginning and end of Jock's Road and are in good condition. The concern is that people reading about this old through track will be seduced onto the high plateau and then become disorientated in poor weather as the track vanishes. Is there any chance of a restoration scheme being looked at for this area which would lead to Jock's Road being included in the Core Path Plan?

Summary

Question the non-inclusion of Jocks Road on the Core Path Plan.

CNPA Response The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Lonarch Hall Community Association

Objector Ref 127 Map/a

Representation

1. Is path UDO 10 accurately shown on map – may go more to East?
2. A footpath parallel to road from Bellabeg to Forbestown, and possibly on to Lonach Hall would be useful.

3. Where will the new leaflets be placed? Shops, hotels, Hall and Surgery would be best places, and possibly others.
4. Maps at entrances to Forestry paths, and at Bellabeg Bottlebank, would be helpful.
5. Fingerposts are needed where paths cross public roads.
6. Who will maintain paths – many have fallen trees that never get moved. (Two comments on this - Could maps/leaflets include a phone number/website for people to report obstructions?)
7. Last winter a dead deer was on the path behind the Strathdon school and Cairngorm NP would not remove it as it was not their land.
8. It would be nice to have a bridge put back across the Don at the end of Heughhead Avenue opposite the former site of Castle Newe.
9. What about a wider bridge at Gillander's ford near Faichla/Candacraig? The present "girder is fine for walkers but not so good for cyclists/pushchairs/wheelchairs/horses.

Summary

Question accuracy of UD10 on Core Path Plan and the delivery of the CPP.

CNPA Response The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

An Camas Mor

Name Scottish Natural Heritage

Objector Ref 040 Map/b

Representation

We note that the settlement boundary has been extended westwards from that shown in the Local Plan and Main Issues Report. The settlement boundary is now very close to the River Spey SAC. Built development may not be appropriate up to the edge of the settlement boundary. There may be opportunities to enhance the riparian corridor. This should be assessed as part of the HRA of the plan.

We suggest that it would be beneficial to identify core paths around An Camas Mor for this Local Development Plan. The paths should meet the anticipated needs of the community, especially for dog walking. We recommend that advice be sought from your access specialists on the likely needs of the community, such as routes of different lengths, suitable to meet the need for walking dogs off the lead. This would mean that the paths should be put in place prior to development, so that routes can be established which would have a minimal impact on the natural heritage of the area, in particular capercaillie in Abernethy Forest SPA and Cairngorms SPA. We are involved in discussions to address this issue.

The access road to An Camas Mor is not shown. As this will be a major development in its own right, we suggest that the route of the access road should be indicated in the LDP.

Summary

Observe that the settlement boundary has been extended westwards and is now very close to the River Spey SAC. Highlight opportunities to enhance the riparian corridor. Request these issues are assessed as part of the HRA of the plan.

Suggest core paths around An Camas Mor should be included in Local Development Plan as they should be put in place prior to development, so that routes can be established which would have a minimal impact on the natural heritage of the area, in particular capercaillie in Abernethy Forest SPA and Cairngorms SPA. Suggest access route to new settlement should be indicated in the LDP.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 05I Map/b

Representation

Transport Scotland: An Camas Mor. Transport Scotland has no issues with this development of up to 1500 houses, associated business, community facilities and the provision of other relevant infrastructure. However, it is noted that the settlement site area is larger than advised at the MIR stage, and it is unclear from the information provided whether additional houses have been allocated. Further dialogue would be appropriate.

Historic Scotland: An Camas Mor - New planned community to the east of Aviemore

We returned the following comments in response to the consultation on the MIR. The report indicates that the proposed mixed use new community will lie close to SM Rothiemurchus, palisaded enclosure to NW of Dell farm (index 9337), a monument scheduled under the Ancient Monuments and Archaeological Areas Act 1979. As such we would expect to see consideration of this monument's setting for the development itself and also for potential impacts from associated services. Mitigation for potential direct impacts upon this monument should also be given due attention.

Summary

Transport Scotland have no issues with size of An Camas Mor but note the settlement site area is larger than advised at the MIR stage, and it is unclear if additional houses have been allocated. Further dialogue would be appropriate. Historic Scotland highlight the need to consider the impact of development on SM Rothiemurchus scheduled Ancient Monument and mitigation that may be required.

CNPA Response

Comments Noted. A meeting was held with Transport Scotland and a Transport Assessment was undertaken.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 06I Map/b

Representation

We object to this development in its entirety.

We object to the change in settlement outline. The settlement boundary provided in the informal consultation is significantly expanded from that in the adopted CNP Local Plan and provided in the Main Issues Report and extends into sensitive areas nearer the River Spey SAC.

We consider it highly inappropriate for the CNPA to have introduced a radical expansion of the An Camus Mor site at an “informal” stage in the process which has been undertaken in such a way that public engagement and consultation has been particularly limited.

We further object to the lack of any information being provided in the informal consultation map (that only shows the Settlement Boundary) when the Main Issues Report provided relevant information such as showing the areas for short, medium and long term housing. There is no justification provided in this informal consultation for providing less information.

It has long been generally acknowledged that An Camus Mor is a sensitive site, which includes woodland on the Ancient Woodland Inventory, lowland heath and lies within a National Scenic Area. A radically altered Settlement Boundary enclosing an area on a map, with no other information whatsoever, when the CNPA has granted permission for up to 1500 houses subject to agreement on a Section 75 betrays a complete absence of careful planning.

Summary

Object to the An Camus Mor development and its extension, which brings in nearer to the River Spey SAC during the informal consultation.

CNPA Response

The evidence to support the Plan, including the new settlement at An Camus Mor, is set out in the evidence paper. CNPA have found the informal consultation process very helpful.

Name Roy Turnbull

Objector Ref 062 Map/f

Representation

I continue to object to the new town of An Camus Mor because, inter alia, of the destruction it will bring to an area of lowland heaths and regenerating pinewood, and because of the impact of an extra 5,000 people on nearby European Sites. I note that the area has been extended towards the river Spey, and I specifically object to this extension due to the potential impact on otters at this location.

Summary

Object to new settlement due to its environmental impact and the impact of the additional population, particularly concerns about the impact on extended boundary on otters.

CNPA Response

The evidence to support the Plan, including the new settlement at An Camus Mor, is set out in the evidence paper.

Name SEPA

Objector Ref 063 Map/b

Representation

Water body(s) affected/current status & pressures - This settlement is close to the River Spey (River Feshie to River Nethy), which is at moderate status due to sewage pollution and morphological pressures (embankments and fish barrier). The morphology pressures don't appear to be in this area, so there are no opportunities to improve them, therefore prevent deterioration etc.

Flood risk advice - The settlement boundary is larger than the specific site boundaries of the area previously commented on. The settlement is adjacent or within 1:200 year flood envelope associated with the River Spey. Development may be constrained closest to the Spey. Any road crossing needs careful consideration not to increase the risk of flooding elsewhere. See previous comments in Appendix 2.

Summary

The nearby River Spey (River Feshie to River Nethy) is at moderate status due to sewage pollution and morphological pressures (embankments and fish barrier). There seem to be no opportunities to improve the morphology pressures as they are not in this area, therefore the prevention of deterioration is needed. The settlement is adjacent or within 1:200 year flood envelope associated with the River Spey. Development may be constrained closest to the Spey. Any road crossing needs careful consideration so not to increase the risk of flooding elsewhere.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/b

Representation

We object to this development in its entirety. A new town in a National Park, that has been designated as such on account of its outstanding natural heritage, is inappropriate in principle; ACM has long been acknowledged as a sensitive and special area; the site is designated as a National Scenic Area, which is the highest landscape designation in the UK; it is of outstandingly high natural heritage value, supporting European Protected Species, UK priority species and European priority habitats; the site provides habitat connectivity and permeability for wildlife with the River Spey SAC contributing to the integrity of the SAC; the site similarly provides a buffer and habitat connectivity and permeability for wildlife for the Cairngorms SAC and Cairngorms SPA contributing to the integrity of these European sites; the ACM site is close to both the R Spey & Tributaries SAC and the Cairngorms SAC and Cairngorms SPA for which increased negative impacts would include e.g. pollution loads in the R Spey damaging sensitive species such as the freshwater pearl mussel and greater recreational disturbance impacting negatively on capercaillie; the site provides an area for the expansion of native Caledonian pinewood, a European priority habitat unique to Scotland for which the Glenmore corridor has long been renowned.

Within the Settlement boundary we object that the following are not allocated as Safeguarded:

- Lowland heathland which is a European priority habitat;

- Regenerating Caledonian pinewood habitat which is a European priority habitat unique to Scotland;
- Woodland that is listed on the Ancient Woodland Inventory;
- Wetland sites supporting the UK's most endangered damselfly, *Coenagrion hastulatum* and a buffer zone around them;
- Grassland supporting the nationally scarce Field Gentian;
- Badger setts and buffers around them.

We object to the lack of information for potential developments associated with the ACM proposal that is out with the settlement boundary. These include such infrastructure as roads, paths, river crossings and service infrastructure including that relating to sewage treatment.

We object to the change in settlement outline. The settlement boundary provided in the informal consultation is significantly expanded from that in the adopted CNPLP and provided in the Main Issues Report and extends into sensitive areas nearer the River Spey SAC. We further object to the lack of any information being provided in the informal consultation map (that only shows the Settlement Boundary) when the MIR provided relevant information such as showing the areas for short, medium and long term housing. There is no justification provided in this informal consultation for providing less information.

We consider it highly inappropriate for the CNPA to have introduced a radical expansion of the ACM site at an "informal" stage in the process which has been undertaken in such a way that public engagement and consultation has been less thorough, structured and inclusive and has been less transparent (e.g. phone calls with community councils).

It has long been generally acknowledged that An Camas Mor is a sensitive site that includes woodland on the Ancient Woodland Inventory, lowland heath and lies within a National Scenic Area. A radically altered Settlement Boundary enclosing an area on a map with no other information whatsoever when the CNPA has granted permission for up to 1500 houses subject to agreement on a Section 75 betrays a complete absence of careful planning

Summary

Object to a new town in a National Park on principle. The site is a National Scenic Area of high natural heritage value, supporting protected sites and habitats. Concerns about impact of pollution in the R Spey and its wildlife. Request safeguarding of all lowland heathland, Caledonian pinewood, woodland in the Ancient Woodland Inventory, wetland sites, grassland and badger setts. Concerned about lack of information about the infrastructure requirements which may necessitate development outside the settlement boundary. Object to expansion of settlement boundary, especially through the informal consultation, and extension into sensitive areas nearer the River Spey SAC. Object to the lack of any information on the informal consultation map, especially when compared against MIR version.

CNPA Response

CNPA remain committed to the development of An Camas Mor.

Name Aviemore and Vicinity Community Council

Objector Ref 129 Map/d

Representation

AVCC is content with the settlement boundaries shown on the Settlement Map for An Camus Mor.

Summary

Support settlement boundary.

CNPA Response Noted.

Name David and Isabel Duncan

Objector Ref 040 Map/f

Representation

The map is very unclear and difficult to interpret. There is no indication of where housing or what road infrastructure will be built in the next 5 years. There is no indication of what constraints in terms of drainage, tree retention or landscaping will be enforced. It is a blank map and it appears to me to be nothing but a developer's charter.

Summary

Found map confusing. Request constraints, and new infrastructure and housing are mapped.

CNPA Response This will be addressed through the Masterplan and Planning Permission.

Aviemore

Name Seafield Estate

Objector Ref 037 Map/e

Representation

I do not consider it appropriate to include the grazing fields next to the river, between the old Sewage Treatment Works, South of the Butcher's Burn and the more recent Sewage Treatment Works, within the settlement boundary. Nor should they be described as Recreation/ Open space. The proposed Countryside Park does not include these fields which will continue to be grazed for agricultural purposes. I suggest they are left out with the settlement boundary.

The Core Path between High Burnside and the Nature Reserve does not exist on the ground and is not a route which the estate, as landowner, supports. I suggest you consider withdrawing it from the plan.

Summary

Object to inclusion of fields next to the river, between the old Sewage Treatment Works, South of the Butcher's Burn and the Sewage Treatment Works, within the settlement boundary, or their designation as Recreation/Open space. Suggests deletion of Core Path between High Burnside and the Nature Reserve as it does not exist on the ground.

CNPA Response

CNPA continue to feel this is an appropriate allocation and that the river provides a strong defensible boundary to development.

Name Scottish Natural Heritage

Objector Ref 040 Map/c

Representation

We note no further allocations for housing development are indicated on the map. We suggest that the riparian corridor along the Milton Burn should be shown as 'safeguarded- open space-environment'. Core paths adjacent to the River Spey will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Request corridor along the Milton Burn is safeguarded as open space/environment. Highlight need to consider otters when constructing new paths adjacent to River Spey.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/a

Representation

It seems unreasonable to exclude High Burnside from the settlement boundary. Granted that the A9 is a significant visual barrier, the site is nevertheless very much functionally part of the village and cross-A9 links were an important consideration both in the original allocation of the land in the B&SLP and in the processing of planning applications. Its exclusion is all the stranger given that the settlement boundary is drawn along the offside of the A9 not the nearside. Since settlement boundaries are relevant to housing Policies would this make High Burnside a "countryside housing group" within the scope of LP 21?

Land allocation issues: Presumably the village core boundary and "existing permissions" legends will have to be adjusted in light of the planning permission granted to Tesco by CNPA.

Given the area's wooded character, narrow width between 2 railway lines, and the difficulties which have arisen in locating compensatory planting for the primary school development, allocating business land so extensively southwards from the existing "technology park" seems problematic. It also raises the issue of active travel desire lines across the two railway lines, an issue which the B&SLP tried to address. Its business allocations in this area were neither as extensive as the ones shown, nor as constrained by natural heritage considerations such as the Park Plan now applies.

Summary

Request inclusion of High Burnside in the settlement boundary as site is functionally part of the village. Would High Burnside a "countryside housing group" within the scope of LP 21. Suggest map should be amended to reflect Tesco permission. Questions logic of allocating business land south of Technology Park.

CNPA Response

The position of High Burnside has been clarified in the text. The map has been amended to reflect top Tesco permission. The employment allocation has been carried forward from adopted Local Plan.

Name Scottish Government

Objector Ref 051 Map/c

Representation

Transport Scotland: Aviemore. The settlement proposals should not affect the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

Summary

The proposal should not affect the strategic transport network. Any pre-existing conditions should be carried forward. Further dialogue may be helpful.

CNPA Response

Comments Noted. A meeting was held with Transport Scotland and a Transport Assessment was undertaken.

Name Tulloch Homes Group Ltd

Objector Ref 057 Map/b

Agent Theresa Hunt

Representation

In terms of the settlement plan for Aviemore, our clients welcome the identification of their sites being identified in the colour wash for “existing permissions”, subject to the following corrections:-

Our Clients’ site known as Aviemore Central (which is under the “A” of the super imposed “Cairngorms” writing on the plan) does not accurately reflect the existing consent for that site. There appears to be a missing area to the north west corner of that site affecting plots 20 – 24. We attach a plan showing this area circled in red. The boundary of this site should reflect the actual consent. In addition, the Core Paths Network indicated in this location appears to cause slight conflict with the existing permission and it would appear that a minor adjustment will require to be promoted to the line of the proposed core path route in order to avoid such conflict or it requires to be made clear in the legend that the lines indicated are indicative only at this stage.

In terms of our clients’ site at High Burnside, Aviemore it would appear that the existing permission site is not contained within the settlement boundary. We had already raised this as a concern at the MIR stage. As there is an extant consent, it would be appropriate for the settlement boundary to encompass the development. We have seen no justification for leaving it out of the settlement boundary. In addition, the south western edge of the High Burnside site does not appear to relate to the actual layout of the consented development. The colour wash does not encompass plots 38 and 39. We attach a plan showing this discrepancy circled in red and trust that this minor correction will be made to avoid confusion.

Summary

Welcome the identification of sites with existing permissions but highlight errors in drafting of site boundaries for Aviemore Central site and slight conflict with the Core Paths Network where a minor adjustment is needed. Suggest it should be clear in the legend that lines indicated are indicative at this stage. Concerned that the High Burnside development is not within the settlement boundary and request its inclusions. Highlight error in drafting of map which does not relate to the actual layout of the consented development at High Burnside. Request minor correction.

CNPA Response

The map has been changed to reflect the consents. High Burnside is not included within the boundary because the A9 remains a strong defensible boundary to the settlement. The plan clarifies the contribution High Burnside makes to the settlement.

Name SEPA

Objector Ref 063 Map/c

Representation

Related site specific advice - The sewer treatment works has available capacity, however the sewer network doesn't.

Flood risk advice - See previous comments in Appendix 2 for all individual sites within settlement boundary which includes site 012g/039.

Summary

Although the sewer treatment works has available capacity, the sewer network doesn't. See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name MacDonald Aviemore Highland Resort Ltd

Objector Ref 075 Map/a

Agent Elaine Farquharson-Black

Representation

Thank you very much for your email of 11 June to which was attached a letter inviting further comment on the CNPA Development Plan Settlement Map informal consultation process. On behalf of our clients, Macdonald Aviemore Highland Resort Ltd, we raise the following comments in respect of the Aviemore settlement map:-

1. It would appear that our client's existing planning permission, reference 08/241/CP (Highland Council Reference 08/170/FULBS) has not been accurately reflected on the settlement plan. The legend or the settlement map contains an entry to that existing planning permissions can be recognised. It would

appear that this colour wash is omitted in respect of our clients' site. I attach a copy of the masterplan which was approved on 1 April 2011 which shows the extent of the site which should be subject to the appropriate colour wash on the settlement map.

2. Two sustainable economic growth opportunity site" symbols are also identified in relation to our clients site. Whilst this reflects the strategic development potential of the resort, the anticipated timescale for development would extend beyond the 5 year period referred to in the legend on the settlement plan. We thought that this should be brought to your attention.

3. There is also an area identified as "safeguarded – recreation/open space" on our clients' site. This does not correspond to the proposed extension of the Four Seasons Hotel (which is part of the overall approved masterplan). We would suggest that the colour wash is removed so as not to unnecessarily constrain the redevelopment proposals in line with the masterplan.

4. The settlement plan shows a "safeguarded – recreation/open space" wash over the area of land adjacent to the golf course at Dalfaber. I would draw your attention to the fact that my clients had previously submitted a planning application (reference CP/2012/0158/DET (Highland Council Reference 12/01815/FUL but which has recently been withdrawn in consideration with the planning officers of CNPA to allow for further consultation with the neighbouring community of timeshare owners.

The outcome of that consultation is currently being formulated in a Design Statement which will accompany a revised application in early course. We thought it would be appropriate to highlight this matter at this stage as the LDP Plan, when it is published for consultation, will need to take account of the prospects of development in accordance with the planning application and should not unnecessarily constrain the development proposals accordingly in the future.

Summary

The existing permission at Aviemore Highland Resort is not accurately reflected on the plan. Highlight that although the sustainable economic growth opportunity site identified reflects the strategic development potential of the resort, the anticipated timescale for development would extend beyond the 5 year period referred to in the legend on the settlement plan. The area safeguarded as recreation/open space conflicts with the proposed extension of the Four Seasons Hotel- part of the overall approved masterplan. The recreation/open space safeguarding adjacent to the golf course is subject to ongoing discussions with planners and work on a Design Statement to accompany a revised application is ongoing, they would not wish to see their development proposals unnecessarily constrained

CNPA Response

The Plan has been amended to reflect the existing permission. CNPA remain committed to the open space designations in Aviemore.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/c

Representation

We welcome all the 'Safeguarded' areas and object if any of these are reduced in size or omitted. We object that the following areas are not allocated as 'Safeguarded'. These are all areas of significant natural heritage interest, contributing to public health, recreation, education, amenity and landscape. They all

contribute positively to the character of Aviemore which has suffered an attrition of green space in recent years which is ongoing with developments already granted permission. These areas are all currently white and therefore not allocated for any purpose:

- the areas to the west and east of the permissioned development on the horses' field north of Scandinavian village;
- the area to the west, north and east of the Old Mill area of permissioned development and existing houses up to the settlement boundary and on both sides of the Milton Burn.
- the riparian corridor along the length of the Milton Burn.

We object that the following areas are not allocated as 'Safeguarded'. These are all areas of significant natural heritage interest, contributing to public health, recreation, education, amenity and landscape. They all contribute positively to the character of Aviemore which has suffered an attrition of green space in recent years which is ongoing with developments already granted permission. These areas are all currently allocated for 'Business'.

- the area immediately north of the former Spey Valley Hire site that is partly used for horses at present up to the settlement boundary;
- the area between the two railway lines and south of the existing call centre building.

We object that the Santa Claus land lochan that supports the UK's most endangered damselfly, *Coenagrion hastulatum*, is not allocated as Safeguarded. We note that the Tesco site that is allocated as permissioned development in the informal consultation is a white area and not allocated for retail development in the MIR nor the adopted CNPLP.

We object to the Economic Growth Future Opportunity sites marked by stars due to it being unspecified what areas the CNPA has in mind as suitable for potential development.

Summary

Welcome safeguarded areas. Request additional sites are safeguarded for their natural heritage interest, contribution to health, recreation, education, amenity and landscape as follows: area west and east of planning permission north of Scandinavian village; west, north and east of the Old Mill area up to the settlement boundary and both sides of the Milton Burn; the corridor along the length of the Milton Burn. Request safeguarding of land currently allocated for Business to the north of the former Spey Valley Hire up to the settlement boundary and the area between the railway lines, south of the existing call centre building. Request Santa Claus land lochan is safeguarded for its biodiversity. Note the Tesco site is shown and land with permission despite not having been allocated for retail in MIR or Local Plan.

CNPA Response

The LDP can not impact sites which already have planning permission. Settlement boundary and allocations, including open space, have been reviewed.

Name Martin Knott

Objector Ref I18 Map/a

Representation

1. I fully support the areas marked "Safeguarded Recreation/Open Space", particularly in respect of the Dalfaber 9-Hole golf course where I am aware further development is being considered by MAHR
2. the "Core Paths" are indeed in need of work. Some sections of the "Aviemore Orbital Footpath" have become less attractive since development to the NW side of the village, and also along the banks of the River Spey. Work is needed here to complete and rework the paths so as to be more suitable for visitors and tourists as well as locals.
3. the High Burnside development is not shown inside the "Settlement Boundary" on the map – is this the case, or an omission?

Summary

Support safeguarding of recreation land. Highlight need for improvements to Core Paths in the area.

Question whether settlement boundary should include High Burnside Development.

CNPA Response

High Burnside is not included within the boundary because the A9 remains a strong defensible boundary to the settlement. The plan clarifies the contribution High Burnside makes to the settlement. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Michael Blake

Objector Ref 119 Map/a

Representation

I have reviewed the proposed local development plan for Aviemore, and as a resident I confirm my support for it as published. The plan details areas designated and contains areas clearly defined, in particular there are clear lines drawn between Business, Housing, Tourism and areas to be "Safeguarded as Recreation/Open Space". Clear areas identified as "Opportunity Site - Sustainable Economic Growth" are also defined.

In my opinion, I believe this plan shall safeguard the need for business development in correctly designated areas in the south side of the village with minimal disruption to existing housing stock in the northern side.

The protection of existing areas designated as Recreation/Open Space shall prevent further urban sprawl that is blighting the area at present.

Summary

Support the allocations and the safeguarding of land for specific uses.

CNPA Response Noted.

Name Chris and Simmie Scott

Objector Ref 120 Map/a

Representation

Thank you for the opportunity to review and comment on the Aviemore Local Plan submitted for informal consultation. Chris and I are very pleased to give our full support to the settlement map for Aviemore, specifically we give our fullest support to maintaining all the areas marked: "Safeguarded Recreation/Open Space", and this is particularly in respect of the Dalfaber 9 hole golf course where we are aware that further development is being considered by MAHR on this space.

Summary

Support the allocations and the safeguarding of land for specific uses, particularly open space.

CNPA Response Noted.

Name Aviemore and Vicinity Community Council

Objector Ref 129 Map/b

Representation

Aviemore Settlement: AVCC is content with the settlement boundary shown on the Settlement Map for Aviemore. AVCC would like to see the area encompassed by the old primary school retained for community use. Part of the area has already been set aside for tree planting. The area to the west, between the old school and Milton Wood, is owned by Aviemore and Cambusmore Enhancement Company, a community company, is shortly to be planted with trees. Aviemore is short of areas where community facilities such as kick pitches or allotments could be sited.

AVCC would also like to see the area between the north of the village settlement boundary and the municipal landfill site retained for possible community facilities. AVCC does not want to see this area within the settlement boundary as they do not feel that housing or other development is appropriate and that would be difficult to control if the area was within the settlement boundary.

Summary

Support settlement boundary. Would like to see old primary school site safeguarded for community use. Would like to see the area between the northern settlement boundary and landfill site safeguarded for community use but not included in settlement boundary.

CNPA Response

Highland Council are in negotiations on the sale of the old school site. Any development would have to compliment the surrounding development. Only land within the settlement boundary can be subject to a safeguarding policy. It is not felt appropriate to extend the settlement boundary to the north as this may give the impression that some form of development in this area may be appropriate because an allocation of community use enables development for community use.

Ballater

Name Ballater & Crathie Community Council

Objector Ref 31Map/a

Representation

Introduction

CNPA has produced a Draft Settlement Map for Ballater and requested assistance from B&CCC in conducting an "informal consultation" of Ballater residents on the contents of the map. This follows on from CNPA's analysis of responses from residents to the Main Issues Report which was published for consultation from 23rd September to 9th December 2011. This consultation is another step in CNPA's process to produce the next "Development Plan" for Ballater, which will define building development sites for 5 years after its publication.

We do not believe the map reflects the views of the majority of Ballater's community, which are: to avoid large new open market housing schemes and focus effort on affordable housing only, preferably at infill and brown field sites around the village. The map, in contrast, still shows a large area for new open market housing north east of Monaltrie Park, even though (in addition to it being opposed by the majority of residents) it is evident that this approach to the provision of affordable housing in Ballater will not give any results in the foreseeable future.

B&CCC has annotated a copy of the draft settlement map to identify the locations of 13 numbered sites thought potentially suitable for wholly affordable housing and these are shown on Table 1. These locations are only a selection of those sites which B&CCC proposed to CNPA in December 2011. They are listed in no particular order, together with some very brief notes. It was anticipated that residents might identify additional potentially useful sites inside the village boundary.

This list is likely to remain "work in progress" for some time and is by no means final. There is work to be done on all of the sites identified, including seeking views of Ballater residents, before a site can be regarded as viable for development.

Consultation Process

Apart from annotating the draft settlement map with potential infill/brown field sites and providing a limited amount of site information, the approach to this consultation adopted by B&CCC was deliberately "low key". The reason for this was that it followed rather closely behind the extensive consultation on the "Main Issues Report" that closed on 9th December 2011. It was clear from many comments by residents that they were and still are sick and tired of being "(consulted" to no avail, i.e., their views were not being taken seriously by CNPA.

Further, it was noted that, in Paper 2 "Local Development Plan Main Issues Report- responses to consultation" dated 16th March 2012, clear expressions of public opinion had been presented to CNPA as to two questions:

1. The means for delivery of needed affordable housing should (by an "overwhelming majority"- ca. 85%) be by construction of wholly affordable housing- no open market housing was needed or justified, and,
2. The same overwhelming majority (85%) rejected CNPA's preferred option for Ballater's "spatial strategy", i.e. development of BL/HI was not deemed acceptable.

For these reasons it was decided that, apart from placing of relevant documentation on the Community Notice Board and a brief reminder in the Ballater Eagle, minimal publicity would be given to this "informal consultation". This will have given the added benefit of measuring the level of public awareness within the community, and capturing input primarily from those residents who are most motivated, while avoiding the danger of causing an anti-consultation backlash against B&CCC.

Summary Findings

In all, 31 individuals from 22 households responded, by emails, letters and orally. Multiple expressions of support /opposition from single households were included. The breakdown of views on each of the 13 potential sites was as follows:

Site 1 For 5; Against 3; No Comment 15

Site 2 For 2; Against 10; No Comment 15

Site 3 For 4; Against 2; No Comment 17

Site 4 For 0; Against 9; No Comment 15

Site 5 For 1; Against 5; No Comment 17

Site 6 For 4; Against 2; No Comment 17

Site 7 For 0; Against 8; No Comment 17

Site 8 For 4; Against 2; No Comment 18

Site 9 For 0; Against 5; No Comment 19

Site 10 For 3; Against 3; No Comment 19

Site 11 For 2; Against 5; No Comment 18

Site 12 For 2; Against 7; No Comment 17

Site 13 For 1; Against 7; No Comment 17

Site B/HI For 0; Against 11; No Comment 14

Other sites/ideas For 6; Against 0; No Comment 17

Those sites appearing to find favour with public opinion, based on this process, include, with their estimated capacities:

- Site 1) the play park on Sir Patrick Geddes Way (8)
- Site 3) the Old School & grounds (10)
- Site 6) Monaltrie Park (part of the south-west end) (10+)
- Site 8) the field at the corner of Craigview and North Deeside Roads (10)
- Site 10) a piece of land on Old Station Place, almost directly opposite to the play park (4).

These sites might offer a total capacity of up to 42 affordable dwellings. In a downside scenario, Site 3 might be too costly and Site 8 might fail either due to flood risk or pre-emptive sale by the Council. This would reduce the total affordable units to around 22.

On the upside, the informal consultation process has yielded a further promising site at the corner of Deebank and Braichlie Roads, where there is a building that houses Council road sweeping equipment, etc. The site area is some 600 sq m., which might be sufficient to accommodate up to 4-6 flats, assuming

no garden ground or off-street parking is provided. It is understood that this site is owned by Aberdeenshire Council (to be confirmed).

Further, in the case of Site 2 (Dundarroch Road, south side) which has received a significant amount of local opposition, it is apparent that this may be due to a misinterpretation by CNPA of B&CCC's original suggestion; whereas the draft settlement map indicates affordable housing located along almost the entire length of Dundarroch Road, the original intention was to locate a smaller number of units (say, 4) on the land opposite the rear of the Deeside Hotel, i.e. beyond Tigh Bheag. We hope this will ameliorate the concerns of local residents. In anticipation of this, we will retain this site number for the time being. A number of sites have also been eliminated for reasons other than public opinion:

- Site 11. Hawthorn Crescent. It has been ascertained that a major obstacle would be presented due to the presence of a cable duct.
- Site 12. Golf Course. No approach has been made to the Golf Club Committee, because the need to locate housing such that all relevant requirements are met (namely safety, avoidance of flood risk, suitable road access) appears to present a significant barrier to early success.

Finally, the sites presented so far do not make up the entire portfolio of possibilities identified by

Summary

The community of Ballater do not support new large open market housing schemes. Infill and brownfield sites, ideally for affordable housing only are preferred and some suggested infill sites are

CNPA Response

The old play park on Sir Patrick Geddes way has been identified for housing. The CNPA remain committed to its approach to delivering housing in Ballater.

Name Scottish Natural Heritage

Objector Ref 040 Map/d

Representation

Proximity to the River Dee SAC will require proposed allocations to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths through woodland and adjacent to the River Dee will need to consider capercaillie (non-Natura) in the former and otter (Natura) in the latter where they are new paths still to be constructed/formalised.

Summary

Allocations should be assessed as part of the HRA of the plan due to proximity to River Dee SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. New core paths through woodland and adjacent to the River Dee will need to consider impact on capercaillie and otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051Map/d

Representation

Transport Scotland: - Ballater. This settlement does not affect the strategic transport network

Historic Scotland: - Ballater - Housing, tourism, community, business recreation/open space, new core paths, an opportunity site-sustainable economic growth, waste/ recycling facilities CNPA will need to ensure that the setting of listed buildings, including the B listed Monaltrie House, near to a proposed housing sites are safeguarded.

Summary

Transport Scotland observe that the settlement does not affect the strategic transport network. Historic Scotland highlight the need to ensure the setting of listed buildings, including the B listed Monaltrie House, near to a proposed housing sites are safeguarded.

CNPA Response

Comments Noted. A meeting was held with Transport Scotland and a Transport Assessment was undertaken. The plan includes wording detailing the importance of Monaltrie House.

Name SEPA

Objector Ref 063Map/d

Representation

Water body(s) affected/current status & pressures - The settlement is relatively close to the River Dee (Ballater to Braemar), which is at poor status because of morphological pressures (relating to road transport and whisky production). No opportunities for improvement therefore prevent deterioration.

Neither the River Dee nor any other water body are within the boundary.

Flood risk advice - Fluvial flooding is the main risk. The tourism area highlighted is entirely within the fluvial 1:200 flood map. Type and extent of development here may be significantly constrained and needs to be highlighted (although it may just be to promote tourism at the camp site). See previous comments in Appendix 2 for all other individual sites within settlement boundary.

Site next to Industrial Site - We object to this allocation being included within the Local Development Plan. SEPA were not previously aware of this site coming forward as part of the Local Development Plan, therefore this response should be considered as an addition to our formal response made on 28 September 2012 (our reference: PCS/120713). Please note the advice provided below.

Flood risk

We object to the site being included in the Local Development Plan as the site is believed to be at medium to high risk of flooding and sustainable flood risk management measures are not likely to be viable or implementable to enable the development of the site.

We will maintain an objection to the site being included unless a **detailed and robust flood risk assessment** is carried out prior to the site being adopted in the Plan, which demonstrates that the site can be developed in accordance with the principles of Scottish Planning Policy and sustainable flood risk management.

It should be noted that given the existing level of knowledge that SEPA hold on the site in question, it is very unlikely that if an FRA were carried out, it would demonstrate the acceptability of the site in the context of the Scottish Planning Policy (SPP). However, if such an FRA were carried out prior to adoption of the plan and demonstrated the acceptability of the site in the context of the SPP, then we would be happy to remove our objection.

We have reviewed the information provided as part of this consultation and it is noted that the proposed site lies entirely within the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding.

Scottish Planning Policy states in paragraph 203, that “For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year. Development on the functional flood plain will not only be at risk itself, but will add to the risk elsewhere.” Built development should not therefore take place on the functional flood plain.

In addition to the SEPA Flood Map, we hold a copy of a Flood Risk Assessment (FRA) that was carried out in support of development on a nearby site. The FRA by WSP Ltd also indicates that the proposed site would be at risk of flooding. Although the FRA was not carried out for the purpose of establishing flood risk to the proposed site, the site does lie within the limits of the modelled reach in that assessment and so substantially adds to our concerns regarding flood risk at the site.

The site in question has a risk of flooding and it follows that to allow development to proceed may place property or persons at serious risk contrary to Scottish Planning Policy.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk the application must be notified to the Scottish Ministers as per The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.

Detailed advice for the applicant:

Flood risk

The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_extent_maps.aspx.

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Cairngorms National Park as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: “*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*” outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

Regulatory advice for the applicant:

Regulatory requirements - Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at: Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA; tel: 01224 266600

Summary

Settlement is close to the River Dee which is at poor status because of morphological pressures. Although there are no opportunities for improvement there is a need to prevent deterioration. Neither the River Dee nor any other water body are within the boundary. Fluvial flooding is the main risk, development may be significantly constrained- see settlement comments made in response to MIR.

Object to the site allocated as community use adjacent to the existing industrial park.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate. The community use site has been removed.

Name Scotia Homes Ltd

Objector Ref 078 Map/b

Agent Emelda MacLean

Representation

Supporting information supplied regarding housing need and demand

1.0 INTRODUCTION

1.1 This submission has been prepared by Emac Planning LLP on behalf of Scotia Homes Ltd and Invercauld Estate in relation to land at Monaltrie Park, Ballater. The land interest is identified in Appendix I. The submission is being made within the context of the current “settlement maps informal consultation”. The Cairngorms National Park Authority (CNPA) has, as part of this informal consultation, produced a revised designation for the first phase of development at land at Monaltrie North and the plan is attached as Appendix

1.2 This statement addresses the housing land requirement and demand issues supporting the inclusion of land at Monaltrie Park, Ballater within the forthcoming Cairngorms National Park Local Development Plan (CNPLDP). This forms part of a joint submission, and accompanies a detailed statement prepared by Savills titled “Land at Monaltrie Park, Ballater – Part One, Development Context”. It is requested that both reports are taken into consideration in support of the site’s continued inclusion for mixed use development in the CNPLDP.

I.3 Scotia Homes Ltd and Invercauld Estate support the approach taken by the Cairngorms National Park Authority (CNPA) on its assessment of the housing land requirement (HLR) and the need to direct new housing to Ballater and Monaltrie Park. The assessment undertaken on this issue, in the preparation of the CNPLDP Main Issues Report (MIR), justifies the requirement for the housing and mixed use development at land at Monaltrie Park as currently committed to by the CNPA in the Cairngorms National Park Local Plan (CNPLP).

I.4 In summary, the continued designation of land at Monaltrie Park, on the basis of housing need and demand, is justified on the following grounds:

Land at Monaltrie Park currently has the benefit of a statutory designation within the CNPLP and policy stability can only be secured through retaining this site in the CNPLDP.

The CNPLP was adopted only two years ago and there appear to be no new material considerations of any significance which would justify a departure from the Reporter's recommendation to retain the designation of land at Monaltrie Park.

The Reporter considered that the site was required to meet housing need and that furthermore the site was in the right location and benefited from the necessary characteristics to meet the objectives of the Cairngorms National Park Plan (CNPP), 2007. The CNPP, 2007 continues to provide for the strategic planning context and this site is required to meet the objectives stated. The MIR establishes a requirement for new housing land to be designated over the period of the CNPLDP. Given the planning status of land at Monaltrie Park, it should be designated as a priority to fulfil the housing land requirement.

The approach and factors taken into consideration by the Cairngorms NPA in calculating the HLR and identifying land Monaltrie Park to fulfil local housing need and other mixed uses is considered to be robust and justified.

An analysis of the current housing market conditions supports the location of the site and its ability to deliver the range and choice of housing over the Plan period as required by the Local Market.

The site is effective and deliverable and Scotia Homes Ltd and Invercauld Estate are committed to delivering high quality mixed use development at Monaltrie Park within the period of the CNPLDP and beyond. Evidence in support of this has been provided in the accompanying document prepared by Savills.

I.5 In support of the above conclusions, it is respectfully requested that the detailed comments on following plans, policies, and market factors are taken into consideration in support of the designation of land at Monaltrie Park in meeting local housing need and demand:

- Existing Planning Status of the Site
- The Cairngorms National Park Plan, 2007
- The Main Issues Report: Evidence Paper 1 – Housing & Population
- Scottish Planning Policy
- Housing Need and Demand Assessment

- Housing Land Audit
- Housing Market Considerations.

2.0 EXISTING PLANNING STATUS OF THE SITE

2.1 It is considered that the current planning status of the site justifies the continued designation of Land at Monaltrie Park in the CNPLDP. The site is currently designated in the adopted Local Plan and as a result a planning application for its development should be supported in principle. Scotia Homes Ltd and Invercauld Estate have already invested significantly in the delivery of the site, within the above context and are continuing to do so. They remain committed to the effective delivery of the site and require retention in the policy designation in the CNPLDP to ensure ongoing investment in the site. It is relevant that a planning application is in the process of being prepared. The retention of the existing designation would ensure stability in the development plan policy context in accordance with Scottish Planning Policy (SPP).

2.2 This site is currently designated in the Cairngorms National Park Local Plan (CNPLP), adopted 2010 as site (Ref: BL/HI) for housing and mixed use. The designation in the CNPLP is illustrated in Appendix 3. The Local Plan identifies the site has the capacity to deliver around 250 units, with 90 dwellings envisaged for construction during the life of the Plan, that is 2010-2015, leaving capacity for 160 for the longer term “to provide certainty about the use of land in the medium to longer term beyond the next five years.”

2.3 It is material that a planning application is currently being prepared and will be submitted for the development of Site BL/HI within the next year. S25 of the Town & Country Planning (Scotland) Act, 1997 clarifies the status of the adopted plan and confirms that when making any determination under the planning Acts, regard is to be had to the development plan unless material considerations indicate otherwise.

2.4 The acceptability of the principle of the development of this site is already established through the adopted Local Plan. The proposed planning application should consequently be supported in principle having regard to S25 of the Act. The developer has reasonably relied on this recently adopted Plan and as there is a commitment to developing the site, the designation in the new LDP is considered to be justified.

2.5 The continued designation of the site is supported by Scottish Planning Policy (SPP) which promotes stability in policy making. Paragraph 14 of Scottish Planning Policy, 2010 identifies that “Development plans should provide clear guidance on what will or will not be permitted and where. This should be very clear from the proposals map... Plans should therefore provide opportunity and stability”. As the Local Plan is only two years old, the site’s continued designation in the CNPLDP is necessary to ensure the stability in policy making required by SPP.

2.6 Scotia Homes and Invercauld Estate have already invested significantly in this site with the aim of achieving high quality sustainable and deliverable development. This commitment is clearly demonstrated through the engagement of The Prince’s Foundation for Building Community (Prince’s Foundation) who initiated an Enquiry by Design process for the masterplanning of the site’s future development. Further detailed design work was carried out as part of a public process in 2009 by Urban Design Associates.

2.7 In summary, Scotia Homes Ltd has commenced preparation and intends to submit a planning application for the development of the site in the next year and require the continued designation of the site to provide the context to invest further in the preparation and submission of the planning

application, which will entail the commissioning of further supporting studies, and ongoing community engagement.

3.0 REPORTERS REPORT: CNPLP INQUIRY

3.1 The Housing Land Requirement (HLR) and the contribution of land at Monaltrie Park to meeting both housing need and the objectives of the CNPP, 2007 have only recently been considered by the Reporters during the CNPLP Inquiry 2010. It was concluded that the site merited designation in the CNPLP, having regard to these two issues. There do not appear to be any material planning changes over the last 2 years, with the exception of updated calculation of the HLR, and it is considered that the endorsement of the site justifies its continued contribution to the HLR and housing need.

Housing Land Requirement: Methodology on Calculation

3.2 It is acknowledged that the planning status of the Cairngorms National Park (CNP) has brought about certain complications in calculating the housing land requirement.

3.3 Within a strategic planning context, the relevant Structure Plans exclude the CNP, however the Reporters examining the Proposed CNPLP, were satisfied that "... it is open to the CNPLP to take a different approach to that of the extant structure plans where the CNPP 2007 provides material alternative guidance or direction. We find that the CNPP 2007 does indeed, provides alternative guidance, that it is material to the preparation of the CNPLP". The Reporters also recognised that although they found guidance in SPP3 on housing requirements useful, it "cannot always carry the same weight within the National Park as outside it." The Reporters recommended that the assessment of housing land requirements in the National Park and the housing land allocations to particular settlements, should be explained in a manner which "complies with the requirements of SPP 3: Planning for Homes, with the terms of the CNPP 2007, and which incorporates the most up to date information available to CNPA including the various housing land audits."

3.4 The approach to the assessment of the HLR and housing need, as advised by the Reporters appears to have been followed by the CNP in preparing the CNPLDP and provides support for the preference in the Main Issues Report to continue to designate land at Monaltrie Park within the boundaries generally reflecting the adopted designation.

Housing Land Requirement: Scale of Housing Required

3.5 Following the debate over the methodology employed, the Reporter suggested that the CNPA were "over generous" in allocating new housing over the next six years and concluded the "rationale for the calculation of the housing requirement is unconvincing". As a result the overall housing figure was reduced and sites were removed from the Plan prior to adoption. However, the Reporters concluded that land at Monaltrie Park should be retained as a designation.

3.6 On 21st September 2012 campaigners lost a legal challenge against the CNPLP and the proposal for a new community of up to 1500 houses to be built in the Cairngorms National Park over the next 20 years. Duncan Bryden, convener of the Cairngorms National Park Authority (CNPA), welcomed the ruling "This decision will provide clarification of the law in relation to Scottish national parks, which will help the park authority and all stakeholders in the park to deliver the four aims of the park for the benefit of people and nature."

3.7 The fact that the adopted CNPLP is up to date and has been further endorsed through the failure of the legal challenge, suggests that the housing designations should be rolled forward into the new CNPLP, particularly if the quoted objectives of the convener are to be achieved.

3.8 The Reporters concluded that there were very clear, good planning reasons justifying the designation of land at Monaltrie Park in order for the site to contribute to the current and likely future demand for market housing and the local need for affordable housing. In effect, they supported the designation on the basis that it met the objectives for sustainable communities of the CNPP, 2007. The Reporters concluded that the allocation of BL/HI with a capacity to provide around 250 units up to and beyond 2016 was not a major discontinuity in trend, compared with the general historic growth rate of Ballater.

3.9 The Reporters considered that the provision of further “close support” for existing facilities in Ballater “...will underpin the activities of locally based enterprises and other providers of job opportunities. It will also assist in the selective regeneration necessary to ensure that the urban fabric delivers the requirements of the 21st century while maintaining the distinctive character and appearance valued by existing residents and attractive to visitors using Ballater as an entry into the National Park.”

3.10 In concluding that the allocation at Monaltrie Park was compatible with the strategic objectives of the CNPP 2007 and national policy towards sustainable communities, the Reporters also considered the question of how much housing should be provided and where and when. Based on the information available to them, they also concluded that “There can be no doubt that Ballater is also the settlement in the eastern edge of the National Park with the greatest range of existing services and infrastructure which can best accommodate increased growth in a sustainable way (CNPP 2007, page 67). We accept without question that there are brownfield and infill sites within Ballater which may have potential for development. We do not rule out the possibility that some of these may provide windfall additions to the effective land supply. However, no evidence has been brought to the Inquiry which demonstrates how any, let alone all, brownfield and infill sites can be made available for development over the lifetime of the Local Plan. In these circumstances we must agree with CNPA that an allocation of greenfield land is necessary if the strategic objectives of the CNPP 2007 are to be achieved.”

3.11 The Reporters came to a number of conclusions on the site, based on matters which remain largely unchanged today and which still apply in support of the site’s designation:

1. The allocation of site BL/HI does not offend and, in the main, promotes strategic objectives of CNPP 2007 particularly as these relate to sustainable communities, housing, landscape, built and historic environment, and sustainable tourism.
2. There are no settlement specific factors which rule out the site for consideration as a housing allocation. Assessed against the criteria set out at paragraph 17 of Annex A of SPP 3, the site can be considered to make a contribution to the effective housing land supply within the life of the local plan.
3. In the circumstances which pertain in Ballater, the masterplan approach is an appropriate forward for the development of the site.

4.0 THE CAIRNGORMS NATIONAL PARK PLAN, 2007

4.1 The Cairngorms National Park Plan (CNPP), 2007 provides for the statutory strategic planning context for the new Local Development Plan. Whilst cognisance should be had to the emerging CNPP as material to the emerging strategic context, the CNPP, 2007 is the relevant strategic document at this stage in the process.

4.2 The same strategic planning policy context applies therefore to both the CNPLDP and to the adopted CNPLP. Irrespective of the HLR calculation, the objectives of the CNPA for sustaining

communities has remained the same and this provides the justification for the continued designation of land at Monaltrie Park, which is still required to meet these same strategic objectives.

4.3 The Objectives for Sustainable Communities set out in the CNPP, 2007 are: a) Encourage a population level and mix in the Park that meets the current and future needs of its communities and businesses; and b) Make proactive provision to focus settlement growth in the main settlements and plan for growth to meet community needs in other settlements. The CNPP, 2007 identifies Ballater as one of the main settlements of the Park and confirms that the main settlements play a strategic role in the wider region. Ballater is the largest settlement on the eastern side of the National Park.

4.4 Policy Direction 8 the Draft CNPP, 2012-2017 seeks to endorse the above objectives and if progressed into the Proposed Plan, the strategic objectives would remain broadly the same as the CNPP, 2007. The CNPA have identified in the preparation of the MIR that cognisance will be made to the progress of the Draft CNPP, 2012-2017, as the CNPLDP is prepared.

4.5 As the strategic planning context has not changed and as the emerging new CNPP appears to be suggesting broadly the same policy objectives, the designation at Monaltrie Park is still required to meet the objectives for sustainable communities.

5.0 THE MAIN ISSUES REPORT: EVIDENCE PAPER I – HOUSING & POPULATION

Housing Land

5.1 The Paper is considered to identify, correctly and fairly, the main policy and housing influences affecting the calculation of the Housing Land Requirement in the National Park, as follows:

The Paper re-enforces the role of the CNPP, 2007 in the preparation of the LDP and acknowledges that it is overarching context for development planning and development management until it is formally replaced.

The paper identifies that the requirement to produce a Local Housing Strategy (LHS) and supporting Housing Needs and Demand Assessment (HNDA) is not a function of the National Park Authority.

As a result the CNPA requires to take the completed and most up to date LHSs and HNDAs from the five constituent local authorities and use them to inform the LDP. As this clearly produces its own complications, the CNPA will therefore take the best information available to inform its own LDP.

In relation to the HNDAs, the CNPA recognise that in terms of the number of associated housing market areas "...we must reflect the demands of the various areas and the market area they find themselves in."

Paragraph 2.11 identifies that, taking the HNDAs produced by the local authorities, "... the CNPA must then assess the future housing and land supply requirements within the various housing markets and put forward an appropriate solution. Within this assessment, the CNPA must ensure a generous supply of sites to meet the demand, both within the plan period and beyond." Paragraph 2.12 acknowledges Scottish Planning Policy (SPP) requirements to support the creation of sustainable mixed communities through the Development Plan, which "...depends on a generous supply of appropriate and effective sites being made available to meet need and demand, and on the timely release of allocated sites."

The Paper also identifies that "Allocating a generous supply of land for housing in the LDP will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes to the effective land supply occur during the life of the Plan."

Paragraph 2.13 of the paper identifies that SPP also requires that “The LDP should identify the housing land requirement and allocate a range of sites which are effective or capable of becoming effective to meet the requirement up to year ten beyond the predicted year of plan adoption, ensuring a minimum of five years effective land supply at all times. The LDP should also provide an indication of the possible scale and location of housing land up to year 20. A five-year effective land supply should be maintained at all times.”

5.2 Within this context, it appears that the factors taken into account, in the calculation of the HLR in Section 9 of the Paper, are justifiable. Paragraph 9.12 of the Paper identifies that “We must therefore identify land for an additional 957 units over the next 20 years. Having established this as a baseline requirement for the next 20 years, we must consider how best to identify appropriate land across the Park to meet this. Those sites which are allocated in adopted local plans provide a useful starting point. These sites have been considered by the local authorities in their Housing Land Audits and have been assessed to establish their effectiveness.”

5.3 The above approach is supported and justifies the designation of land at Monaltrie Park in the CNPLDP. This site has been identified in the adopted Local Plan and remains part of the established supply, as illustrated by the Aberdeenshire & Aberdeen Housing Land Audit, 2011 and the latest Draft Aberdeenshire & Aberdeen Housing Land Audit, 2012. The site can and should contribute to the requirement for additional land as a priority over and above other new sites being released.

5.4 The contribution of land at Monaltrie Park to the first five years of the Plan period, as identified in paragraph 9.14, is supported. The endorsement of a first phase of development as indicated on the revised settlement plan, subject to this consultation, is also supported. However, the precise boundaries shown in this consultation may not reflect the actual boundaries of a first phase which are unlikely to follow a straight line. The precise boundaries for the phasing of development should be influenced by a masterplanning process. In addition, the longer term land for the 20 year period should also be illustrated extending beyond that currently shown in accordance with the detailed comments provided in the statement by Savills on the ‘Development Context’.

Affordable Housing

5.5 The Main Issues Report: Evidence Paper 1 – Housing & Population identifies that if existing consents are counted together with the units provided through the development of existing allocated land, the need for affordable units should be met and if achieved would result in a surplus of 35 units. However, the acknowledgement of the CNPA that there is a need for further flexibility, as ensuring that “... affordable units do get delivered is a key concern for communities” is supported. Paragraph 9.19 concludes that “...the need for affordable housing is raised as an issue across all communities, and all communities must therefore have some opportunity for new affordable development.”

5.6 It is the aim of Scotia Homes to deliver such housing, including housing suited to local need through the design process and through providing for the right scale and mix of houses and flats, combined with local employment units. A design led solution will seek to ensure that new housing is attractive and affordable to the local market and need, rather than as holiday homes.

5.7 The Paper identifies that land at Monaltrie North forms part of the supply for affordable housing and this is supported.

6.0 SCOTTISH PLANNING POLICY (SPP)

6.1 It is acknowledged that CNPLP was prepared within the context of SPP3: Planning for Homes 2003, and that the relevant national policy is now contained in SPP, 2010. However, it is considered that the substance of the Policy has not changed to the degree that this would change previous considerations on this site relating to directing new houses and development to the most sustainable locations. The Policy contained in paragraph 80 on the reuse of Brownfield land is also broadly similar.

6.2 The Reporters on the CNPLP supported the approach of the CNP on policy issues relating to SPP3, together with the assessment of this site in relation to the tests provided in paragraph 17 of Annex A of SPP3 on the effectiveness of housing land. There have been no changes in national policy which would justify a change in the current support for Land at Monaltrie North, nor has there been a change to the advice on what constitutes effective land, albeit that this is now contained in PAN 2/2010:

Affordable Housing and Housing Land Audits.

6.3 SPP also identifies that “creating successful places and achieving quality residential environments should guide the whole process of delivering new housing” (paragraph 78). It is considered that SPP supports the approach and vision already established at land at Monaltrie Park. In short, in addition to the quantitative requirement for housing and other uses required in the new LDP, it is also relevant that this site seeks to achieve this and other SPP policy objectives.

7.0 HOUSING NEED AND DEMAND ASSESSMENT (HNDA)

7.1 The HNDA, relevant to Ballater, was prepared in October 2011 by Aberdeen City and Shire Strategic Development Authority in relation to the Strategic Development Plan Main Issues Report. The HNDA identifies that the primary purpose of the updated HNDA is to inform the Strategic Development Plan and the new LHS to be prepared by the two councils that is Aberdeen City and Aberdeenshire Councils. The HNDA identifies that the HNDA is informed by a Strategic Housing Market Partnership (SHMP) including representatives from the Cairngorms National Park Authority. The SDP MIR identifies that the CNPA forms part of the Rural Housing Market Area (RHMA).

7.2 The HNDA confirms “For the purpose of this research the area within the Cairngorms National Park (CNP) has been included in the Rural HMA. This was necessary because the Aberdeenshire Local Housing Strategy covers the whole of the council area and much of the necessary data is not available for small areas. The numbers involved are very small (approximately 3,200 people in 2008, 0.7% of the total population of the area) so this does not have any significant effect to the outcome of this assessment.”

7.3 Whilst the associated Audit provides information for land within the Cairngorms National Park in the Rural Housing Market Area tables under the Marr Administrative Area, the sites within the Cairngorms National Park have been excluded from the land supply calculation as this area of Aberdeenshire does not form part of the new Aberdeen City and Shire Structure Plan.

7.4 In view of the above, there is support for the CNPA’s individual response to the housing land supply and requirement, which concentrates, inter alia, on ensuring compliance with the CNPP and SPP, to ensure a generous supply. There is also support for the strategy of prioritising the allocation of sites to meet the requirement for new land from those sites with an existing commitment through the adopted CNPLP, 2010, including land at Monaltrie Park.

8.0 HOUSING LAND AUDIT (HLA)

8.1 Land at Monaltrie Park continues to feature in the Housing Land Audit and the land is included in the Housing Land Audit 2010 as relied on in Evidence Paper 1 – Housing & Population of the

CNPLDP MIR. There are only 5 sites within the CNPA lying in the RHMA, and the sites, including Monaltrie Park, are excluded from the supply figures for the RHMA by agreement.

8.2 The 2010 Audit identified Monaltrie Park as having an estimated total capacity of 250 units, and the site would contribute 39 units to the effective supply in the first 5 years. Four other sites in Braemar are also listed in the RHMA. Neither Balnellan Road (20 units) nor Chapel Brae Gardens (5 units) were anticipated to contribute to housing land in the first 5 years. St Andrews/Fife Brae (30 units) and Invercauld Farm (13 units) were anticipated as contributing a total of 43 units in the first 5 years.

8.3 The 2011 Audit identifies, within the first 5 year period, 12 units at Monaltrie Park, 20 units at Balnellan Road, 30 units at St Andrews/Fife Brae and 13 units at Invercauld Farm. Chapel Brae Gardens does not feature in the Audit.

8.4 The Draft 2012 Audit continues to identify the above four CNPA sites within the effective supply for the Marr Area, within the first 5 year period. The programming is identified as 44 units at Monaltrie Park (status: allocated), 25 units at Balnellan Road (status: under construction), 30 units at St Andrews/Fife Brae (status: allocated), and 13 units at Invercauld Farm (status: under construction).

8.5 The latest Draft Audit represents the latest and most up to date information on sites. The information contained in this Audit was provided by Scotia Homes Ltd and when provided identified phasing at approximately 20 units in 2015 and 24 units thereafter per annum. Current estimates are that the phasing is likely to be in the region of 18 units per annum. The Audit illustrates Scotia Homes Ltd commitment to the effective delivery of housing (and mixed use development) over this time period.

9.0 HOUSING MARKET CONSIDERATIONS

9.1 Scotia Homes Ltd have assessed local market considerations and consider that they can successfully deliver the appropriate mix of housing, flats and employment/community uses at Monaltrie Park which will provide for the needs of the local housing market, whilst not attracting the second homes purchasers.

9.2 A current market view analysis, by Scotia Homes Ltd, indicates the following key local housing market considerations. This analysis would support the delivery and effectiveness of Monaltrie Park, because of the location and nature of development being proposed:

In September 2012, there were 31 properties listed on the Aberdeenshire Solicitors Property Centre (ASPC) and Rightmove for sale in Ballater:

Only 5 of which are for sale at less than £150,000 – this represents about 16%. Experience shows that this is relatively low and this figure would have expected to be nearer to 20%.

There were 5 properties under offer, four for £165,000 or less and one for £165,000 or more. This illustrates that there is a market for properties at the lower end of the price market.

At Rothienorman, due to the design adopted for the development, Scotia Homes sold 46% of the whole development for less than £150,000 and this did not include the affordable units. If the affordable units were included the proportion was 56%.

In June there were 18 properties listed on the Aberdeenshire Solicitors Property Centre (ASPC) and Rightmove for sale in Braemar;

None of the properties are at a price below £150,000 and the market shows that these properties are not being sold because of the price in this location and market factors.

In June 2012 the Registers of Scotland information identified the following:

There have been 10 sales in the Ballater and Braemar area since Jan 2012, with nine of these being in Ballater;

The one property sold in Braemar was purchased at £26,000 and was probably in poor condition.

Four out of ten of the properties in Ballater were sold for less than £150,000 (that is 40% of the properties).

In the previous 6-month period there were 22 sales. 15 of the sales were in Ballater, and 5 of these, that is 33%, were sold for less than £150,000;

Out of the 7 properties in Braemar only one was sold for less than £150,000.

9.3 The above illustrates that there is a demand for properties priced at below £165,000 which is not being readily supplied by the market. Scotia Homes Ltd considers that there is a market for properties at the lower end of the price market. Scotia Homes Ltd aims to deliver homes to this part of the market through a design led approach, that is mixed use development, and a mix of smaller properties and flats, designed and catering for local need.

9.4 The properties currently being sold in Ballater tend to be smaller houses, flats or ex-Council housing stock and development at land at Monaltrie Park can assist in providing more houses within this range. There appears to be stagnation in the sale of larger properties. In addition, some of the houses for sale may be less attractive to purchasers due to flood risk potential and insurance issues. For example, out of the 31 properties currently for sale, 12 may be affected by such issues.

The characteristics of the Braemar market are considered to differ from Ballater. Whilst Braemar has certain attractions to the market, it does not have the qualities associated with Ballater, including community and services facilities. Braemar is considered to be more attractive to the holiday home market.

10.0 CONCLUSION

10.1 Whilst this submission focuses on housing needs and supply issues, the delivery of housing at Ballater is intrinsically linked with securing high quality sustainable mixed use development and Scotia Homes Ltd and Invercauld Estate remain committed to community engagement and to the design principles established by the Prince's Foundation to guide the future masterplanning of the site. It is considered as essential that new development embraces these principles and provides for a form of development which accommodates local need and allows future generations to live and work in Ballater.

10.2 It is respectfully requested that this statement supporting the retention of Monaltrie Park within the CNPLDP on the basis of housing need and demand is taken into consideration in the preparation of the proposed CNPLDP and the site designated accordingly. The site is effective and capable of delivering future housing and mixed use development and this is addressed in the statement accompanying this submission from Savills.

10.3 The endorsement of this site in the CNPLDP for the reasons given in this statement and the report by Savills will enable the site to be effectively delivered over the Plan period in accordance with its objectives for achieving sustainable communities.

Summary Supports the continued designation of the larger area of land previously proposed at Monaltrie Park, on the basis of housing need and demand. The site was allocated in the previous Local Plan and there a need to continue this to provide certainty. The precise boundaries shown in this consultation may not reflect the actual boundaries of a first phase which are unlikely to follow a straight line. The precise boundaries for the phasing of development should be influenced by a masterplanning process and the longer term land for the 20 year period should also be illustrated extending beyond that currently shown.

CNPA Response

CNPA support the Masterplanning approach for this site and have made provision for it in the Plan.

Name Scotia Homes Ltd

Objector Ref 078 Map/a

Agent Emelda MacLean

Representation

Executive summary

This representation has been prepared on behalf of the Invercauld Estate and Scotia Homes setting out the aspirations for Ballater, the proposed new neighbourhood to the north east of the town centre adjacent to Monaltrie Park and the resulting wider benefits for the community. As landowners with a long standing commitment to the success of the town, the Invercauld Estate is fully supportive of the vision of Scotia Homes which has been working with The Prince's Foundation for Building Community (Prince's Foundation) in Ballater over the last five years.

Whilst there is an immediate need for short term housing within Ballater and the eastern part of the Cairngorms National Park (The National Park), it is important that the longer term success of the town and surrounding area is properly planned so that the economic benefits for the existing community can be maximised and channelled into wider regeneration projects which will be to the benefit of all.

This consultation on a new Settlement Strategy for Ballater considers a smaller scale development on the land to the north east of the town centre than that currently allocated in the Adopted Local Plan and identified in the Cairngorms National Authority (Park Authority) Local Development Plan Main Issues Report (MIR). Whilst this would meet identified short term housing need, it is not of a scale which will allow for wider community benefits to be forthcoming or for the investment in a full master planning exercise of the site and investigation of other community initiatives benefits to be justified.

Inevitably the quality of such a small scale development would be affected as there will not be the confirmed potential of the site to provide investment for significant levels of affordable housing, public realm and access improvements into the development as well as through to and between existing built up areas.

Additional housing, brought forward in a phased manner over the longer term will provide the prospect for existing residents to stay within the community as they start families or downsize to smaller

properties in later life. It will also allow those who work within the area to have the potential to live within and contribute towards the local community. This will improve the critical mass of residents thereby helping safeguard existing community facilities, services and business as well as promote new training and employment opportunities.

The land at Monaltrie Park is shown to be an effective site in an appropriate location to meet identified short term housing need and to allow for the future sustainable economic growth of the National Park to be nurtured in a controlled and measured way. The alternative will be for the Park Authority to take a reactive approach to development as market demands dictate. Such developments are likely to be of too small a scale to be able to contribute to the improvements of local services and facilities or provide significant levels of affordable housing. Indeed, should smaller scale development take place over a wider area, existing local facilities, services and business in Ballater will not receive additional support from an expanded population, conversely the delivery of such services will be made much harder for public bodies.

Part Two of this submission, prepared by Emac Planning, provides a detailed, statement on housing land requirements and demand. This demonstrates that the extend of the existing allocation at Monaltrie Park is needed to meet the short, medium and long term needs of the area.

Through continuing this allocation in the National Park Local Development Plan Proposed Plan (the Proposed Plan), the Park Authority will be able to ensure that housing development in Ballater provides significant benefits to the wider community and is taken forward through a finalised master planning exercise, involving The Prince's Foundation in conjunction with the local community, the Park Authority and relevant Government agencies.

This is an exciting project which if reduced in scale will not be able to provide the quality of development that is needed in Ballater. To loose this opportunity at this stage, after five years of careful thought and consideration, will be to the detriment of the town and to the eastern part of the Cairngorms National Park. It is important that the park authority should be ambitious for the future success of the Cairngorms National Park. Through taking the decision to retain the existing allocation in the Proposed Plan, clarity will be provided for all interested parties and the investment required to deliver the envisaged strategy for the town realised.

Introduction Background to the site

The planned growth of Ballater, to provide new housing and community facilities for existing and future residents and workers in the area, has been part of the development plan strategy for the town since 2005.

Since this time, land to the north east of the town, adjacent to Monaltrie Park, has been identified as the most preferable location for such development to take place. We have prepared these representations to the consultation on the Cairngorms National Park Settlement Plans to show that this remains the case and that the site should be identified for short, medium and longer term housing led development. This will maximise the potential benefits to the community, retain certainty for the owners of the site and the preferred developer in terms of the required investment to deliver the development and protect the National Park and Aberdeenshire Council from increased pressure on public services and facilities which would stem from smaller scale development scattered over a wider area.

The allocated site has the potential to provide significant community benefits which have been identified through several consultation events and studies completed by various groups. In 2006, The Prince's Foundation undertook a community consultation event, known as an Enquiry by Design, to look at the

issues facing the community in Ballater and how a residential led development of the site to the north east of the town centre could become a catalyst for other development and community initiatives.

This event was followed up in September 2009 by a further Design Workshop held by Urban Design Associates and The Prince's Foundation which looked at specific initiatives and design concepts that could be brought forward and the November 2009 Ballater Once Voice Our Future (BOVOF – an umbrella group of several local bodies and interested parties) Action Plan For Ballater. That document is based upon local research and a survey of residents in the area. It considers issues facing the community across a range of matters, including housing. This identifies several local housing issues, including a shortage of a range and type of accommodation for people wishing to stay within the community, families expanding into larger properties or moving to smaller properties once children have left home. Right to buy legislation is also identified as having exacerbated this problem. The BOVOF Report identifies an additional 75 individuals with pressing housing needs that have not been picked up by previous reviews of housing need in the area.

Only a long term housing development of the scale set out in the Main Issues Report for the Park Authority Local Development Plan (MIR) has any chance of helping the park authority meet these existing and future local housing needs.

Savills represents the Invercauld Estate who own the site and Scotia Homes who are the preferred developers. There have been delays in bringing forward a planning application for the site due to constraints on bank funding to promote sites of this nature. Now that the impact of the banking crisis has stabilised, the values have levelled off and sales expectations can be realistically programmed, both parties are now able to commit on to bringing forward a planning application for the site. This will require the extent of the allocation as set out in the MIR to be reconfirmed in the Proposed Plan to provide the clarity needed for all parties and the investment required to deliver the envisaged strategy for the town to be realised.

The retention of the allocation on the land at Monaltrie Park as set out in the MIR (see plan below) is essential if the vision that has been worked up through extensive local dialogue is to be realised through additional community consultation on a master plan and the subsequent submission of a planning application for the site.

(Map supplied)

This representation will review the history of Ballater and the current role of the town. The document will also provide a detailed review of the proposed development site and show the benefits of the proposal and the design principles that will be incorporated into the process. Finally the submission will identify the possible community benefits which could be provided as a result of a residential led development on the land at Monaltrie Park.

Historic evolution of Ballater

The diagram below illustrates the extent of Ballater's development at key stages in history. The core town was expanded along the gridded pattern of streets. This grid was filled over the course of many years. An expansion area was added to the North West early in the 20th Century. All of these developments adhere to the same basic principles that guided the town's growth up to the point: an interconnected network of streets and public open space creates blocks within which individual plots of varying size accommodate a diverse range of types and uses of buildings.

There has been a dramatic period of growth over the last few decades when the footprint of the town more than doubled in size. Not only was the scale of this growth unprecedented, but it also followed form that departed from the fundamental principles that had guided previous growth. It does not create an interconnected grid of streets, and the plots are more uniform in size and suited to only one type of use. As a result the expansions are not inorganically linked to the historic core. In several places the rear facades of buildings face public streets, most notably along the A93, which has had a negative impact upon the character of the town.

(Map and photographs supplied)

Ballater today

In 2006 The Prince's Foundation held an Enquiry By Design which explored the options for growth and involved the local community. In September 2009, Urban Design Associates supported by The Prince's identified that the strengths of Ballater included the historic core of the town and it was referred to as the "Jewel in the Crown" of the Deeside. The retail uses on Bridge Street are small, locally owned shops with a variety of goods that relate to the region. There are no chain stores or large retail units. Ballater also provides a range of services within the village including a school and a health centre. The mixed-use, small-scale character is an essential part of the town's appeal as a tourist destination which must be carried forward in the master plan for the land at Monaltrie Park.

The identified strengths of the village include:

- A strong sense of community. The traditional gridded street pattern ties all parts of the town together. It is a walkable and pedestrian friendly town
- The scale and character of the buildings with their traditional architecture, pitched roofs, stone walls and slate roofs
- The attractive natural setting of the town, located within a valley with steep, wooded hillside. The town plan provides framed views of the natural landscape. There is a close relationship between the town and its natural setting and a balance between the community and nature
- There are excellent recreational amenities in the area including the Golf Course and Monaltrie Park. The Park is close to the centre and provides a "lung" for the town. Church Square is the heart of the community and much used.

The identified weaknesses of Ballater include:

- Lack of affordable housing provision
- Lack of employment opportunities
- Pressure for growth and change
- Architecture of recent development not consistent with the character of the town
- Vacant and deteriorating buildings within the town including the Old School
- Need for additional facilities.

(Map supplied)

Urban Design Associates and The Prince's Foundation published a report on the Design Workshop in December 2009 setting out the options and design-led approach which could be taken forward to address these issues in tandem with accommodating the future expansion of the town.

Further to the work carried out by the Prince's Foundation, BOVOF, an umbrella group representing a wide range of local interests and key stake holders, published an Action Plan for Ballater in November 2009. This reported on eight main themes affecting the community; Housing, Local Economy, Education and Training, Health and Sport, Services, Environment, Community Services and Just for Youth.

In respect of housing, the local survey work undertaken by BOVOF identified a hidden housing need in the local area centred on the lack of availability of homes for existing residents wishing to move for family reasons, lack of affordable housing for local workers and limited housing opportunities for young people wishing to stay in the community.

Planning policy context

Scottish Planning Policy

Scottish Planning Policy (SPP) sets the framework for local planning policies. This document is set in the context of the Scottish Government's overarching purpose of increasing sustainable economic growth. In respect of housing land, SPP encourages planning authorities to take account of wider strategic economic, social and environmental policy objectives, provide a generous supply of housing land and identifies that the majority of housing land requirements should be met within or adjacent to existing settlements to help sustain local schools, shops and services.

Set against this context, the allocated site at Monaltrie Park, in Ballater is the only location in the eastern part of the Cairngorms National Park capable of meeting these objectives.

Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits

Paragraph 55 of PAN 2/2010 sets out the criteria for assessing the criteria of effective sites. To demonstrate that a site is an effective site it must be capable of being delivered within a five year period and free of the following constraints:

- ownership: the site is in the ownership or control of a party which can be expected to develop it or to release it for development. Where a site is in the ownership of a local authority or other public body, it should be included only where it is part of a programme of land disposal
- physical: the site or relevant part of it, is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development. Where there is a solid commitment to removing the constraints in time to allow development in the period under consideration, or the market is strong enough to fund the remedial work required, the site should be included in the effective land supply
- contamination: previous use has not resulted in contamination of the site or, if it has, commitments have been made which would allow it to be developed to provide marketable housing
- deficit funding: any public funding required to make residential development economically viable is committed by the public bodies concerned
- marketability: the site, or a relevant part of it, can be developed in the period under consideration

- infrastructure: the site is either free of infrastructure constraints, or any required infrastructure can be provided realistically by the developer or another party to allow development
- land use: housing is the sole preferred use of the land in planning terms, or if housing is one of a range of possible uses
- other factors such as ownership and marketability point to housing being a realistic option.”

The SEPA demarcation of the 200 year flood plain defines an area in which most types of development, particularly residential, are not permitted. Most of the historic town is in this flood plain area and would not be permitted if proposed today. Part of the land to the north east of Ballater is within the flood plain. The development can be designed to avoid the area within the flood plain and will be designed to ensure that the proposal will not impact on flooding in the area. The site is clear of any other physical constraints and contamination.

Invercauld Estate and the preferred developer Scotia Homes both remain committed to developing this site for a residential and mixed use led development with associated landscaping and infrastructure. As a long term strategic residential development site, the development finance would be distributed across the likely 10 year development period. Due to this, deficit funding will not be a barrier to the development coming forward.

In respect of access to the site, this will need to be obtained from the surrounding road network. Given the phased nature of the development, it is anticipated that suitable access will be capable of being created across the Invercauld Estate ownership and the Deeside Way which is under the ownership of Aberdeenshire Council. The site is therefore clear of any known infrastructure constraints and any infrastructure requirements can be accommodated at the site.

Current Planning Policy Position

The Cairngorms National Park Local Plan was adopted on 29th October 2010. As shown on the plan below, the land to the north east of Ballater is allocated for housing development. This area of land is included within the Ballater settlement boundary. (Map supplied)

Policy 20: Housing Development within Settlements details that: “Settlement boundaries have been identified which indicate the extent to which these settlements may expand during the Local Plan period and new housing development should be contained within these boundaries. Housing proposals within these settlement boundaries will be considered favourably where the development: a) occurs within an allocated site identified within the proposals’ maps; or b) is compatible with existing and adjacent land uses, and comprises infilling, conversion, small scale development, the use of derelict or underused land or the redevelopment of land. The proposal should reinforce and enhance the character of the settlement, and accommodate within the development site appropriate amenity space, and parking and access arrangements.”

The settlement proposals identify Ballater as a strategic settlement within the National Park. Allocation BL/HI relates to the land at Monaltrie Parkland details that:

This 16.12Ha site is located to the northeast of Monaltrie Park and provides an opportunity for housing and mixed use. The site has a capacity for around 250 units, with 90 dwellings envisaged for construction during the life of the Local Plan, leaving capacity for 160 for the longer term...”

The Local Plan states that this site should be brought forward by a master plan approach. It is envisaged that the identified area will provide for a range of needs for the community including housing, business

and recreation. The work already completed by The Prince's Foundation, Urban Design Associates and BOVOF has identified a range of issues which could be addressed throughout the whole community through a residential led-development of the site. A master plan brought forward through further community consultation and approach would set the long term agenda for the planned growth of Ballater which will ensure as many of these aims as possible can be met.

Without such an approach the opportunity to provide wider community benefits in respect of other linked physical developments, education and training initiatives and employment opportunities through planned long term sustainable growth will be lost. The Local Plan identifies that 90 dwellings could be brought forward during the life of the plan (to 2015) and a further 160 in the longer term. Both the Invercauld Estate and the preferred developer Scotia Homes, remain committed to delivering the initial stages of development within this timescale. The process of taking the proposal through an informed master planning process and submission of a planning application would be able to take place through 2013 and initial development delivered from 2014 should the existing allocation be re-confirmed in the Proposed Plan.

Emerging Planning Policy

The Park Authority began preparation of the new Local Development Plan (LDP) in 2011. Once adopted, the LDP will replace the Cairngorms Local Plan. The first formal stage in the preparation of the LDP was the publication of the Main Issues Report (MIR) in September 2011. This was followed by a consultation period which ended on 9 December 2011.

The Main Settlements section of the MIR states that Ballater is the largest settlement in the east of the Cairngorms National Park and plays an important role in the wider area. It is identified that as Ballater is a strategic settlement it is appropriate that there should be an opportunity for development which provides new housing and economic development. To accommodate development at Ballater, the MIR proposes to use the existing allocations for future growth.

The MIR settlement plan map for Ballater is included below: (map supplied)

The MIR identifies that this area should be delivered in phases. The MIR details that the site should be developed in horizontal phases. Phase 1 will focus on the area of the site closest to the town. Any future development on the site, in phases 2 and 3 would only follow if demand existed and once the initial phase was complete. The boundary of the housing allocation has been slightly amended from the adopted Local Plan to take into account the area of land that is affected by flooding.

The Cairngorms National Park Authority is currently undertaking an informal consultation on the proposed Settlement Plans. This "Settlement Maps Informal Consultation" commenced on 8 June 2012 and runs to 28 September 2012. The proposed settlement plan for Ballater is included below.

Map supplied

This settlement plan significantly reduces the housing allocation to the north east of Ballater. There is no supporting text to justify this reduction. The settlement plan now proposes a linear development focused on the eastern section of the settlement. This revised allocation will result in the northern and eastern sections of the settlement being disjointed. The previous allocations in the adopted Local Plan and MIR ensured that the settlement boundary extended naturally to the north east and provided connectivity between existing housing to the north and east of Ballater.

Should this revised proposal be taken forward in the LDP Proposed Plan, there will be limited opportunity to provide the wider community benefits promoted in SPP, and envisaged in the adopted Local Plan and LDP MIR.

It is essential that the boundary of the current allocation set out in the MIR is retained so that an informed master planning process can be undertaken in consultation with the local community to ensure that long term benefits can be built into and stem from the proposal and that the development does not simply become another housing extension of the town. The precise location of phasing and orientation of the development (linear or horizontal) should come forward at the master plan stage which will inform the planning application submission.

Land at Monaltrie Park –

Sustainable growth for Ballater

The key to a strategy for a revitalised Ballater will be a new neighbourhood on the land at Monaltrie Park, north east of the existing village centre. Residential development of this scale is essential to the strategy as it will provide part of the investment required to realise the wider vision. The development would be designed in a way which, responds to and integrates with the existing neighbouring residential areas.

The currently zoned site is within walking distance of the centre, linkages towards the centre from the development and through the existing village would be improved.

It is intended that this development in Ballater would be a residential led development, delivering up to 250 new homes and incorporating high quality design principles. The residential aspect of the development would be a mix of sizes and tenures aimed at satisfying the existing and future demand for family and affordable housing in this part of the National Park which has been identified through previous consultation and research by the Prince's Foundation and the BOVOF survey and report undertaken in 2009. It is anticipated that the development would include community and recreation uses, and provide an enhanced focus on Monaltrie Park as a core asset for the village. Development of this scale would also afford the opportunity for the renovation of the Old School and surrounding land for education, community use and housing.

The scale of the development proposed, phased over several years will ensure that housing development in this part of the National Park will be, settled, co-ordinated and planned in a way which maximises the benefits for existing and future residents. A development of this scale will ensure that affordable housing and associated infrastructure such as school provision, road and pedestrian access, public open space, community facilities and employment opportunities can all be provided in a co-ordinated fashion. Piecemeal development of infill sites in Ballater and surrounding villages will not be able to shoulder such facilities alone and will place additional demand on public services and facilities that are already stretched.

It is therefore important that Ballater can maximise the benefits from the investment that new development can bring. Without the identification of a long term effective housing site within Ballater, the town will not be able to foster the type of sustainable economic growth that will support the economy and community going forward. The co-ordinated development of the housing led development at Monaltrie Park will provide the opportunity which the community can be actively involved with and shape over the coming years.

The proposed neighbourhood would be developed through the preparation of a master plan for the site and the submission of an application for Planning Permission in Principle which will set out design principles and phased approach to the short, medium and long term development of the site.

Site information

The site is located on the north-eastern edge of the town, adjacent to Monaltrie Park. The site area is approximately 16 hectares (40 acres) of flat agricultural land. The site is bound by existing residential development to the northwest and southeast, with open fields to the northeast and the Monaltrie Park forming the southwest boundary. (Map supplied)

A walkable neighbourhood

The site's location means that a new neighbourhood can be created that is able to take full advantage of the local services and facilities and public transport that are already available. The proposal will look to maximise the opportunities the existing services and public transport network offers in creating a sustainable development.

The historic town centre and key services and facilities are within a 10 minute walking distance from the centre of the site, with the primary school and doctors surgery within a 5 minute walk. Public transport passes the site, within a 2 to 5 minute walk of the site. The existing public transport network provides easy access to the wider area. Opportunities exist to enhance existing services by potentially extending them through the site, allowing public transport to offer a realistic alternative to private car travel. The site is also well located in terms of encouraging local trips to be made by non-vehicular means, with excellent opportunities for walking and cycling to take the place of vehicle trips.

Ballater - A placemaking approach

The vision for Ballater is to create a sustainable new living environment, based around a fully integrated new community with new homes that are accessible to everyone, an inclusive place which makes everyone feel comfortable, safe and secure, a place where people want to live, which promotes an active lifestyle and sense of wellbeing, a place where future residents are proud to call home. The proposed neighbourhood will provide ready access to essential facilities including local services, education, open space, landscape and amenity areas. It will deliver a wide range of choice of new, sustainable, high quality housing, including affordable housing. All of the housing will be designed and priced to meet market demand. The proposal will deliver a high standard of design across all elements of the scheme including housing, irrespective of price and tenure. The scheme will focus on establishing a strong sense of community, with accessibility to jobs and community facilities such as the primary school.

The future master plan will seek to deliver a sustainable, integrated and sensitive development based on some key objectives of good place making:

Positive identity to ensure that the new development responds to the site and contextual opportunities, so fully integrating with its surroundings and define the space.

Viable and sustainable place which is deliverable in the long term and contributes in a positive way to the economic viability of the town and the wider area.

A connected place which links and integrates with the existing community of Ballater and the wider area.

Welcoming place which helps to foster a strong sense of place and community, providing future enhancements to the town.

Delivering best practice in development which is responsive to the environmental constraints.

Quality homes for a wide range of local needs, space to live and play, good access to facilities, public transport and a place people can be proud of.

A productive and sustainable landscape, by creating green corridors and space around the existing landscape features for biodiversity and ecology.

A placemaking approach will be adopted to ensure that the development responds positively to the context and opportunities of the surrounding area and the site. Building on this, a strong vision will be developed through consultation and engagement, which brings new site-specific ideas into play, as well as drawing on best practice. The concept is driven by the objective of creating a strong sense of place and community, fully integrated and linked into the immediate surroundings and the village of Ballater.

A strategy for Ballater and community benefits:

During the workshop held in 2009 there were eleven opportunities identified for the physical improvement of the town. The strategy for Ballater could incorporate some of these opportunities, depending on views expressed by the local community through the further consultation that would take place as part of the master planning process. None of these opportunities will be possible without appropriate investment, highlighting the importance of the allocated housing site at Monaltrie Park which would be able to provide some of the funding required, and lever in additional investment and grant funding for the community.

Potential projects that have been identified by the workshop which could be supported by the residential-led development at the north east edge of the town are:

- **Monaltrie Park** – lighting and pedestrian access improvements, new public toilets and changing facilities
- **Framework for Open Space** – connecting Monaltrie Park through new housing development, an enhanced wildlife corridor on either side of new housing, improvements to connections to the River Dee and enhancements to the Deeside Way as it enters the town.
- **Old School Building** – refurbishment for training and educational facilities and provision of sheltered/affordable housing units
- **Town Centre Parking Improvements** – opportunities for relocation of tour bus parking and provision of affordable housing in the centre of Ballater.

Conclusion and next steps:

Invercauld Estate and Scotia Homes are committed to finalising the master plan through further community consultation involving The Prince's Foundation which would form the basis of a planning application for a phased residential-led development on the land at Monaltrie Park, to the north east of the town centre. The development would provide for the short, medium and long term housing needs of Ballater and the eastern part of the Cairngorms National Park ensuring that housing can be delivered

to meet the identified needs of existing and future residents and to provide an opportunity for people who work in the area to live within the National Park.

Reverse commuting from outside the park is neither sustainable nor provides support for existing services, facilities and businesses. Through continuing the extent of the current allocation in the MIR, the Park Authority will be able to programme a planned response over the longer term to help foster the continuing sustainable economic growth of the park. The alternative will be for the Park Authority to take a reactive stance to smaller scale proposals as demand dictates, which will not be able to meet any wider policy objectives in respect of community facilities and services, the environment, education and training and employment generation.

Promoting a development of this nature and investigating the identified wider community benefits in full will require a significant investment on the part of the Invercauld Estate and Scotia Homes. Without the clarity provided by the continuation of the extent of the allocation in the MIR in the LDP Proposed Plan, the significant investment to take forward a full master planning exercise cannot be justified. A smaller allocation, whilst meeting the immediate identified housing need, will not provide the ability for a full detailed evaluation of the wider opportunities to be made and will mean that the aspirations for the development will need to be downgraded to a stand alone infill housing development.

A piecemeal development of the site, which as set out in Part two of this submission, Housing Need and Demand could then have to be extended in future years to meet demand, would be likely to follow the pattern of other more recent housing development in the town which has not been designed to be in-keeping with the traditional architectural style and character of the town. This site, properly master planned, presents an opportunity to develop a natural extension to the town that will complement and enhance its existing character.

Several key weaknesses within the town have been identified by the studies carried out by Urban Design Associates, the Prince's Foundation and BOVOF. Only a long term residential led development of the scale identified in the Main Issues Report on the land to the north east of the town centre has the potential to address these identified weaknesses.

The development and the broader strategy for the town will be taken forward through the preparation of a master plan and submission of an application for Planning Permission in Principle, which will set out the design principles and phased approach to the short, medium and long term development of the site. This can only take place, and the development delivered, if the site continues to be identified for a phased residential led development in the LDP Proposed Plan.

We urge the Park Authority to recognise the significant benefits that this proposal could deliver for Ballater, and to continue to identify the site and existing scale of development in the forthcoming Cairngorms National Park Local Development Plan Proposed Plan and the subsequent adopted Local Development Plan.

Summary

Supportive of Scotia Homes vision for Ballater. Concerned smaller scale of development would prevent maximisation of benefits for community. Although small scale development could meet current needs there is a need to plan for longer term building on Ballater's strengths and addressing its weaknesses. Seek retention of the previous wider allocation to enable mixed use and residential development building on the masterplanning work and adopted a placemaking approach for the site.

CNPA Response

CNPA support the Masterplanning approach for this site and have made provision for it in the Plan.

Name Aberdeenshire Council

Objector Ref 086 Map/a

Representation

Further to our telephone conversation this morning, this is just to confirm that the Council is engaged presently in trying to conclude the sale, subject to planning permission being granted, of the undeveloped site bordered by Craigview Road, the A93, Pannanich Road and the property No2 Pannanich Road.

Unfortunately, confidentiality does not permit me to confirm prospective buyer or specific purpose the site is intended to be used for, other than that it is a business use. However, I know you are aware of all the concern expressed locally about this being TESCO, but all I can say at this time is that these are rumours not based in fact. Details of the proposed sale had been reported to and approved by the Council's Marr Area Committee - as a confidential matter. This is why our Councillors and officials cannot say more than they already have to CNPA and the Community Council, however inconvenient that may make things at present. The business concerned requested confidentiality, and we have respected that position.

I can also confirm that this site was part of lands acquired and then laid out for business use development by previous incarnations of the Council, most of which has been developed. This is the remaining site - indeed the only site - we have left for business development purposes in Ballater, which is why its reallocation for other purposes, particularly for housing use, were resisted in previous local planning consultations.

As regards the proposed CNPA exercise which will lead to revision of the Park Plan later this year, it would be preferable to not allocate a specific use to the site, but leave it included within the settlement boundary. Hopefully, if the deal can be finalised in the near future, the business concerned will be able to progress making a planning application, which will put the proposals into the public domain. That may help the information vacuum that has been filled with the current rumours.

Summary

Confirm that Aberdeenshire Council is in confidential discussions regarding land at Pannanich Road, and as such would prefer to see this site not allocated for a particular use but simply included within the settlement boundary.

CNPA Response

The map has been amended to remove the allocation in response to SEPA comments on flooding.

Name Victor Jordan

Objector Ref 090 Map/a

Representation

Site for housing north east of Monaltrie Park

2. The proposed site for housing north east of Monaltrie Park and North West of the Deeside Way would destroy the vista from Monaltrie Park north east to Tullich since it will involve the incursion of buildings across the Deeside Way which at present forms the elegant south eastern border of the vista.

3. In recent years new housing has extended north-east alongside but outside the lines of this vista.

To build houses in the space left clear and preserved by the layout of the houses built in recent years will result in a clutter of houses in, and eventually across, the strath that will at its best form an architectural ghetto, a distinct development against the grain of existing development. The National Park Authority should be reminded that the government consultation draft "Designing Streets" of January 2009 said of Ballater on page 33 "the ability for future growth is not compromised in the south-west of the village (a) with its permeable street pattern, but more recent cul-de-sac type development in the north-east (b) does not allow for a connected growth of the village."

4. The proposed development would ruin the setting of Monaltrie Park since it would destroy the vista referred to above, would partially block the spacious view north east and the housing envisaged for construction some time after five years would well nigh completely block the view. Individually and cumulatively these restrictions on the view would emphasise the small size of the Park. The proposed development will therefore threaten the commercial viability of the Highland Games held each year in Monaltrie Park.

5. The proposed development of this land will make a conspicuous change to the appearance of the village not only for those going to this part of the village and those walking along the core paths that form the lines of the vista but also for those looking from the A93 close to the village across what is now a beautiful view to Craighendarroch. The site will also spoil the view from Tullich. It will thus clearly fail to meet the first statutory aim of the National Park, namely "to conserve and enhance the natural and cultural heritage of the area".

6. The National Park Authority should be reminded that the Cairngorms Landscape Character Assessment of 1996 (CD 7.7 of core documents of 2009) states in its guidelines between pages 51 and 52 that the aim should be to conserve the farmed landscapes of the strath floor in the Upper Deeside Estates and makes it clear that there should be no more intrusive housing on the strath at Ballater. The importance of this land to the amenity of the village was recognised by Aberdeenshire Council at their meeting on 4th March 2004 when they approved the decision of the Infrastructure Services Committee on 12th February 2004 to proceed with a modification to the Finalised Local Plan of 2002 so as to make this land part of a Protected Area. The Council's evidence to the Reporter said this was "in recognition of the importance to the settlement of this area as open space."

7. I am dismayed that the revised plan omits the provision in the adopted local plan for an elliptical area immediately to the north east of Monaltrie Park to be environmentally protected from adverse development. This is the area used for visitors to the Highland Games to park their cars.

8. I urge that the National Park Authority make a determined effort to implement paragraph 80 of Scottish Planning Policy by "directing development towards sites within" Ballater and abandon all attempts to have housing on the land north east of Monaltrie Park.

The Old School, Abergeldie Road

9. I urge that the designation of this site should be changed from "Opportunity Site-Sustainable Economic Growth" to "Protected for wholly or mainly affordable housing". Such a designation would

be a practical step towards meeting the need for affordable housing in a way compatible with the government policy referred to by me in my paragraph 8 above. The Old School is in a residential area.

Vacant land between Pannanich Road and A93

10. I urge that the designation of this land be changed from “Community” to show the north eastern half as protected for affordable housing and the south western half for economic development. The south western half is next to the existing business park. The north eastern half is next to the housing of Pannanich Road.

Village Core

11. I object to this designation. I do not see its purpose. There exists a conservation area which is more extensive than the designated core. It is surely not suggested that the bus depot is of more architectural importance than houses in the conservation area but outside the core. Again, I do not see why the Old Manse, which overlooks and is an important backdrop to the church green, should be omitted from the village core when the church green is included.

Summary

Object to allocation for environmental reasons, the impact on neighbouring properties and wider views, impact on the Deeside Way, loss of farmland, loss of open space and amenity, loss of car parking for the Highland Games, and suggests infill sites should be used instead. Request that the designation of the Old School site is changed from an 'Opportunity Site-Sustainable Economic Growth' to 'Protected for wholly or mainly affordable housing'. Questions the purpose of the village core identification and non-inclusion of the Old Manse.

CNPA Response

The text of the plan refers to the need to allow space for parking for the Highland Games. CNPA remain committed to H1 allocation as being the best way to met the housing needs of Ballater. CNPA are supportive of the Masterplanned approach and have amended the map accordingly. The Old School is now designated for community use- which could include housing. The village core designation links to retail policies in the plan and serves a different function to conservation areas.

Name Jane Angus

Objector Ref 092 Map/a

Representation

It is recognised that a) there is unlikely to be any movement on building of H1 in the immediate future. b) there is no requirement from the Aberdeenshire housing department that any attention need legally be paid to the social effects of giving priority to requests of prospective tenants on their lists, such as for a single mother to be near relations, or an elderly person to be near their younger relatives. Nevertheless the effect of this policy has affected our community for the worse.c) the requests for affordable housing within Ballater, from people who live in Ballater can in no way be met by the present Aberdeenshire proposals.

If/when H1 is developed the masterplan should allow for:-

1) sustainable housing - mixed in tenure and size

- 2) workshops
- 3) flats
- 4) commercial
- 5) retail
- 6) possible hotel/nursing home/elderly/shared facilities
- 7) all in a grid and environmentally sustainable system, more or less as was developed in the discussions led by the Prince's Trust for the Built Environment, and with enough space left for
- 8) more parking space for the games and buses, and
- 9) all with first rate sound and heat insulation and slow draining, etc.

Thus the proposals put forward, of a couple of streets of houses only in HI, are not acceptable to the community, consisting of yet another disrupting and isolated enclave which will not add to the social coherence of this village or economic opportunities, whether they be individual or able to develop in this digital age.

Summary

Concerns about impact of housing allocations policy, and if local people would be allocated new housing. If and when a Masterplan for the site is developed it should include sustainable housing in a mix of tenure and size, workshops, flats, commercial and retail space, possibly a hotel, nursing home, or buildings for elderly with shared facilities. This should be in a grid and environmentally sustainable design as developed in the discussions led by the Prince's Trust for the Built Environment. It must include space left for parking, especially for the games and buses, and have first rate sound and heat insulation and slow draining, etc. Therefore question the current proposals for a couple of streets of houses which are not acceptable to the community, and would create another isolated enclave.

CNPA Response

CNPA are supportive of the Masterplanned approach and have amended the map accordingly.

Name AHP / AHP Developments Ltd

Objector Ref 123 Map/a

Representation

You may be aware through Di Alexander that AHP is discussing the potential development, through change of use of an existing play area in our ownership at the above address, of 8 units of affordable housing. We have had significant discussions with the Ballater Community Council (and these are ongoing) and they are supportive of the proposal (as are our existing tenants in SPG Way). In fact I understand that the Community Council has indicated their support for the development through their response to the Park's Informal Consultation currently underway the outcomes of which will inform the Development Plan for Ballater.

This note is to confirm that AHP is fully engaged with the Community Council, Aberdeenshire Council's Housing Service, the Aberdeenshire Rural Housing Enabler and the Park's own Housing Officer in working on the project.

If you have any queries please do not hesitate to contact me.

Summary

Highlight ongoing discussions about a plan to build 8 affordable housing units on existing playground.

CNPA Response

The site at Sir Patrick Geddes Way has been allocated for housing.

Name David and Isabel Duncan

Objector Ref 40 Map/e

Representation

No more scarce arable land should be sacrificed for housing.

Summary

Object to any arable land being allocated for housing.

CNPA Response

CNPA remain committed to existing allocations.

Name Scottish Natural Heritage

Bellabeg

Objector Ref 040 Map/e

Representation

Core paths through woodland will need to consider capercaillie (non-Natura) where they are new paths still to be constructed/formalised.

Summary

New core paths through woodland will need to consider impact on capercaillie.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/e

Representation

Transport Scotland: Bellabeg. This settlement does not affect the strategic transport network.

Historic Scotland: Bellabeg - Core paths - A core path is identified within the scheduled area of Doune of Invernochty, motte (AM 94). It is difficult to tell from the mapping provided whether this is an existing core path. Historic Scotland is aware that there is signposted access to the Doune of Invernochty although there is no formal path round the monument. Due to the nature of the monument, any upgrading would have a significant impact on earthworks and archaeological remains/deposits.

Summary

Transport Scotland confirm Bellabeg does not affect the strategic transport network. Historic Scotland question if the core path identified within the scheduled area of Doune of Invernochty, motte (AM 94) is an existing path. Any upgrading would have a significant impact on earthworks and archaeological remains/deposits.

CNPA Response

Comments Noted. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name SEPA

Objector Ref 063 Map/e

Representation

Water body(s) affected/current status & pressures - Water of Nochtly runs close o Bellabeg, and the River Don-Strathdon to Alford is to the south. Water of Nochtly at moderate status due to fish barrier, which is not close to settlement. River Don (Baseline WB ID 23294) is of good status, but is not within boundary. Water of Nochtly (Baseline WB ID 23578) is of moderate status, and runs through boundary, where morphological pressures are the road bridge crossing, and a set-back embankment/floodwall (on left bank, 186 m long, and set back 22 m). Although not the reason for the downgrade to moderate status, consideration should be given to improving these. (Note: River Bardock on south western boundary edge is a non-baseline minor watercourse).

Related site specific advice - Prevent deterioration in Water of Nochtly and River Don. There is no public waste water treatment plant at this location.

Flood risk advice - There are flood risk issues in this settlement from Water of Nochtly and River Don. Agree with safeguarding open space which is within 1:200 fluvial flood map (on River Don and near confluence of two rivers). It should be highlighted that other areas may need to consider flood risk if development is proposed in the area (although none are currently proposed).

Summary

Water of Nochtly runs close to Bellabeg, and the River Don-Strathdon to Alford is to the south. Water of Nochtly at moderate status due to fish barrier, which is not close to settlement. River Don is of good status, but is not within boundary. Water of Nochtly is of moderate status, and runs through boundary, where morphological pressures are the road bridge crossing, and a set-back embankment/floodwall. Consideration should be given to improving these. Need to prevent deterioration in Water of Nochtly

and River Don. There is no public waste water treatment plant at this location. There are flood risk issues in this settlement from Water of Nocty and River Don. Agree with safeguarding open space which is within 1:200 fluvial flood map and other areas may need to consider flood risk if development is proposed in the area.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name R J Leslie Melville

Objector Ref 122 Map/a

Representing Candacraig Estate

Representation

I have studied closely with my client the proposal for Bellabeg and we feel strongly that more could be done for Bellabeg. The settlement map ought, in my opinion, to be extended as I have indicated on the attached plan. The settlement most certainly includes the school and the Poldhullie cottages and ought to capture the footpath and Invernoughty fields.

Summary

Suggest settlement map should be extended, alternative suggested.

CNPA Response

Following discussions with the Community Council it was agreed that no settlement boundary would be drawn for Bellabeg and a more flexible approach would apply.

Name Donside Community Council

Objector Ref 124 Map/a

Representation

I posted the map on the Bellabeg Notice Board but have had no comment of any sort. It is always difficult to get local opinion even if one holds a public meeting !

There is in any case a difficulty in trying to fit the arbitrary "settlement" or "rural area" to a community which is as scattered as Upper Donside. In my view the settlement boundary shown is too limited and should extend SW along the A944 to include the roadside houses as far as and including Strathdon School. These have always been considered as Bellabeg, whereas Roughpark and Forbestown which are similar ribbon developments adjacent to Bellabeg are considered distinct.

Having said that I have consulted the factor of the landowner of the surrounding area and most of the properties concerned (Candacraig) and he disagrees with me and is content with the settlement boundary as shown.

The reason for dispute is of course whether or not any development of housing or small business would be permitted either inside or outside the boundary. The rules laid down in the Local Plan are

restrictive. Where communities are under pressure and shrinking (as ours is) I consider that any attempt to increase occupation and activity should be encouraged with only common sense restrictions as to suitability. For instance the addition of several houses to the row of Poldhuille Cottages would be welcome. It appears that this outcome is more likely to be achieved within rather than without the boundary. Furthermore I recommend that the rules are eased for the rural areas .

I note there are no areas designated for development on the map.

The Doune of Invernochty may or may not be a designated conservation area , but it should at least be shown in green as safeguarded.

There is a long established waste/recycling facility in the SW corner of the settlement area shown as a car park.

The core paths markings look correct and include the new bridge crossing the Don near Colquhonnies Hotel, but perhaps a bridge should be marked for clarity.

I am afraid I have been unable to mark the glossy surface of the map , nor do I have the correct colours. I hope you will be able to follow my comments above and make any amendments necessary.

Summary

Feel settlement boundary is too limited and should be extended, although other disagree. Raises broader questions about the role of settlement boundaries in controlling development. Suggest Doune of Invernochty should be safeguarded. Suggest recycling centre should be shown on map. Suggest need to indicate bridge on Core Path Plan.

CNPA Response

Following discussions with the Community Council it was agreed that no settlement boundary would be drawn for Bellabeg and a more flexible approach would apply. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Blair Atholl

Name Scottish Natural Heritage

Objector Ref 040 Map/f

Representation

The settlement boundary is adjacent to the River Tay SAC (main stem) and also overlaps with this SAC, since the River Tilt and the un-named tributary beside the old saw-mill are included in the SAC. Proximity to/overlap with the River Tay SAC will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Elsewhere, built development up to the edge of the settlement boundary where adjacent to the SAC would likely require Appropriate Assessment at proposal stage.

We observe that the Business zonation at the west of the village includes the tributary to the east, which is part of the SAC. Although there is unlikely to be business development in the overlap area, because it is river, if this remains identified for business this should be assessed as part of the HRA of the LDP.

On the other hand this is probably a cartographical error, and so the settlement boundary here should be pulled back to the west of the SAC tributary.

We note the map indicates no core path network for the area.

Summary

Allocations and settlement boundary should be assessed as part of the HRA of the plan due to proximity and overlap with River Tay SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Development adjacent to the SAC may require Appropriate Assessment at proposal stage.

CNPA Response

CNPA have worked closely with SNH on the HRA.

Name Blair Atholl & Struan Community Council

Objector Ref 046 Map/b

Representation

1 We are surprised that part of the railway sidings is designated as "community land". This ground still has railway track, albeit very overgrown, and appears to still be connected to the main line. While we would be happy to think about possible uses if it becomes available, we have not seen any indication that it is likely to be released by Network Rail. In any case, we would wish to see any future use restricted so that, if necessary, it could easily be returned to railway use.

2 . There are currently recycling facilities at this site. We see no reason why this should not continue.

3 . This land, which forms the school playing fields, should be safeguarded as recreation space.

4 . We do not believe that the area at the top end of the Blair Castle Caravan Park should be included in the SEPA 1:200 year flood map (indicated on separately enclosed map).

5 We are pleased to note that this site, proposed for housing in the Main Issues Report, is no longer proposed for housing.

6 . We are also pleased to note that this area has now been identified as a potential site for housing.

We have held an "Affordable Housing Surgery" on 22nd September. The main aim was to identify the real demand for affordable housing in the area and therefore to find out how much new housing may be required. In our response to the Main Issues Report, we highlighted the fact that the current settlement boundaries of Blair Atholl have been established for over 100 years. There is now very little land available within these boundaries for new development and, if there is significant demand for more housing, then that could only be met by extending these boundaries. We believe that this issue will have to be managed carefully to ensure that any extension of the village fits in with the existing character, and

that it is decided after full consultation with the people of the village. We propose that this consultation, if required, should take place separately from the rest of the consultation on the Local Plan, and that it should be managed by CNPA staff to avoid potential conflicts of interest that may arise within the Community Council.

Summary

Question designation of land by railway as community land. Request continuation of recycling facilities. Request school playing fields are safeguarded.

CNPA Response

The railway allocation has been removed, the recycling facilities shown and the school playing fields safeguarded.

Name Scottish Government

Objector Ref 051 Map/f

Representation

Transport Scotland: Blair Atholl. The settlement proposals should not affect the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

Historic Scotland: Blair Atholl - Housing, tourism, business, recreation/open space, community site
Historic Scotland returned the following comments in response to the consultation on the MIR: we support the Council's preferred housing option (south east wedge) in this case as it avoids direct impacts on Blair Castle designed landscape. These comments still stand.

Summary

Transport Scotland confirm Blair Atholl does not affect the strategic transport network. Any pre-existing conditions should be carried forward. Further dialogue may be helpful. Historic Scotland continue to support the Council's preferred housing option which avoids direct impacts on Blair Castle designed landscape.

CNPA Response

Comments Noted. A meeting was held with Transport Scotland.

Name Andrew Gordon

Objector Ref 059 Map/a

Representing Lude Estate

Representation

I said I would let you have a plan of part of the River Tilt Caravan Park, currently leased out to Stuart Richardson, and where the lease has expired. Richardson is under notice to quit this area in April 2013. I enclose a photograph of the area.

When we met, you confirmed that applications for individual houses around Old Bridge of Tilt would be considered out with the Blair Atholl local plan. This will satisfy our estate demand pro tem. I had discussed with Dai Alexander the opportunity for some affordable houses on the site of the River Tilt Caravan Park and this would be tied in with my application for the area to the South East. This area was recommended in the Main Issues Report Consultation, but opposed by some of the householders next to the area. I was sorry I was not able to be present at that meeting to defend my case but I understand there is to be further consultation, and therefore a chance to re-visit this. I think it is an opportunity to earmark a suitable area for future housing, and have this in the plan, even though there may be no demand at present due to the housing recession. I enclose a photocopy of an alternative area adjacent to the railway line which may not have such an impact on existing housing as perceived in the original submission.

Lude Estate has provided virtually all the developed land in Bridge of Tilt over the last 100 years, and this latest plan would simply be an extension of that, to satisfy demand, and it is accepted that this would be an architectural challenge to make any development 'fit'. I would welcome that.

Summary

Discussions are ongoing about an opportunity for some affordable houses on the site of the River Tilt Caravan Park, the current tenant is under notice to quit. This would be tied to an application to an area to the South East.

CNPA Response

The caravan site is allocated for community use which could include affordable housing.

Name SEPA

Objector Ref 063 Map/f

Representation

Flood risk advice - See previous comments in Appendix 2 for all individual sites within settlement boundary which includes site 005e.

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Atholl Estate

Objector Ref 100 Map/c

Agent Ann Richardson

Representation

We note that planning consent 07/02438/FUL relating to woodland chalets has been identified within the settlement plan. Please note that the planning consent has been implemented and is therefore extant.

We note that planning consent 08/00987/FUL relating to the Blair Atholl gateway project has not been identified within the settlement plan and is partly designated as "recreation and open space". We would request that this designation is amended to reflect this planning consent and a copy of the site plan is enclosed for ease.

Summary

Request plan is amended to reflect extant planning permissions.

CNPA Response

The plan has been amended.

Name Perth & Kinross Council

Objector Ref 110 Map/a

Representation

No comments on the settlement boundary and the designations within the settlement. It is noted however that there is a designation for tourism out with the boundary and therefore presume that there is an intention to designate tourism uses within landward areas and appropriate policy will be in place within the plan.

Summary

Question the designation for tourism out with the boundary, and how this will be addressed in policy.

CNPA Response

The boundary has been amended to include the allocation.

Boat of Garten

Name Boat of Garten & Vicinity Community Council

Objector Ref 033 Map/a

Representation

1. The Community Council is in agreement with the settlement boundary as indicated which includes the opportunity for housing development within the woodland area adjacent to the community hall. The Council would expect the Community's Principles for Housing Development, already submitted to CNPA, to be taken into account when any application comes forward. However there is a need to think flexibly about how additional housing could be achieved in the future and to find wording within the Final Local Development Plan to reflect this. (see para. 5-6)

2. The content of the Community Council's response, 8.12.11, to the Main Issues Report still stands. Page 3 para. (B) is of particular relevance. ' Although there are some residents who believe strongly that no housing development should take place within the woodland, there remains a majority opinion that

there should be the opportunity for some more modest development closer to the edge of the woodland which could encompass a proper entrance road to the new Community Hall, as originally envisaged, relieving the residents of the first section of Craigie Avenue of the burden of hall traffic along the narrow residential road. Ideally this could complement another modest development on the other side of the road.'

3. The Community Council understands that the inclusion of a star on the map is indicative of a school site being provided by the Estate when required. Ideally the Council would have preferred the part of the woodland adjacent to the community hall to be kept for a potential school site in the future. However it is recognised that in the absence of any commitment from Highland Council to consider building a new school, while the school role size does not justify it, it is unrealistic to maintain that position. However the indication from the Estate that land would be made available for a school as near to the Community Hall as possible when needed is welcomed. The actual site would need to be the subject of community consultation at the appropriate time. If housing is to be built close to the Community Hall then a buffer of trees to reduce noise for all residents and hall users would be an important feature for housing layout design.

4. It is the Community Council's understanding that the size of the housing allocation site within the woodland is determined by the current advice from SNH indicating that provided appropriate mitigation is in place, up to 30 houses can be built within the settlement boundary. Following all the work of the Boat of Garten Housing Working Group, Highland Council have indicated that they have prioritised Boat of Garten for financing 10 affordable units within a housing development. It is hoped that sometime this autumn, Davall Developments will come forward with a proposal for the 30 houses, including the 10 affordable homes. The Community Council, via the Housing Working Group, has expressed its support for this anticipated housing development proposal.

5. However, if that meant that NO other houses could be built within the settlement boundary for the next 5 years, the Community Council would be most perturbed. It is the Council's view that some flexibility in the final wording of the Local Plan is absolutely essential. The community has been working hard alongside the Estate, CNPA and SNH to resolve the issues of mitigation in respect of capercaillie and other species. The report just published on 20/9/12 by the Community Woodland Ranger shows that capercaillie have successfully bred in Deshar Woods and the community has responded responsibly and wishes to maintain the services of a ranger in future years. In addition, the Boat of Garten Community Company, supported by the Community Council, is actively investigating the possibility of setting up a Community Land/Development Trust specifically to address the long term need for affordable housing in the village. The main thrust of this work is to consider alternative ways (other than large developments) of meeting the long term housing need after the anticipated 30 house development has been built. For example there is potential within the settlement for individual plots to be identified for houses, existing stock to be purchased/leased by a Trust etc. It is possible this could occur and planning permission be sought for a few houses within the 5 years of the next local plan. Some home owners have large gardens and it is also possible that private individuals might want to subdivide plots. The Community Council would not want the 'up to 30 houses advice' to create planning blight.

6. It is recommended that the Draft Local Plan pays particular attention to wording to avoid such planning blight. An indication is needed that subsequent to any planning approval for 30 houses, any other small scale or individual planning application for one or more houses within the settlement boundary will be given favourable consideration taking into account any 'mitigation advice' forthcoming from SNH at the particular time. From Boat of Garten's perspective, it is essential that all agencies consider the mitigation issue to be subject to long term regular review so long as internationally

protected species continue to inhabit Deshar Woods. The long term sustainability of Boat of Garten rests upon a balanced view of how people and wildlife can live together in harmony.

Core Path Network

1. The Salmon Trail is a popular core path between the golf course and the River Spey. There are two facts relating to this path which would benefit from more consideration. Firstly although the local tenant farmer is endeavouring to improve the fencing and gates for the control of cattle in the fields along the path, access for walkers, especially those with dogs, can be problematic when cattle are present. Secondly in the 'Mitigation Measures' under consideration in respect of the protection of capercaillie, the proposal of identifying an 'off lead' dog walking route as an alternative to the woodland in the breeding season, is being looked at. It is our understanding that discussions are on-going between the CNPA, the tenant farmer, and the Fishing Association about whether/how the core path could be altered/fenced to enable such a route to be developed including whether or not an alternative path could be developed on either side of the river. The Community Council welcomes these deliberations and would like to see a solution come forward.

2. The Heron Trail, the disability 'more accessible' route around the woodland behind Milton Loch, is well used by the community and visitors. When the work on this path was undertaken in November 2010 the Community Council was informed by COAT that there would be annual maintenance of the path. Regrettably to date, despite requests, no maintenance has taken place. The path is becoming overgrown in places, causing difficulties for wheelchairs. Any review of the core path network needs to take into account maintenance commitments.

Summary

Support settlement boundary and provision of new housing in woodland area near community hall but request a flexible approach is adopted to enable delivery of a scheme. Preference for a new road entrance to be included as part of any scheme and for a new school to be sited as near to Community Hall as possible but recognise lack of justification for new school at present. New housing is essential for the village. Highlight fencing issues in relation to the Salmon trail path and ongoing discussions around off-led paths for dog-walking. Highlight maintenance issues on the Heron trail.

CNPA Response

CNPA remain committed to the provision of housing in Boat of Garten, and will continue to work closely with the community. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Seafield Estate

Objector Ref 037 Map/c

Representation

Real progress is taking place on addressing existing recreational use of the woodland area and it's possible affect on capercaillie, as a condition of taking forward part of the previously zoned area and it is helpful to have included this site in the map. With the housing numbers being restricted to 30, however, at least until the mitigation measures are proven, it is imperative that a second phase of housing is earmarked for future development immediately to the South of the zoned area. This will be a logical extension to what would be the initial phase and is vital to sustain the community.

Summary

Report progress in bringing forward zoned area for development. With the housing numbers being restricted to 30, however, at least until the mitigation measures are proven, it is imperative that a second phase of housing is earmarked for future development immediately to the South of the zoned

CNPA Response

The work on the impact of development on capercaillie limits development to a maximum of thirty

Name Scottish Natural Heritage

Objector Ref 040 Map/g

Representation

Boat of Garten proximity to the River Spey SAC, Abernethy Forest SPA and Kinveachy Forest SPA will require proposed allocations to be assessed as part of the HRA of the plan. In respect of the SAC, this should include those where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths through woodland and adjacent to the River Spey will need to consider capercaillie (Natura) in the former and otter (Natura) in the latter where they are new paths still to be constructed/formalised.

Summary

Allocations should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Abernethy Forest SPA and Kinveachy Forest SPA. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. New core paths through woodland and adjacent to the River Spey will need to consider impact on capercaillie and otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043Map/b

Representation

It would be helpful to know why the land allocation south of Strathspey Park in the B&SLP has not been taken forward and reflected in the settlement boundary, even on a reduced scale from the B&SLP's extent (it is arguable that 6 of the 15 house capacity has been already taken up by Strathspey Park). The opportunity to build on existing access provision (which was designed with the allocation in mind) is wasted. While recognising that any housing in Boat of Garten has the potential to impact protected species, the existing open nature of this area, its content of non core paths, its proximity to the village centre and its being bounded on 2 sides by existing housing, suggests that impact could be less than on the site allocated.

It is difficult to understand why Milton Loch and its margins are included within the settlement given its very non-urban character and passive recreational purpose. Contrast with the exclusion of Kingussie's "duck pond" from that settlement boundary despite its being smaller and less secluded from development.

Summary

Question settlement boundary and amount of development proposed.

CNPA Response

The settlement boundary has been reviewed. The amount of development possible is limited by impact on the capercaillie.

Name Royal Society for the Protection of Birds

Objector Ref 047Map/b

Representation

We note that the four potential sites in the previous consultation have been reduced to one (that didn't appear previously). We reiterate our previous comments. Whilst, we agree that there is a need for affordable housing in Boat of Garten, controversy over successive planning applications has shown how difficult it is to develop here, given the sensitivities of the adjacent woodlands. The proposed allocation could have knock-on effects through disturbance upon capercaillie at Boat of Garten and the surrounding SPAs so there needs to be an appraisal at this stage of the likely number of houses and the level and nature of mitigation needed to ensure compatibility with national and European legislation. This would help ensure that were this allocation to go forward to the next iteration of the Plan it would be acceptable although detailed scrutiny of any future planning application would still be required.

Summary

Concerned about impact of proposed allocation on capercaillie, and request appraisal.

CNPA Response

The Habitats Appraisal has considered the impact of development on capercaillie and other protected species across the Park.

Name Scottish Government

Objector Ref 051 Map/h

Representation

Transport Scotland: Boat of Garten. Previously around 50 units were proposed. However, the settlement map would appear to indicate that fewer houses are proposed. Transport Scotland has no issues with the use of the west A95 junction which incorporates a right hand turning lane, but the eastern A95 junction may have to be upgraded to support this development. Further dialogue would be appropriate.

Historic Scotland: Boat of Garten - Housing, tourism, recreation/open space, new core paths and an opportunity site-community development Although it is not clear from the scale of the mapping

provided, there appears to be a core path in proximity to the scheduled monument: Tom Pitlac, Motte (AM 9110) but this is alongside the opposite bank of the river. We are aware that in 2007 an aspiration was expressed to create a path linking the existing path with the scheduled monument but it is unclear whether this has happened.

Summary

Transport Scotland have no issues with the use of the west A95 junction, but the eastern junction may have to be upgraded to support new development. Further dialogue would be appropriate. Historic Scotland note the core path proximity to the scheduled monument Tom Pitlac, Motte (AM 9110) along the opposite bank of the river, unclear if this path exists on the ground.

CNPA Response

Comments from Transport Scotland noted. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 061 Map/c

Representation

The Campaign is concerned that the area of Safeguarded land is far smaller than the area of Environmental land in the adopted CNPLP. We object to this change and find no justification for it.

We consider it inappropriate that the CNPA has introduced wholesale change in the areas allocated for housing at this informal stage with complete differences in every allocation between the MIR and the informal consultation maps.

We object to the housing allocation in the informal consultation map. The trend has been to inflict housing on the sensitive woodland habitat which as the CNPA has itself argued, supports protected species including capercaillie - an Annex I species. The housing allocation would reduce the area of woodland, lead to recreational disturbance encroaching deeper into the woodland, erode the area of woodland available for recreation and impact negatively on the landscape setting of the village.

The CNPA's position regarding housing allocation in this woodland has been extraordinarily inconsistent.

Summary

Object to less land being safeguarded than in adopted Local Plan. Concerned CNPA has introduced new areas allocated for housing at informal consultation stage. Object to housing allocation due to impact on woodland, recreation, landscape and capercaillie.

CNPA Response

CNPA and the Community Council remain committed to the housing allocation. Any development will include extensive mitigation measures to protect the wildlife. CNPA have found the informal consultation process very helpful.

Name Roy Turnbull

Objector Ref 062 Map/e

Representation

Considering all that has happened in recent years concerning the application for housing in the Boat woods, I am frankly astonished that the CNPA is still proposing this area for housing, rather than the non-woodland areas identified in the MIR. I will not repeat the very strong reasons for refusal of housing, particularly concerning issues of disturbance, in this area that have received much attention in recent years, but make simply this point:

Once the principle of building housing in this location is granted then two things will follow:

- 1) increased disturbance and the effective loss of habitat that that causes will further diminish the viability of the capercaillie population in this woodland. To imagine that this can be prevented by rangers or signs or education is fanciful (and has certainly not been demonstrated).
- 2) once the capercaillie have been driven to extinction in this woodland then the wood lies open for further exploitation by development. Such exploitation would be increasingly difficult to resist as the woodland became increasingly degraded. That is the long-term benefit that would be presented to the owner/developer. This proposal is the thin end of the wedge, a wedge that would provide an income stream into the long-term future, and that, I believe, is the reason the owner is so insistent upon developing this area.

If the CNPA has a genuine regard to safeguard these woodlands and the capercaillie and other interests they contain then it must resist any attempt at development in these woodlands and remove this area from the local plan. Consequently, I strongly object to the inclusion of this area in the Local Plan.

Summary

Object to housing allocation due to loss of habitat and impact on capercaillie and the development pressure it would place on the remaining wood. Suggest non-wooded sites should be used instead.

CNPA Response

CNPA and the Community Council remain committed to the housing allocation. Any development will include extensive mitigation measures to protect the wildlife.

Name SEPA

Objector Ref 063 Map/g

Representation

Flood risk advice - See previous comments in Appendix 2 for all individual sites within settlement boundary which includes site 065e and 012j.

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/d

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted. We object that all the Environment areas in the adopted Local Plan are not included as Safeguarded areas in the informal consultation map.

We object to the radical alteration to the housing proposals in this informal consultation compared to the proposals the CNPA presented to the public in the MIR. Of the 4 allocations in the MIR not a single one is carried through to the present proposals; and the present proposal is not in the MIR. BSCG objects to an informal consultation as an approach to such sweeping changes and fear that by the time the next round of formal public consultation comes (proposed spring 2013) it will be too late to return to the proposals in the MIR.

We object to the housing allocation in the woodland on the grounds of impacts on important biodiversity including capercaillie and other Scottish Biodiversity List species. The allocated area is sed by red squirrel and includes dreys. Licensing to remove dreys is out with the control of the CNPA and should not be viewed as a given; nor is it a desirable option. The area supports characteristic pinewood plants and toothed fungi that are UK Priority species. The scale is excessive. The housing allocation in the woodland would reduce the size of woodland so leading to more intensive use of the remaining woodland and a higher level of public use penetrating deeper into the wood.

It has not been demonstrated that this allocation would not significantly adversely impact on the integrity of the Strathspey metapopulation of capercaillie. By zoning housing in an area with significant environmental constraints the CNPA risks non-delivery of any housing. The CNPA has failed to adopt a consistent position with regard to housing in the wood, having argued strongly against it previously and taken the allocation out of their Local Plan and not included it in the MIR allocations.

We object that the woodland is not allocated as Safeguarded.

We object to the Community star as it is unclear what aspect of Community it is referring to and unclear what part of the wood is being referred to.

Summary

Welcome safeguarded area but request they remain as extensive as current Local Plan. Object to changes in housing proposals being suggested by informal consultation. Objects to an informal consultation approach. Object to the housing allocation in the woodland due to effects on biodiversity, protected species, flora and fauna. Feel site is excessive and reduction in woodland would lead to intensification of public use in the remaining wood. Concerns about impact on capercaillie, and that environmental constraints will led to a non-delivery of housing. Accuse CNPA of inconsistency. Request woodland not allocated but safeguarded.

We object to the Community star as it is unclear what aspect of Community it is referring to and unclear what part of the wood is being referred to.

CNPA Response

The settlement boundary has been reviewed. The amount of development possible is limited by impact on the capercaillie. The CNPA have found the informal consultation process very useful.

Name Andy Nisbet

Objector Ref I38 Map/a

Representation

Dear Sir, I live at 20 Craigie Avenue, Boat of Garten and wish to object to the housing allocation in the valuable wood of Boat of Garten and which has been allocated behind Craigie Avenue and to the west of it. I am on holiday in France at present, so this will be brief but this should not detract from my strength of feeling. The wood behind Craigie Avenue is particularly valuable both as a recreational asset for locals and tourists, and also for wildlife. The two are living together at present with each benefitting, but the building of housing here will damage both. I work in the tourist industry and my clients come to Boat of Garten because this is perhaps the most attractive village in the Cairngorms National Park. In the evenings after mountaineering, they often go for a walk in the wood and comment how beautiful and unspoilt it is. A housing development here will spoil that. In the winter the forest tracks are great for nordic skiing. There have been proposals for housing here on several occasions and they have been turned down with logical arguments. These same arguments still apply. Small scale housing is much more appropriate for Boat of Garten and should be adopted instead.

Summary

Object to housing allocation due to loss of recreation land and impact on wildlife.

CNPA Response

CNPA and the Community Council remain committed to the housing allocation. Any development will include extensive mitigation measures to protect the wildlife.

Braemar

Name Scottish Natural Heritage

Objector Ref 040 Map/h

Representation

Proximity to the River Dee SAC (which includes the Clunie Water running through the settlement) and Morrone Birkwood SAC will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the River Dee and Clunie Water will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Dee SAC and Morrone Birkwood SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to the River Dee and Clunie Water will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051Map/g

Representation

Transport Scotland: Braemar. This settlement does not affect the strategic transport network.

Historic Scotland: Braemar - Business and waste/ recycling facilities Historic Scotland returned the following comments to the consultation on the MIR Site H2 has the potential to impact on setting of 'A' listed Braemar Castle new development be considered in line with Council's policies for conservation areas and listed buildings HS notes the strategic masterplan which has been produced for Braemar although it is not clear why this is not referred to in the MIR. HS supports the need for a strategic masterplanning process to assist future development of Braemar as a sustainable community. HS suggests that the 8 key themes and further development of the masterplan, embraces and safeguards Braemar's special architectural and historic character, together with its important landscape setting. HS would be happy to be consulted on subsequent development of the masterplan. To help further inform the process, they also suggest that a conservation area appraisal and review be undertaken, in collaboration with Aberdeenshire Council.

Strategic Option 1b) - Business Start-up/Support Facilities. The identified buildings are listed. Castleton Hall is category B listed and St Margaret's Church is category A listed. HS therefore recommends that further investigation of the potential for these buildings, includes consultation with both Aberdeenshire Council planning authority and HS. While it is not mentioned in the masterplan document, it is assumed that further consideration of St Margaret's will be undertaken in collaboration with the current community based project and wider stakeholder group, looking at a range of options for the future of the church.

Strategic Option 7- Braemar Public Facilities. HS supports the need for improvements, including a better solution for coach parking, to enhance public space and townscape. Potential changes to the village centre car park, should take into account the need to safeguard and enhance the setting of the nearby Kindrochit Castle, scheduled monument. HS would welcome consultation on this.

Business facilities include The Mews retail and tourist info centre and adjoining coach and car park in the village centre. Suggest we reiterate our comment:

'HS supports the need for improvements, including a better solution for coach parking, to enhance public space and townscape. Potential changes to the village centre car park, should take into account the need to safeguard and enhance the setting of the nearby Kindrochit Castle, scheduled monument. HS would welcome consultation on this' Waste/Recycling facility, is located in an open field NE of

village. Suggest we include a general comment about safeguarding the setting of nearby listed buildings, including the category A listed Braemar Castle to the north of the village.

Summary

Transport Scotland confirm Braemar does not affect the strategic transport network. Historic Scotland flag up the potential for Site H2 to impact on setting of 'A' listed Braemar Castle. It supports the need for a strategic masterplanning process to assist future development of Braemar and confirm they would be happy to input into any subsequent masterplan. They suggest a conservation area appraisal and review should be undertaken, in collaboration with Aberdeenshire Council. Historic Scotland observe that the Business Start-up/Support Facilities buildings identified are listed. Castelton Hall is category B listed and St Margaret's Church is category A listed, so further investigation of the potential for these buildings so further investigation, including consultation with Aberdeenshire Council planning authority and HS is recommended. It is assumed that further consideration of St Margaret's will be undertaken in collaboration with the current community based project and wider stakeholder group, looking at a range of options for the future of the church. HS supports the need for improvements of the public facilities, including a better solution for coach parking, to enhance public space and townscape. Potential changes to the village centre car park, should take into account the need to safeguard and enhance the setting of the nearby Kindrochit Castle, scheduled monument.

CNPA Response

Comments from Transport Scotland noted. CNPA are working with the community to help bring forward improvements to the village and its facilities and are supportive of the St Margaret's initiative. It is hoped that conservation area reviews will be undertaken as part of the implementation of the Plan.

Name SEPA

Objector Ref 063 Map/h

Representation

Water body(s) affected/current status & pressures - The settlement boundary is relatively close to Clunie Water (Callater Burn to Dee), which is currently at good status. However deterioration should still be prevented. River Dee not within site boundary, but Clunie Water is (Baseline WB ID 23361) is of good status, so no actionable measures, however deterioration should still be prevented.

Related site specific advice - This water body passes through Braemar, therefore prevent deterioration.

Flood risk advice - Fluvial flooding is the main risk. See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes sites. It should be noted that we previously advised that we would object in principal to sites 031a and 035f. From the boundary 031a is not included anymore (existing permission is given in grey area which has identified areas at risk of flooding see comments under 031h and 031j). If 035f is not for housing (stated a vague area for sustainable economic growth) a Flood Risk Assessment (FRA) could be required and those areas at risk avoided (a small area may be out with the floodplain).

Summary

Settlement boundary is relatively close to Clunie Water, which is currently at good status- deterioration should still be prevented. River Dee not within site boundary, but Clunie Water is of good status, no

actionable measures but deterioration should still be prevented. Fluvial flooding is the main risk- see flood risk comments made in response to MIR. A Flood Risk Assessment (FRA) could be required.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Invercauld Estate

Objector Ref 077 Map/a

Agent Iain Pattenden

Representation

We write on behalf of the Invercauld Estate in relation to the Cairngorms National Park Local Development Plan – Settlement Maps Informal Consultation. Invercauld Estate is fully committed to participating in the preparation of the Local Development Plan ('LDP') having responded to the previous 'Call for Sites' consultation in 2010 and the Main Issues Report consultation in 2011.

We recognise that the current consultation opportunity is an informal consultation stage following the Main Issues Report consultation which closed in December 2011 and the next formal consultation stage of the process, the Proposed Plan, which is due to be published for consultation in 2013. The CNPA's stated purpose of this current Settlement Maps Informal Consultation includes to seek 'views on the detail of the site boundaries, the information included and the need to identify other sites for development or protection'.

The documents produced for consultation consisted of the Settlements Maps. There was no further information provided as part of this consultation process. The Settlement Map for Braemar is shown on the following page. (map supplied)

The representation submitted on behalf of Invercauld Estate to the Main Issues Report ('MIR') referred to the context section of the MIR which states that "Braemar is a tight knit community and the village serves many small outlying settlements. This community is keen to maintain itself as vibrant and viable into the future. To do this there is a need for housing for local people, support for local businesses, improved communications, and maintenance of local services.' Invercauld Estate is a key part of this community and is committed to contributing to maintaining Braemar as a vibrant and viable community into the future.

In addition in the representation to the MIR the Invercauld Estate welcomed the comment in paragraph 11.2 of the MIR that the LDP '..must ensure that there are opportunities for all communities across the Park, not just in the main settlements.'

The MIR made reference to the review of the options for development (the Braemar masterplan exercise) and that should further options come from consultation with the community, via this masterplan exercise, then these may be considered in the future.

The requirement for a masterplan emerged from the existing local plan. The aim of the masterplan process was to help inform the review of the LDP and the future development of Braemar as a sustainable community in its own right. The masterplan considers the context of Braemar and the key physical constraints and opportunities. Considering the key themes from the Community Visioning

exercise, the masterplan suggests potential actions and specific projects that could assist in delivering these themes.

In the response to the MIR consultation in December 2011, Invercauld Estate's view was that the masterplan should inform the LDP that is currently being prepared and that this approach will contribute to issues that have been identified such as the need for affordable housing, support for local businesses and services and stimulation of environmental improvements in Braemar. The representation to the MIR stated that, subject to further community consultation, there are a number of potential initiatives, proposals and development sites that have emerged from the initial masterplan process and that should be included in the LDP. This remains the view of Invercauld Estate.

A Cairngorms National Park Authority paper was presented to the Planning Committee on 2 March 2012 to update the committee on progress with masterplanning work that had been undertaken in the authority area including at Braemar. The Background section to the paper states that: 'The Reporter's comments on the Cairngorms National Park Local Plan suggested that the CNPA take a longer term perspective on development, beyond the life of a single local plan, and that masterplanning exercises would be valuable in certain communities, including Braemar and Tomintoul. The aim of this work is to provide for more sustainable communities by providing a framework for long-term development, housing provision and improved facilities.' The CNPA March 2012 paper refers to progress of the Braemar masterplan process and it indicates that there was some concern from the wider community that they had not been engaged fully in the process at that time. The CNPA paper refers to further work being undertaken by the Community Council and that the masterplanning exercise will inform this process.

The CNPA Paper provides an indication of what form the LDP will take. It indicates that the LDP will take the form of a series of policies followed by a suite of community statements. These community statements: 'will set out for each community in the Park, what it can expect to see happening for the next five years and beyond, up to at least the next 20 years.'

The Paper goes on to state that: 'the masterplanning exercises carried out in Braemar and Tomintoul, and Glenlivet provide crucial information to assist the drawing up of the community statements... They provide a level of detail beyond that available elsewhere which highlights key opportunities to ensure a co-ordinated and long term approach to land use planning in each community. The information provided will therefore form the basis of the community statements...'

Invercauld Estate supports the aspirations of CNPA that the Braemar masterplan exercise with ongoing community consultation and involvement has the potential to ensure a co-ordinated long-term approach to land use planning in the settlement. However, it is Invercauld Estate's view that the draft settlement plan produced does not adequately reflect the work undertaken in the masterplanning exercise. It is clear that the CNPA considers that the LDP should set out what it can expect to be happening for the next five years and beyond, up to at least the next 20 years. The Settlement Plan and the LDP as a whole for Braemar should clearly identify future opportunity sites to allow the community of Braemar to maintain itself as a vibrant and viable community in the future.

It is requested that the LDP Proposed Plan more closely reflects the recommendations and conclusions of the masterplan exercise. In particular we have the following detailed comments to make.

Housing:

The Main Issues Report indicates a strategy of relying on existing consents to provide for the short term need. It is considered that an additional choice of housing sites should be provided in Braemar.

Invercauld Estate submitted a number of sites at the Call for Sites stage of the LDP preparation process. The CNPA prepared five background evidence reports that informed the preparation of the MIR. The MIR Background Evidence Report 5 Site Analysis assessed the sites put forward at the Call for Sites stage.

The South of Balnellan site is referred to as Site 35(f) in the Report 5 Site Analysis. The Report ranked each site Red/Amber/Green against a number of criteria including ecology, landscape etc and a final conclusion made given a final Red/Amber/Green ranking. The South of Balnellan site scored well in this assessment. The issue highlighted in the overall rating was landscape. However the Landscape Section of Report 5 Site Analysis noted that: ‘..the northern edge of site abuts a fairly recent housing development on Balnellan Road. Some possible scope for expansion from this edge up to the burn that divides the site.’

The final note of the landscape assessment states that ‘part of this site could be developed’. As indicated in Report 5 Site Analysis there are no significant constraints to the development of the northern half of this site for housing. The site would provide a logical extension to an existing housing area and is located close to existing services and facilities in Braemar. It is considered that if the CNPA are to apply the background evidence site analysis work undertaken at the MIR stage in a robust and consistent manner then this site should be included for housing in the LDP.

It is therefore requested that the northern half of the site known as ‘Land South of Balnellan’ is included in the LDP as a housing site and that the settlement boundary is amended to reflect this.

Land to the North of Invercauld Arms- Invercauld Estate welcomes that land to the north of Invercauld Arms has been indicated on the settlement map as an ‘Opportunity Site – Sustainable Economic Growth’. The Braemar masterplan exercised proposed that part of this area to the north of the Invercauld Arms would be appropriate for housing and that commercial housing developments could be supported / cross-funded through new housing development. Invercauld Estate supports this recommendation and requests that, in addition to part allocation for sustainable economic growth, that part of this site should be allocated for housing.

To ensure consistency with the rest of the Braemar settlement map, it is requested that the settlement boundary is extended to include the land to the north of Invercauld Arms.

Tourism Development

Invercauld Estate recognises that tourism is a key element of the economy in Braemar and supports the development of more structured tourism accommodation in the village. Invercauld Estate requests that the settlement plan and the LDP reflect this. In particular it is requested that the land immediately to the south of Braemar Caravan Park is included in the Proposed Plan as an area for tourism accommodation.

Conclusion

Invercauld Estate supports the aspirations to maintain and develop a vibrant and viable community in Braemar. The CNPA wish the LDP to provide a statement for the community for the long term. Invercauld Estate considers that to do so the settlement plan needs to adopt more of the recommendations of the masterplanning exercise that was undertaken for Braemar.

Summary

Request that the potential initiatives, proposals and development sites that have emerged from the masterplan process in Braemar are included in the LDP, subject to additional public consultation.

CNPA Response

CNPA are working with the community to help bring forward improvements to the village and its

Name Mar Estate

Objector Ref 079 Map/a

Agent Bob Reid

Representation

We recognise that the plans have moved on from the initial drafts and from the extant Local Plan and include additional development opportunities. Braemar has a set of unique challenges, not least being able to deliver appropriate housing for locals. The additional development opportunities are therefore welcomed, particularly: - the Year 0-5 housing site on Chapel Brae/Linn of Dee Place (Site reference W4 in the 2011 Braemar Strategic Options Study); and future Housing Opportunity at Cluniebank, Braemar (Site reference W9 in the 2011 Braemar Strategic Options Study) although we believe that this should be considered as a Year 0-5 site rather than a future opportunity. This would not only allow new housing to come forward quicker but also tie in with new and improved leisure facilities on the adjacent land.

Settlement Boundary

We also support extension of settlement boundary at Cluniebank as a sensible addition to Braemar.

Other Sites/Opportunities

During 2011 we prepared the Braemar Strategic Option Study (BSOS) to help stimulate debate on how Braemar should sit within the settlement hierarchy in the Park and suggest potential opportunities for new economic development and housing to meet the needs of the settlement. The preparation of the BSOS involved the CNPA, community representatives, local estates and other stakeholders. It used the community's "Vision for Braemar" as its starting point and identified a number of key areas where planning and land allocations could play their part (some more than others). These were:

- increased resident population and mix of ages;
- affordable homes to meet the local need;
- less holiday and second homes;
- improved Public Transport services;
- maintain the existing character of Braemar in new developments;
- better local facilities/shops; and
- tourism to remain an important economic driver.

The BSOS has since been discussed with the local community and has stimulated debate on the future of Braemar. This was exactly the point of the exercise and it should continue to be the basis for moving

forward whether or not all of its options are taken forward. Indeed we would hope that it has stimulated other ideas to help Braemar flourish as a successful and sustainable community in all senses of the word.

Mar Estate therefore welcomes the recognition of the BSOS exercise in the draft settlement map, particularly the identification of the new housing sites and the opportunity site for sustainable economic growth. In that respect the BSOS suggested the concept of a Braemar Adventure/Mountain Centre in this location with enhanced access to and through the village.

Some of the solutions to other key areas of concern from the BSOS included increasing the supply of employment land, increasing the critical mass of population and visitors to help support existing and encourage new services/facilities, increasing the supply of family housing, more affordable homes and homes for locals and expanding the tourism offer.

Although the Draft Settlement Plan goes some way towards reflecting these Mar Estate don't believe that the allocations go far enough to help achieve the community's vision. Mar Estate clearly support the allocations as set out previously but relying on existing planning permissions to overcome problems of providing affordable houses and houses for locals doesn't provide the answers. There is no longer any control over these houses. As stated in our MIR response historic allocations/consents can't deal with future affordable housing requirements. It can only be future allocations and their respective planning applications that can go some way to provide the right housing to meet local housing need. And what happens if a significant proportion of the allocated housing is sold as holiday homes? They are removed from the housing supply available to locals and only a very limited proportion of housing to meet local need can be delivered. This again points to a potential under allocation of housing sites.

If new ways of controlling occupancy out with the planning process are to be considered this can only happen where new allocations have been made. In the case of Braemar the BSOS points the way to such additional sites. In particular sites R7 and R10 (see attached plan).

- R10 can also provide additional employment land in conjunction with site E2 to help increase its supply and encourage greater employment opportunities locally.

- R7 now partially falls outwith the proposed settlement boundary. The logic for this boundary change is not obvious as the water works and the old Fever Hospital have been part of Braemar's identity for many years. The access network runs through this area and it is used, especially during the Games period. It also offers a potential future development opportunity close to the village core and effectively contained within the settlement envelope. We therefore request that site R7 is included within the settlement boundary.

These sites need not be allocated for the first period of the plan but could form the basis for a future development strategy for Braemar. Local Development Plans are able to, and probably should, allocate land for development in the current and immediate future plan periods to provide certainty on how the settlement might develop.

If the next Local Development Plan is to take the issues of community, social and economic services and the right housing in the right place seriously then it has to respond to these in its land use policies and allocations in this plan. The balance is difficult to achieve but the basis for economic development must be the allocation of more land to open up opportunities.

Although the opportunity site for sustainable economic development is welcomed it is, in reality, years away. Existing employment sites within the settlement boundary include a small brownfield site and an

existing retail/commercial centre. If Braemar is to thrive as a sustainable village, encourage economically active families to stay and maintain and promote local services then these two allocations are not adequate. Again, the Braemar SOS offers some alternatives to these that we believe are more ambitious but potentially achievable. One of the key issues raised local is the lack of commercial space for local businesses to expand into - the Draft Settlement Map doesn't help overcome that current problem. Site E2 would help provide new easily developable employment land to stimulate local business growth.

As a final point, we note the designation of a site to the north of St Andrews Terrace for "community" uses. We understand that this site is no longer required for the previously proposed medical centre and could instead be allocated as a residential site within the settlement boundary.

We hope that these comments are useful. The plan process is complex and we understand that balancing the issues and opportunities is difficult. Nonetheless we remain of the view that for Braemar to tackle the issues of housing and economic development head on then more land has to be allocated in a coordinated and planned fashion. The Braemar Strategic Option Study has helped stimulate debate and identified specific solutions to particular problems. These need further work but the starting point is the Local Development Plan. The Draft Settlement Map is a positive step forward but we are of the view that it should be much bolder to help achieve the community vision.

In summary we:

- support the allocation of the Year 0-5 housing site on Chapel Brae/Linn of Dee Place (Site reference W4 in the 2011 Braemar Strategic Options Study); - support the allocation of the Future Housing Opportunity at Cluniebank, Braemar (Site reference W9 in the 2011 Braemar Strategic Options Study) but request that this is considered a Year 0-5 Housing site;
- support the extension of the settlement boundary at Cluniebank as a sensible addition to Braemar;
- suggest that sites R10, E2 and R7 are included in the Settlement Plan as development opportunities with appropriate phasing;
- welcome the recognition of the BSOS exercise in the draft settlement map, particularly the identification of the opportunity site for sustainable economic growth; and
- support the continued community masterplanning exercise and developing the ideas identified in the Braemar Strategic Options Study.

Our original MIR response included a number of smaller sites around Chapel Brae that we believe are still worth considering over and above those specifically mentioned in this letter. This response has concentrated on key issues that we have identified in respect of the Draft Settlement Plan for Braemar. It should not be considered to replace the case set out in our MIR response for a

Summary more proactive approach to development in Braemar along with additional allocations.

Welcome additional development opportunities notably future housing sites at Chapel Brae/Linn of Dee Place, Cluniebank- although believe this should be a Year 0-5 site not a future opportunity.

SupportWe hope that you are able to take these comments on board in the preparation of the Proposed Local extension of settlement boundary at Cluniebank. Development Plan and are happy to discuss these further if that would be of assistance. Please get Highlights Braemar Strategic Option Study (BSOS) with involvement from CNPA, community in to touch if you have any queries.representatives, local estates and other stakeholders. It built on the "Vision for Braemar" and

identified key areas where planning and land allocations could play their part. These were increased resident population and mix of ages; affordable homes to meet the local need; less holiday and second homes; improved Public Transport services; maintain the existing character of Braemar in new developments, better local facilities/shops and tourism to remain an important economic driver.

The BSOS has been discussed with the local community, stimulated debate and should continue to be the basis for moving forward.

Mar Estate therefore welcomes the recognition of the BSOS exercise in the draft settlement map, particularly the identification of the new housing sites and the opportunity site for sustainable economic growth. In that respect the BSOS suggested the concept of a Braemar Adventure/Mountain Centre in this location with enhanced access to and through the village.

Some of the solutions to other key areas of concern from the BSOS included increasing the supply of employment land, increasing the critical mass of population and visitors to help support existing and encourage new services/facilities, increasing the supply of family housing, more affordable homes and homes for locals and expanding the tourism offer.

Although the Draft Settlement Plan goes some way towards reflecting these Mar Estate don't believe that the allocations go far enough to help achieve the community's vision. Mar Estate clearly support the allocations as set out previously but relying on existing planning permissions to overcome problems of providing affordable houses and houses for locals doesn't provide the answers. There is no longer any control over these houses. As stated in our MIR response historic allocations/consents can't deal with future affordable housing requirements. It can only be future allocations and their respective planning applications that can go some way to provide the right housing to meet local housing need. And what happens if a significant proportion of the allocated housing is sold as holiday homes? They are removed from the housing supply available to locals and only a very limited proportion of housing to meet local need can be delivered. This again points to a potential under allocation of housing sites.

If new ways of controlling occupancy out with the planning process are to be considered this can only happen where new allocations have been made. In the case of Braemar the BSOS points the way to such additional sites. In particular sites R7 and R10 (see attached plan).

- R10 can also provide additional employment land in conjunction with site E2 to help increase its supply and encourage greater employment opportunities locally.

- R7 now partially falls out with the proposed settlement boundary. The logic for this boundary change is not obvious as the water works and the old Fever Hospital have been part of Braemar's identity for many years. The access network runs through this area and it is used, especially during the Games period. It also offers a potential future development opportunity close to the village core and effectively contained within the settlement envelope. We therefore request that site R7 is included within the settlement boundary.

These sites need not be allocated for the first period of the plan but could form the basis for a future development strategy for Braemar. Local Development Plans are able to, and probably should, allocate land for development in the current and immediate future plan periods to provide certainty on how the settlement might develop.

If the next Local Development Plan is to take the issues of community, social and economic services and the right housing in the right place seriously then it has to respond to these in its land use policies and

allocations in this plan. The balance is difficult to achieve but the basis for economic development must be the allocation of more land to open up opportunities.

Although the opportunity site for sustainable economic development is welcomed it is, in reality, years away. Existing employment sites within the settlement boundary include a small brownfield site and an existing retail/commercial centre. If Braemar is to thrive as a sustainable village, encourage economically active families to stay and maintain and promote local services then these two allocations are not adequate. Again, the Braemar SOS offers some alternatives to these that we believe are more ambitious but potentially achievable. One of the key issues raised local is the lack of commercial space for local businesses to expand into - the Draft Settlement Map doesn't help overcome that current problem. Site E2 would help provide new easily developable employment land to stimulate local business growth.

As a final point, we note the designation of a site to the north of St. Andrews Terrace for "community" uses. We understand that this site is no longer required for the previously proposed medical centre and could instead be allocated as a residential site within the settlement boundary.

We hope that these comments are useful. The plan process is complex and we understand that balancing the issues and opportunities is difficult. Nonetheless we remain of the view that for Braemar to tackle the issues of housing and economic development head on then more land has to be allocated in a coordinated and planned fashion. The Braemar Strategic Option Study has helped stimulate debate and identified specific solutions to particular problems. These need further work but the starting point is the Local Development Plan. The Draft Settlement Map is a positive step forward but we are of the view that it should be much bolder to help achieve the community vision.

In summary we:

- support the allocation of the Year 0-5 housing site on Chapel Brae/Linn of Dee Place (Site reference W4 in the 2011 Braemar Strategic Options Study);
- support the allocation of the Future Housing Opportunity at Cluniebank, Braemar (Site reference W9 in the 2011 Braemar Strategic Options Study) but request that this is considered a Year 0-5 Housing site;
- support the extension of the settlement boundary at Cluniebank as a sensible addition to Braemar;
- suggest that sites R10, E2 and R7 are included in the Settlement Plan as development opportunities with appropriate phasing;
- welcome the recognition of the BSOS exercise in the draft settlement map, particularly the identification of the opportunity site for sustainable economic growth; and
- support the continued community masterplanning exercise and developing the ideas identified in the Braemar Strategic Options Study.

Our original MIR response included a number of smaller sites around Chapel Brae that we believe are still worth considering over and above those specifically mentioned in this letter. This response has concentrated on key issues that we have identified in respect of the Draft Settlement Plan for Braemar. It should not be considered to replace the case set out in our MIR response for a more proactive approach to development in Braemar along with additional allocations.

We hope that you are able to take these comments on board in the preparation of the Proposed Local Development Plan and are happy to discuss these further if that would be of assistance. Please get in touch if you have any queries.

CNPA Response

Noted. CNPA are working with the community to help bring forward improved facilities. Allocations and settlement boundary have been reviewed.

Name Braemar Community Council

Objector Ref 152 Map/a

Representation

GENERAL COMMENT

Firstly, I think one of the biggest problems we have is steering everyone through the 'maze' of plans and consultations currently being presented to the community. With 'Community Action Planning', 'Braemar Masterplans', 'National Park Plan', 'Local Development Plan' - how on earth to simplify the process into one that people can more easily understand and engage with. Do they all dovetail neatly together? Or are they potentially contradictory?

Core Paths:

I've sent along an annotated map copy with my own comments on it. Basically, I'm suggesting:

Improved links west of the village to link with UDE 20 at Victoria Bridge; New footbridge across Dee (BCL looking into this); Means of getting pedestrians and cyclists off the A93 between Invercauld Bridge and Lions Face between UDE 20 and UDE 17. They haven't sent a copy of 'Map 5' which would show paths around Linn of Dee. I think these are already OK however. UDE 56 is the Quoich circular (see planning applic. For new footbridge); Paths at Linn of Dee are included, and links through Mar Lodge and east via Invercauld on north side of river. Might be worth adding in the newer path the NTS built around by the Lui salmon ladder as part of the Linn of Dee network.

Possible to link path UDE17 to UDE20 and add in the proposed path from the caravan Park to the new Queens Drive path road crossing.

Proposed path developments make sense to me with particular emphasis on the link proposed between UDE17 and UDE20. I would like to highlight UDE15. This would benefit with a move away from being a pavement. Walking along that stretch is a most unpleasant experience beside the traffic which often does not strictly observe the 30 mph speed limit. But even at regulation speed a large timber lorry whistling past your ears is a pretty intimidating experience. A path through the fields directly from behind the Invercauld Arms Hotel to the Cemetery/Castle would be a huge improvement. I did some years ago propose a small railway from the old Invercauld Pub to the castle - at the time it received nodding acknowledgement but little more. Perhaps I should dust it off - we need to "connect" the castle to the village!!

Housing land

The area marked as future opportunity for housing development frequently floods. Land south of village and west of the Clunie earmarked for housing is not suitable as this regularly floods in wet weather when the Clunie overflows/floods the Golf Course road. (Further comment added - land along the

Clunie doesn't actually flood- it does suffer from some waterlogging but not that much! also need to nail the discussions about future opportunity to put housing along the west of the Clunie beside the Golf Course road. Be in no doubt- THIS AREA FLOODS!!!! To prove this I have enclosed a picture taken by me in the early 90's looking south from the mound on which Clunie Lodge is built. The Golf Course Road is on the left. There was always the clues left to us by our forebears in that the manse (Clunie Lodge) was built on a mound and the other ribbon development of houses were grouped south of this area!! I'm not saying that it's not possible to build here- perhaps on stilts!!

Possible further housing sites for sale privately.

Site I (marked in grey) is supposed to be low cost housing along with grey I . Would be better if low cost was along with grey I and site I was small scale industrial commercial Units or pink area could be used.

Waste/recycling - Waste/Recycling is in the wrong place- it is currently in the car park behind the Butchers.

Village core - Village core should be enlarged to follow the road from the junction with the A93 down to the roundabout at Taste, taking in the Health Centre and Castleton Hall to include Village Hall,

Auchendryne Square, Health Centre, Main car park, Police Station and Castleton Hall.

Opportunity site - Opportunity site north of the Invercauld Arms Hotel should be for small business units.

Where is the asterisk for the Opportunity Site for Community Development?

Has the 'Opportunity Site' (purple star symbol) for Sustainable Economic Growth appeared as a result of the 'Masterplan' process? It's the area that was earmarked for a 'leisure facility'. Or was it already designated as such, and the Masterplan (which is not ratified) try to reflect this? Do not like the idea of purple star area being developed.

Open Space - Safeguarded Recreation I Open Space- More or less OK as it stands- not many other obvious areas left within existing Settlement Boundary - except perhaps areas around Corrie Feragie or (a personal favourite) the Manse Wood. The Manse Wood is a real gem , and whilst I'm not necessarily proposing we give it protection under environmental designation, I do think it's worth drawing attention to it as important Open Space. The best bits are just outside the settlement boundary, however. Housing: I'm really not convinced about the need for the light brown area parallel to the Golf Course Road shown as 'future opportunity', which looks more like an example of ribbon-like development. We are all aware of the issues surrounding housing in and around Braemar - affordable or otherwise. Is there a definite, proven need?- when, for example, the grey area of existing permission at the north end of the village looks unlikely to be built in the foreseeable future.

Community development/Business space - The area marked for community development was only offered by Mar Estate for use as a Health Centre. If this was not going to be the case then the offer was withdrawn.

There is a significant lack of land for business development and for single house plots for self build. All the plots marked are for large (in our terms) developments, whilst keeping open spaces between houses. There is a real need for an allocation for development of small scale commercial development and better transport links to the south.

Possible camping /static van site? Therefore altering boundary. We certainly need a camping facility, for the area opposite the current caravan site. We also need a facility for the ever increasing motor home trade. My suggestion is for an overnight facility based in the Games Park. We need all the visitors we can get and overnights even more so. This would not only be an appreciated facility but would help to solve the increasing problem of the village car park being used for this purpose.

In games park green 2 a study is being carried out for a possible indoor visitor centre. Indoor attractions are badly needed for the future of the area.

Summary

Suggests improvements and additions to the Core Path Plan. Object to housing allocation on land we can get and overnights even more so. This would not only be an appreciated facility but would south of village, and west of the Clunie, due to flooding. Suggest sites with existing permission should help to solve the increasing problem of the village car park being used for this purpose Include affordable housing. Suggest land safeguarded for business or community use could be used for housing. Suggest recycling facilities shown in the wrong place. Concerns about location of future In games park green 2 a study is being carried out for a possible indoor visitor centre. Indoor economic development. Question where future community development will be located- not shown on attractions are badly needed for the future of the area the plan. Invercauld Arms Hotel should be for small business units.

Suggest need for camping site and individual self-build plots should be addressed and indoor attractions considered. Suggest important of Manse Wood should be noted. Suggest village core is enlarged.

CNPA Response

The housing site has been removed. The Development Plan can not influence permission that already exists. CNPA are satisfied that there is sufficient land for housing in the Plan, but windfall application may come forward and would be considered against the policies in the Plan. The map has been amended to show the recycling facilities in the correct place. The suggestion of land for economic development outside the settlement boundary has been removed. Work continues to try and identify land for a camp site. CNPA are working with the community to help bring forward improved tourism facilities. Village Core has been enlarged. The open space areas have been reviewed. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Bruar and Pitagowan

Name Scottish Natural Heritage

Objector Ref 040 Map/i

Representation

The settlement boundary is adjacent to the River Tay SAC (Bruar Burn) along the eastern side, and close to the River Tay SAC (River Garry) at the eastern end. Proximity to the River Tay SAC will require the proposed settlement boundary to be assessed as part of the HRA of the plan. We note that no additional development land is identified in this settlement. Any existing permissions within the settlement boundary which are currently in outline/principle only would need, when submitted in detail, to fully satisfy the Habitats Regulations.

We note the map indicates no core path network for the area.

Summary

Settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Tay SAC. Any applications for planning permission will need to fully satisfy the Habitats Regulations.

CNPA Response

CNPA have worked closely with SNH on the HRA.

Name Blair Atholl & Struan Community Council

Objector Ref 046 Map/c

Representation

The map is inaccurate as the site marked I has already been developed as a car park by House of Bruar. This means that there is no land identified on the plan for further economic development. We believe it would be prudent in the Plan to identify land for possible further expansion at House of Bruar.

Summary

Request identification of additional land for economic development.

CNPA Response

The map for Bruar and Pitagowan has been removed from the plan as no new allocations are proposed. CNPA are of the view there is sufficient land already with permission to enable the business

Name Scottish Government

Objector Ref 051 Map/i

Representation

Transport Scotland: Bruar and Pitagowan. There have been discussions in the past regarding this potential industrial development. However, it is noted that the settlement area has increased in size and therefore further dialogue would be appropriate to confirm the potential impact to the strategic transport network.

Summary

Request further dialogue to consider potential impacts of additional industrial development.

CNPA Response

A meeting was held with Transport Scotland. The map for Bruar and Pitagowan has been removed as there are no allocations.

Name Atholl Estate

Objector Ref 100 Map/a

Agent Ann Richardson

Representation

Further to the announcement of an informal consultation round on key settlement maps as part of the preparation of the Cairngorms National Park Local Development Plan, Ristol Ltd are instructed by Atholl Estates to submit the following representations. These representations are a continuation of submissions made on behalf of Atholl Estates on the Main Issues Report stage of the Local Development Plan.

We look forward to seeing the associated development policies relating to settlement boundaries in due course.

Bruar and Pitagowan - Atholl Estates support the extension of the settlement boundary to reflect recent planning consents at the House of Bruar, which have been implemented.

Summary

Support the extension of the settlement boundary to reflect recent planning consents at the House of Bruar.

CNPA Response

The maps for Bruar and Pitagowan have been removed as there are no allocations.

Name Perth & Kinross Council

Objector Ref 110 Map/b

Representation

No comments regarding the settlement boundary.

Note that the existing permission is shown, is there intention to indicate what the corresponding permission for and for its landuse retention?

Summary

Question if plan should indicate what exactly has gained permission.

CNPA Response

The maps for Bruar and Pitagowan have been removed as there are no allocations.

Calvine

Name Scottish Natural Heritage

Objector Ref 040 Map/j

Representation

There is a small area on the right (south) bank of the River Garry out with the settlement boundary identified in brown. It is not clear if this is being shown for housing or as a village core, or is a cartographic error. If it is not a cartographic error, we would advise that this is entirely within the Glen Garry SSSI. Development that obscures features of the SSSI would destroy in part the site's Special Scientific Interest. Please let us know if this is not a cartographic error.

We note the map indicates no core path network for the area.

Summary

Question if the small area on the south bank of the River Garry identified as brown is a mapping error.

CNPA Response

The Calvine map has been removed as there are no allocations in Calvine. The brown mark was on the base OS map- not an allocation.

Name Scottish Government

Objector Ref 051 Map/j

Representation

Transport Scotland: Calvine. This development was not included in the MIR and therefore the scale of the development and the impact on the strategic transport network is unknown. Further dialogue would be appropriate

Summary

Request further dialogue to consider potential impacts of additional industrial development.

CNPA Response

A meeting was held with Transport Scotland. The map for Calvine has been removed as there are no allocations.

Name SEPA

Objector Ref 063 Map/i

Representation

Water body(s) affected/current status & pressures - The settlement boundary is close to River Garry - from Garry Intake to Errochty Water confluence. It is a heavily modified water body at bad ecological potential because of abstraction, flow regulation and fish barriers. These are related to a hydro scheme.

Related site specific advice - No opportunity to improve water body through development, but prevent deterioration.

Flood risk advice - There are small watercourses running through the settlement area (these are culverted under roads). An FRA may be required at planning application stage if any development is proposed (noted that there are none currently).

Summary

Settlement boundary is close to River Garry - from Garry Intake to Errochty Water confluence- a heavily modified water body at bad ecological potential because of abstraction, flow regulation and fish barriers, related to a hydro scheme. Although there is no opportunity to improve water body through development, there is a need to prevent deterioration. There are small watercourses running through

the settlement area. An FRA may be required at planning application stage if any development is proposed.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Atholl Estate

Objector Ref 100 Map/b

Agent Ann Richardson

Representation

Atholl Estates support the continued identification of a settlement boundary at Calvine.

Summary

Support the continued identification of a settlement boundary at Calvine.

CNPA Response

The map for Calvine has been removed as no allocations are proposed.

Carrbridge

Name Seafield Estate

Objector Ref 037 Map/a

Representation

I think you should consider deleting Core Path LBS63 from the list of core paths. The path does not exist on the ground at the Lochanhully end. The route for a path was looked at with COAT in 2009 and the tenant farmer was also consulted. An acceptable route could not be agreed with one of the options passing very close to the back of the timeshare lodges and impacting on their privacy and security. A fenced corridor was another option but not favoured. In the end COAT chose not to pursue this and I think this was the correct decision.

Summary

Concerned Core Path LBS63 does not exist on the ground and should therefore be deleted.

CNPA Response

The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Natural Heritage

Objector Ref 040 Map/k

Representation

Proximity to the River Spey SAC (which includes the River Dulnain running through the settlement) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths through woodland and adjacent to the River Dulnain will need to consider capercaillie (Natura) in the former and otter (Natura) in the latter where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths through woodland and adjacent to the River Dulnain will need to consider impact on capercaillie and otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/c

Representation

The relocation of the settlement boundary to follow the actual boundary between woodland and disturbed land at the railway station, rather than simply the Network Rail boundary, seems logical, but begs the question why this business allocation should be included in the settlement but the larger business allocation west of the A9 excluded.

There is no evident justification for changing the settlement boundary in Carr Road from the rear of the house curtilages to the foot of the slope nearer the river.

Land allocation issues: Given the evident oversupply of business land in Station Road, would there be merit in either positively allocating the station yard business land for housing, or at least tacitly encourage such development by making it white land. A residential development would offer scope to seek environmental enhancement; improvements/extension to station car parking; and positively linking the core paths in Ellan Wood to the station forecourt. Locating housing close to the station, securing links with the core paths leading to Landmark, and enhancing scope for park and ride, all seem in accordance with LP 29, and there are self evident presentational and townscape benefits of clearing unsightly and derelict land at what can be for train passengers an entry point to the Park. The rationale for changes (reductions) in the extent of safeguarded recreation/open space from that shown in the current LP, particularly along the river margins and croftland, is difficult to see.

Summary

Questions business land west of the A9 excluded from settlement boundary, and why it has been moved from the rear of the Carr Road houses nearer the river. Suggest land at the station should be allocated

for housing, not business use. Question rationale for reduction in safeguarding of recreation/open space.

CNPA Response

The A9 is a strong defensible boundary to the village. Open space and settlement boundary has been reviewed. CNPA remain committed to the existing permission for housing and there is no need for an additional allocation.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 061 Map/d

Representation

The Campaign is concerned that the area of Safeguarded land is far smaller than the area of Environment land in the adopted CNPLP. We object to this change and find no justification for it.

We object to both areas of housing, which are excessive in scale and would have unacceptable negative impacts. We note that both fields are long established flower rich meadows and that the woodland is native Scots pine. These are habitats that are priorities for conservation and for which the CNP is particularly important.

We consider it inappropriate that the CNPA has introduced new areas allocated for housing at this informal stage that have never been suggested for housing in the past by the CNPA.

Summary

Object to less land being safeguarded than in adopted Local Plan. Object to housing allocations as excessive in scale and due to negative impacts on meadows and woodland. Concerned CNPA has introduced new areas allocated for housing at informal consultation stage.

CNPA Response

CNPA have found the informal consultation process very helpful. CNPA remain committed to the allocations.

Name Roy Turnbull

Objector Ref 062 Map/d

Representation

It is unclear what is the proposed status of the grey "Existing permissions" area of the map with respect to the new Local Plan. If it is that those permissions will no longer be supported by the new Local Plan, and that therefore there would be a strong presumption against their development (in accordance with the Town and Country Planning Act and SPP) then that position is welcomed. I remain concerned, and object, to the remaining areas zoned (dark brown) for housing since it would destroy (in the north) an area of native pinewood and a long established meadow particularly rich in fungi and orchids and (to the south west) an area of wet meadow fringing a particularly attractive edge of mature pinewoods.

Summary

Unclear as to purpose showing of extant permission on the Plan. Object to housing allocation due to environmental impact.

CNPA Response

The plan can not influence developments that already have permission. They are shown on the maps for information. CNPA remain committed to the allocations.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/e

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted. We object that the Safeguarded areas are smaller than the Environmental areas in the adopted CNPLP and object that they are not the same size and consider they should be more extensive. We object to both areas of housing, which are excessive in scale and would have unacceptable negative impacts. The two fields are long established flower rich meadows with exceptional grassland fungal interest. They represent a habitat type that the CNPA has stated is a priority for conservation and for which the CNP has been identified as a particularly important area in Scotland. The woodland is high quality native Scots pine woodland supporting rich assemblages of characteristic flora, fauna and fungi. Species include the UK priority spider *Dictyna pusilla*, red squirrel, wood ants and badger, toothed fungi including *Sarcodon* and *Hydnellum*, crossbills, crested tit and creeping ladies tresses. We object that the area now allocated for housing includes land never suggested for housing in the past by the CNPA. We object to completely new areas being presented in this informal consultation. The area to the north of the Horses field would impact on bog woodland which is a European Priority Habitat and includes rich marshland habitat supporting Notable and Scottish Biodiversity List species.

We object that the CNPA justified including the 2 fields and the woodland for housing in their existing Local Plan on the grounds that it was already permissioned, yet now the CNPA is including adjacent land that was never permissioned.

We object that the Horses Field, the Boys Brigade Field and the woodland is not allocated as Safeguarded.

We note that the area indicated as Existing Permission covers considerably more than the actual area over which permission applies (e.g. housing has never been permissioned in the bog woodland) and we object to this and query its validity. The northerly part of the Horses field and the land north of the Horses field is wetland that is important to the integrity of the suite of habitats in this area that includes bog woodland which is a European Priority Habitat. We further note that the land covered by Existing Permission is designated as Environmental in the adopted CNPLP. We also note that it is unclear what area is marked as having Existing Permission where this overlaps with the Housing allocation area. This is unhelpful to the public attempting to make informed comment.

We object to the Settlement Boundary at the east side of the railway area, where the settlement boundary should follow the fence line rather than extend into the wood.

Summary

Welcome the Safeguarded areas but request they should be more extensive as per the Local Plan. Object both housing sites due to excessive scale and negative impacts on flora and fauna notably the

flower rich meadows, woodland. Object to new allocations being proposed at informal consultation stage, and impact on bog woodland. Request Horses Field, the Boys Brigade Field and the woodland is allocated as Safeguarded. Query extent of existing permission and some of the land is designated as Environmental in the adopted Local Plan. Unclear about the overlap between existing permission and Housing allocation. Request settlement boundary should follow the fence line rather and not extend into the wood.

CNPA Response

CNPA have found the informal consultation process very helpful. CNPA remain committed to the allocations.

Name Carrbridge and Vicinity Community Council

Objector Ref 149 Map/a

Representation

Brown Areas designated as Housing - We are aware of Bracewell Stirling's revised proposals as they did a pre-Application consultation with us, and your map seems to fit their proposals:

Opposite Carr Place - The following is an excerpt from the report sent to Bracewell Stirling following their pre-consultation "The Community Council organised a Public meeting on 22/03/2012 in the Village to discuss these proposals, and that is the main source of our information, together with discussion with some residents who were unable to attend. The Attendance figure at the Public Meeting was 82, and included residents from all areas of the village."

At the public meeting there was considerable concern over Safety, as this is one of our "Safer Routes to School". There is no pavement and the width of the road precludes one being constructed. Assurances were given that the Traffic Survey results said that the road was adequate for the anticipated future traffic, and also for the Construction vehicles. We noted that the Survey was done in April and October omitting our busy summer period when Traffic would have been heavier. When we think of the safety of our children, the adequacy of the road is viewed as being very doubtful and sincere concerns still exist amongst the majority of Carrbridge residents.

The Community Council feels that Carr Road is not suitable particularly for all the contractor vehicles, but also for the extra vehicles resulting from the Housing development. The Road traffic survey results are taken from an urban point of view, rather than from a small rural community where children take the Safer Routes to School on foot.

Opposite Landmark by Crannich Park: We have no objections to housing on that site, but we feel that it is not appropriate to ghetto the Affordable Housing at one extreme end of the village.

The north side of the A938 between The Spinney and Lilac Cottage: This is an area where we feel that Housing would be very suitable (currently shown outside boundary).

Business - Areas shown on map to remain designated for Business

Tourism - Area shown to remain designated for Tourism

Open space areas - Area between river and Houses bordering Inverness Road to remain as Open Space. We want to designate these areas to ensure no development: round Landmark and Ellanwood

The grey area on your map and woodland surrounding it

Recreation Areas Football Pitch- continue as green area

The Golf Course - not designated on current map, but it is used not only for golf, but also for walking and in winter for snowsports

Vision of Carrbridge and Vicinity - Carrbridge is considered by its residents as a 'friendly' village, and it is a rural community with special culture and environment.

Map supplied.

Summary

Object to housing site opposite Carr Plane for traffic and access reasons. Support site opposite Landmark by Crannich Par but wish to see Affordable Housing more integrated with the village. Suggest land to north of A938 between The Spinney and Lilac Cottage could be allocated for housing. Support safeguarding allocations for business, tourism, recreation and open space. Request additional land at Landmark and Ellanwood and the golf course be safeguarded from development.

CNPA Response

Land at Carr Road has an extant permission. Negotiations are ongoing with the developer regarding the Affordable Housing element. The A938 is used as the defensible boundary to the settlement. The additional land suggested for safeguarding is outside the settlement boundary.

Name Tulloch Homes Group Ltd

Objector Ref 057 Map/a

Agent Theresa Hunt

Representation

Our clients are pleased to note that their consented sites (references 05/00325/REMBS and 05/495/CP) are now more accurately reflected on the draft settlement plan for Carr-Bridge and fall within the settlement boundary. However there is a small triangular shaped area on the north western edge of the allocation of the land identified for housing furthest east of the settlement which appears to be partly zoned for housing and also for a future opportunity. Such an arbitrary phasing would impact on our clients' consented proposals. It would seem erroneous to identify an area for future opportunity which is closest to the existing settlement. It may be that the super imposition of the Cairngorms National Park Authority logo on top of the draft plan has simply created an anomaly in terms of the colouring on the plan, but we thought we should raise this.

A similar issue arises in relation to our clients' site which is identified for housing to the south of the existing settlement. It again appears to have a small sliver of land identified as a future opportunity site. Perhaps you can clarify whether this is indeed the same anomaly relating to the super imposition of the wording on the draft settlement plan rather than any intended identification of phasing for the site. Our client would have a concern about any arbitrary phasing being imposed on the site which may impact on the most appropriate layout for the site.

We attach a plan showing the areas of concern circled in red for ease of reference.

Summary

Welcome inclusion of consented site in the Plan but highlight some errors in the drafting of its boundary and the boundary of the allocated site to the south.

CNPA Response

The map has been updated to reflect these changes.

Name SEPA

Objector Ref 063 Map/j

Representation

Water body(s) affected/current status & pressures- There are some previous allocations close to River Dulnain at a lower catchment which are currently at moderate ecological status because of pressures on ecology. Therefore we recommend prevention of deterioration.

Related site specific advice - Prevent deterioration of this water body. Sewage treatment work is compliant with licence, and site has available capacity.

Flood risk advice - Previous comments included new area to west of 022 (we have previously commented on flood risk information, most recently in 2011, where issues of a small watercourse were discussed, these need to be made available to the developer). Re 025 we note it is not in the settlement boundary (if it was, we would wish to see an FRA for the small watercourse to ensure there is no increased risk to properties down stream).

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Cromdale

Name Scottish Natural Heritage

Objector Ref 040 Map/l

Representation

Proximity to the River Spey SAC (which includes the Burn of Cromdale running through the settlement) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the Burn of Cromdale will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to Burn of Cromdale will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/d

Representation

The retraction of the settlement boundary on the east side of the village restricts development opportunities reflected in a number of recent applications for 1 or 2 house developments and which can build on existing access – this is regrettable. Imminent forestry harvesting on the north side of Haughs Road offer an opportunity for a minor extension to the settlement boundary following an overhead line which will constrain simple “like for like” replanting. Whilst there is a superficial “linkage” logic to including the village hall within the settlement boundary, the role of the boundary in relation to housing Policies risks inviting development of the woodland between the hall and Sandy’s Way.

Summary

Concerned about retraction of the settlement boundary on the east side of the village and suggests an extension to the boundary at Haughs Road

CNPA Response

The settlement boundary has been reviewed, land is already allocated adjacent to an existing

Name Scottish Government

Objector Ref 051 Map/k

Representation

Transport Scotland: Cromdale. Although the settlement area has been redefined, the scale of the development is unlikely to impact on the strategic transport network provided access for the large developments are taken from Kirk Road and appropriate improvements with the A95 junction are also made. Further dialogue would be appropriate

Summary

Scale of development unlikely to impact on the strategic transport network provided access taken from Kirk Road and appropriate improvements with the A95 junction are made. Further dialogue would be appropriate.

CNPA Response

Comments noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063 Map/k

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes site H, 029a and 045 (we did not comment on 029b or 033 but these do not fall within this settlement boundary).

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/f

Representation

We welcome the Safeguarded areas and object if they are to be reduced in size or omitted.

Summary

Welcome safeguarded areas.

CNPA Response

Noted.

Name Bill Cassells

Objector Ref 151 Map/a

Representation

Balnaboddach - INTRODUCTION

1. The following Statement prepared by CM Design, Town Planners & Architectural Designers has been prepared in response to the invitation by the CNPA to comment upon the Settlement Map for Cromdale, being presented for inclusion in the emerging Local Plan and within the informal consultation period ending 5pm on Friday 28 September 2012.

This CNPA proposed settlement map was formulated after a period of consultation upon the Main Issues report (MIR) presented to the CNPA board in March 2012 - (see CMD01 - Draft Local Plan Settlement Map).

2.The CNPA invitation includes the opportunity to comment on the detail of proposed boundaries, the information included and the need to identify other sites for development or protection.

3.For the purpose of this report and ease of reference, the area of land being suggested will be referred to as parcel of land at Balnaboddach

BACKGROUND

4.The current CNPA Local Plan published in 2010 details a settlement boundary in which a considerable portion of lands at Balnefettach Estate is included (see CMD02 - Current Local Plan Settlement Map).

5.A separate submission to the CNPA has been lodged in respect of that particular portion of land which is linked very closely to Balnaboddach and will have a bearing and influence upon this submission.

6.A need for housing in Cromdale has been firmly established over the tenure of previous plans, during which very little progress has been made in realising any of the land allocations for housing or any of the current extant Planning Permissions.

7. Furthermore, the Main Issues (MIR) Consultation summary identified Cromdale as being "a fragile community which needs housing for young and old and business opportunities to make the most of its sense of identity'. It also stated that there was " ...no evidence to support the identification of additional land'. This lack of evidence is no longer the case in light of other submissions being made on behalf of our client and in respect of this small but perfectly feasible opportunity site.

8.Due to a current planning application to infill a gap site on the limits of the settlement boundary at Balnaboddach AND current proposals to fell and area of trees close to this settlement limit, a clear and obvious extension to the boundary has become evident and is being pursued in this proposal.

PROPOSALS

9.At present, the settlement boundary (shown blue),stops short of the suggested parcel of land at Balnaboddach (shown red) as shown here. MAP SUPPLIED

10.There are no current proposals to amend the form and scale of the Cromdale settlement boundary at the South East corner shown above.

11. A detailed Planning Application is currently being considered in respect of the last gap site on this particular portion of the village limit and is understood to be supported for approval by the local Planning Officer Mr McCracken..- (See CDM03 - Planning Application drawings for site at Balnaboddach)

12. Moreover, it can be seen from the following photograph that an isolated area of trees, immediately adjacent to the aforementioned site, have become "cut off" from the main woodland due to the need to accommodate the route of overhead power lines. MAP SUPPLIED

1. This area of trees equates to an area of circa 1500m² and is scheduled for felling under standard forestry management practice. For obvious reasons, there is no intention or requirement to replace the isolated crop. - (see COM 04 - felling Licence)

12.It can be immediately seen how many distinctive and obvious landscape markers exist to support a natural extension of the current settlement boundary a shown.

- The trees to the East will continued to be fenced off,

- the application site to the west will be fenced off,
- An access road exits to the South to further define the natural extremity to the village limits

11. It is therefore requested that this parcel of land be included in the forthcoming settlement boundary in a continued effort to both bring order to the eventual village limits AND to provide a further opportunity to meet the diverse needs of house buyers and house builders.

12. This site would clearly only accommodate a single dwelling and it is therefore not requested that any formal allocation be declared as it is understood that any subsequent application will find sufficient support from merely being situated within the settlement boundary. MAP SUPPLIED

13. It is contended that this particular site is exactly the nature of suggestion that the informal stage of this process was intended to identify. It is vital that eventual limits of our townscapes make sense, are well thought out and robust enough to withstand the forces of nature and progress that can be thrust upon it during the term of any plan. It is clearly argued that this particular site will inevitably reach the attentions of Planning Officers in the future and that this is the perfect opportunity to consult, agree and avoid unnecessary future delays.

SUPPORTING DOCUMENTS

CMD001 - DRAFT LOCAL PLAN SETTLEMENT MAP – EXTRACT SUPPLIED

CMD002 - CURRENT LOCAL PLAN SETTLEMENT BOUNDARY EXTRACT SUPPLIED

Summary

Suggest extension to settlement boundary to enable additional housing development.

CNPA Response

CNPA remain confident that the correct amount of development land has been allocated in Cromdale.

Name Bill Cassells

Objector Ref 151 Map/b

Representation

Balnafettach

1. The following Statement prepared by CM Design, Town Planners & Architectural Designers has been prepared in response to the invitation by the CNPA to comment upon the Settlement Map for Cromdale, being presented for inclusion in the emerging Local Plan and within the informal consultation period ending 5PM on Friday 28 September 2012. The CNPA proposed settlement map was formulated after a period of consultation upon the Main Issues report (MIR) presented to the CNPA board in March 2012 - (see CMDOI- Draft local Plan Settlement Map)

2. The CNPA invitation includes the opportunity to comment on the detail of proposed boundaries, the information included and the need to identify other sites for development or protection.

3. For the purpose of this report and ease of reference, the area of land being suggested will be referred to under its former land designation string "CD/HI- Balnafettach" -(see CMD02 - Consultative Local Plan Settlement Map)

BACKGROUND

4. The current CNPA Local Plan published in 2010 details a settlement boundary in which a considerable portion of lands at Balnafettach Estate is included. (see CMD03 - Current Local Plan Settlement Map)

5. In the midst of the consultation process from 2008 onwards, this area of land was identified as CD/HI and described as being 'appropriate for around 50 dwellings' and endorsed as being suitably served by a road network without adverse impact on Trunk Road services. -(see CMD02 - Consultative Local Plan Settlement Map)

6. In September 2009 and in advance of formally publishing of the current Local Plan, the CNPA commissioned the preparation of a Development Brief in respect of CD/HI- balnafettach in which the merits of this site were explored and the virtues of further development were wholeheartedly endorsed.

This brief fully explored all issues relating to the potential development of this site and demonstrated, more fully than can perhaps be detailed in this submission, how appropriate this land is for inclusion within the settlement boundary and how beneficial development might be. - (see CMD04 - Development Brief) (map supplied)

7. Furthermore, the Main issues (MIR) Consultation summary identified Cromdale as being "a fragile community which needs housing for young and old and business opportunities to make the most of its sense of identity'. It also stated that there was " ...no evidence to support the identification of additional land'.

This lack of evidence is no longer the case, particularly in light of the 2009 CNPA development brief and our clients determined proposals to see this previous land allocation used for the unique benefit of the local community- (see CMD05 - MIR consultative map)

PROPOSALS

8. Our client firstly requests that the settlement boundary at the formerly identified CD/HI - Balnafettach be returned to its original arrangement and as shown on enclosed drawings - (see CMD06 - proposed retention of settlement boundary map)

9. Our client secondly requests that consideration be given to re-establishing the land allocation for this area, as a potential site for new housing. Particularly in light of current Detailed Planning Proposals to develop portions of the land and perhaps equally importantly, in light of the considerable work that CNPA has already committed to advising on development within the aforesaid Development Brief - (see CMD04 - Development Brief)

10. Our clients have already engaged with Highland Council Planner Andrew McCracken and CNPA Planner Katherine Donnachie, in discussing the current and future aspirations for this site and the benefits to the local community.

9. Two current planning applications are ongoing within this area, one of which is situated outside of the proposed settlement boundary but within its limits. This application is being supported in

principal and an outcome is expected before the end of the year. - (see CMD07 - Planning Application drawing for site adjacent to Old Inn, Cromdale)

10. However, in a broader context and notwithstanding the outcome of these applications, our clients have taken advice from Mr McCracken and propose two separate 5 house "Eco home" developments within the area being discussed at Balnafettach, and in an arrangement yet to be agreed. These proposals underpin our clients wish that his lands be used to allow local people, young families, employees and residents to access the property ladder in Cromdale, at an affordable level and in a unique manner.

These proposals also embrace the wider aims of the Park to create sustainable and more socially and economically diverse communities. Several methodologies are being examined, including a "Community Build" venture in which several families build at the same time and in partnership.

In addition to this, a unique building system is being researched to secure maximum efficiencies and the best available "renewable" credentials. With this in mind it is perhaps important that, in addition to mere retention of the settlement boundary, the land allocation be formally returned to this area of the village, to encourage the most swift and proactive process of application and to the residents benefit.

11. There is clearly a housing need in Cromdale. It is equally clear that both the cost of available house sites AND the speed at which further development is proceeding in Cromdale, is !I QI encouraging an uptake by any householders, local or otherwise. Where there is, as in this case, a developer with a realistic approach to phasing and delivery, consideration should indeed be given to additional land allocations where appropriate and realistic.

Existing permissions and allocations in the Cromdale settlement do not guarantee that provision will become a reality. Our clients proposals are determined, definite and measurable in even the short term.

12. Whilst we do not contend that current land allocation elsewhere should be removed we suggest that historical public acceptance of all past and present land allocations would allow for all land allocations to feature for there very own unique characteristics and allowing the most proactive and attractive development to address the housing need on a first come first served basis.

SUPPORTING DOCUMENTS

Summary

Request settlement boundary returned to previous version and additional land allocated for housing.

CNPA Response

CNPA remain confident that the correct amount of development land has been allocated in Cromdale.

Name Bill Cassells

Objector Ref 151 Map/c

Representation

Waulkmill - INTRODUCTION

1. The following Statement prepared by CM Design, Town Planners & Architectural Designers has been prepared in response to the invitation by the CNPA to comment upon the Settlement Map for

Cromdale, being presented for inclusion in the emerging Local Plan and within the informal consultation period ending 5pm on Friday 28 September 2012.

This CNPA proposed settlement map was formulated after a period of consultation upon the Main Issues report (MJR) presented to the CNPA board in March 2012 - (see CMD01 - Draft Local Plan Settlement Map)

2. The CNPA invitation includes the opportunity to comment on the detail of proposed boundaries, the information included and the need to identify other sites for development or protection.

3. For the purpose of this report and ease of reference, the area of land being suggested will be referred to as "Waulkmill"

BACKGROUND

4. The current CNPA Local Plan published in 2010 enjoyed a settlement boundary for Cromdale which allowed for the greatest degree of flexibility and diversity. The village limits were forward thinking and cognisant of the fact that developers had been slow to act upon previous land allocations. (see CMD02 - Current Local Plan Settlement Boundary)

5. The reasons for this apathy toward development over recent years was undoubtedly economic but given the passage of time, one must also surmise that the desire-ability of the available sites must also be questioned.

6. It is understood from CNPA archives that 22 Planning permissions exist in Cromdale with a zero uptake over a significant amount of time. All of these permissions are located in the Auchroisk Park development which is known to be the subject of expansion proposals and has been subject to land allocations previously, without any significant movement or momentum. -(see CDM003 -Table 17: Current Permissions, allocations and effectiveness)

7. The Main issues (MIR) Consultation summary in respect of the new emerging Plan identified Cromdale as being "a fragile community which needs housing for young and old and business opportunities to make the most of its sense of identity'. This is a sentiment supported by this report which seeks to establish alternative, better, more effective solutions to meet the needs of homeowners in Cromdale and those who wish to move there. - (see CDM004- Main Issues Report - Consultation)

8. This report seeks to introduce much needed diversity and choice into Cromdale by presenting new lands at Waulkmill, never before submitted for consideration and lands which by their very nature, location and features, should be included within the settlement boundary.

PROPOSALS

9. The land identified as Waulkmill is owned by Balnafettach Estate, Cromdale. Situated on the South West corner of the town, the site enjoys an elevated and sunny outlook with very little surveillance from neighbouring housing and without itself offering any vantage over neighbouring housing below it.

10. Extending to some 4.3ha, this area of land is dissected by almost 50% of its landform which swiftly falls to the Burn below. This creates a natural buffer between any potential development and households on a lower plane and also creates a manageable sized development opportunity for approx 30-40 houses. - (see CDM06 - Site Use)

11. The site is well defined on all sides and moreover, when taken to the extremity of its own natural and man made boundaries, matches perfectly with the Local Plan limits of neighbouring land to the North East. Given the reasonable scatterings of housing to the East and West, this site would bring cohesion to the South east corner and is entirely compatible with existing and adjacent land uses. (Map supplied)

12.Safe access and egress to the site will be straight forward with Haughs Road already limited to 30mph and providing ample visibility and capacity along its length for such a potentially moderate development. Services are known to run along the same Haughs Road and providing for cost effective connection and infrastructure.

13.There is clearly a housing need in Cromdale. It is equally clear that both the cost of available house sites AND the speed at which further development is proceeding in Cromdale, is !!QI encouraging an uptake by any householders, local or otherwise. Where there is, as in this case, a developer with a realistic approach to phasing and delivery, consideration should indeed be given to additional land allocations where appropriate and realistic. Existing permissions and allocations in the Cromdale settlement do not guarantee that provision will become a reality. Our clients proposals are determined, definite and measurable in even the short term.

14.Whilst we do not contend that current land allocation elsewhere should be removed, we would suggest that new frontiers of land are opened up for the local buyer and in doing so providing maximum choice and managed growth for the village, in a less dormant manner than up until now.The inclusion of this area of land would serve to reinforce and enhance the character of the settlement as a whole and encourage a greater uptake of development and investment than previously seen in Cromdale.

SUPPORTING DOCUMENTS CMD001 - DRAFT LOCAL PLAN SETTLEMENT MAP extract provided from the Plan

SUPPORTING DOCUMENTS CMD002 - CURRENT LOCAL PLAN SETTLEMENT BOUNDARY extract provided

SUPPORTING DOCUMENTS CMD003 - TABLE 17: CURRENT PERMISSIONS,ALLOCATIONS AND EFFECTIVENESS extract provided

SUPPORTING DOCUMENTS CMD004 - MIR- CONSULTATION EXTRACT SUPPLIED

SUPPORTING DOCUMENTS CMDOOS - SITE DEVELOPMENT PLAN SUPPLIED

Summary

Suggest land at Waulkmill is allocated for housing.

CNPA Response

CNPA remain confident that the correct amount of development land has been allocated in Cromdale.

Dalwhinnie

Name Scottish Natural Heritage

Objector Ref 040 Map/m

Representation

Proximity to the River Spey SAC (which includes the River Truim) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

CNPA Response

CNPA have worked closely with SNH on the HRA.

Name The Highland Council

Objector Ref 043 Map/e

Representation

Land allocation issues: is there a reason why the distillery is not an allocated business site? – although if it were allocated, a boundary which excluded the distillery houses would seem sensible.

Summary

Questions why distillery is not allocated for business. If it was, the distillery houses should no be included.

CNPA Response

The distillery location is peripheral to the village and not appropriate for allocation.

Name Scottish Government

Objector Ref 051 Map/l

Representation

Transport Scotland: Dalwhinnie. The scale of development proposed will not impact on the strategic transport network, provided no new accesses are taken from the trunk road.

Summary

Scale of development proposed will not impact on the strategic transport network, provided no new accesses are taken from the trunk road.

CNPA Response

Comments noted.

Name SEPA

Objector Ref 063 Map/l

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes sites except 027 (this is indicated as safeguarded for open space instead of housing which we welcome and support).

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/g

Representation

We welcome the Safeguarded areas and object if they are to be reduced in size or omitted.

Summary

Welcome the Safeguarded areas.

CNPA Response

Noted.

Name Dalwhinnie Community Council

Objector Ref 130 Map/a

Representation

Dalwhinnie Community Council have reviewed the Dalwhinnie Local Plan and would like to add:

Re-cycling facilities (currently located at the car park adjacent to the Garage in Dalwhinnie).

There has been a long standing problem of walkers and outdoor enthusiasts parking cars irresponsibly at various locations through the village. At present, the large car parking area that could be used has been allocated to the Beaulieu Denny Power line project and is being used as a site by Balfour Beatty. In the long term we would like to see this area re-instated as a formal area for car parking in the village and would request that a suitable annotation be made on the Dalwhinnie Local Plan.

Summary

Suggest recycling centre is shown on the map. Request formal allocation of land for a car park.

CNPA Response

The recycling centre has been shown on the map. Reference to a car park is included in the Plan.

Dinnet

Name Scottish Natural Heritage

Objector Ref 040 Map/n

Representation

Proximity to the River Dee SAC (which includes the Clarack Burn adjacent to the north of the settlement boundary) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the Clarack Burn will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Dee SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to Clarack Burn will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/m

Representation

Transport Scotland: Dinnet . The scale of development proposed will not impact on the strategic transport network.

Historic Scotland: Dinnet - Housing, waste/ recycling facilities, recreation/open space, new core paths and an opportunity site- sustainable economic growth HS returned a general comment in the consultation to the MIR that allocations such as this which contain category B and C listed buildings should be considered in line with the NPA's listed buildings policies. This advice still stands.

Summary

Transport Scotland observe the scale of development proposed will not impact on the strategic transport network.

Historic Scotland reiterate that allocations containing category B and C listed buildings, like this one should be considered in line with the NPA's listed buildings policies.

CNPA Response

Comments noted. The Plan should be read as a whole.

Name SEPA

Objector Ref 063 Map/m

Representation

Water body(s) affected/current status & pressures- No perceived significant change to boundary. No water bodies within boundary. Related site specific advice - Waste water treatment plant (Scottish Water) is small and maybe approaching capacity.

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes sites.

Summary

Waste water treatment plant is small and maybe approaching capacity. See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Dulnain Bridge

Name Scottish Natural Heritage

Objector Ref 040 Map/o

Representation

Proximity to the River Spey SAC (which includes the River Dulnain) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the River Dulnain will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured

by otter, as well as disposal of waste water. Core paths to the River Dunnain will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/f

Representation

The “existing permission” shown was granted without an affordable housing component as a quid pro quo for the estate’s making available at low cost an alternative site off Church Terrace, for which planning permission was granted by CNPA. Why is this not shown as an existing permission and the settlement boundary at Church Terrace adjusted accordingly?

Summary

Question accuracy of map in reflecting current extant permissions.

CNPA Response

The map has been reviewed.

Name Scottish Government

Objector Ref 051 Map/n

Representation

Transport Scotland: Dulnain Bridge. The scale of development proposed will not impact on the strategic transport network.

Summary

The scale of development proposed will not impact on the strategic transport network.

CNPA Response

Noted.

Name SEPA

Objector Ref 063 Map/n

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary including 050 and 12a/049.

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/h

Representation

We welcome the Safeguarded area and object if they are to be reduced in size or omitted. We object to the Housing allocation and consider it excessive when coupled with the Existing Permission area that has not been started to be developed.

Summary

Welcome the Safeguarded area. Object to the Housing allocation as excessive particularly in light of existing permission.

CNPA Response

CNPA remain committed to the allocation. The LDP can not influence sites that already have

Name Dulnain Bridge Community Council

Objector Ref 116 Map/a

Representation

Draft Settlement Map - Dulnain Bridge. The CC do not have any proposed changes to the map.

Core Path Map 18 - Dulnain Bridge & Nethy Bridge, the CC would be supportive of the following:

*Upgrade LBS96 to usable condition from the River Dulnain to Balnain.

*Repair the damage caused by forestry machinery to LBS94 at the SE side of Broomhill Quarry.

*Extend LBS94 from Broomhill along the old A95 and engineer a link from the western termination of the old A95 to the Heather Centre & the Skye of Curr road – thus creating a circular route avoiding the A95.

*Continue endeavours to provide an interim LBS102 to Grantown, suitable for commuting walkers/cyclists, in advance of the permanent LBS102 expected to be provided as part of the A95 future re-alignment at Gaich.

Summary

No objections.

CNPA Response

Noted. The CNPA Access Team have responded separately to all the comments on the Core Path

Glenmore

Name Scottish Natural Heritage

Objector Ref 040 Map/p

Representation

A large part of the proposed settlement boundary is within the Cairngorms SAC, Cairngorms SPA and Glenmore Forest SSSI (see map below). Any building within these designated areas could impact on the features of the sites. We strongly recommend the extent of the settlement boundary should be significantly reduced by the exclusion of the green area in the map below (plus perhaps the Glenmore Lodge area). If you are minded to retain it, the Habitat Regulations Appraisal of the LDP will need to test the likely impacts on the Cairngorms SPA and SAC.

Thereafter proximity to the River Spey SAC (which includes Loch Morlich and Abhainn Ruigh-eunachan), Cairngorms SAC and Cairngorms SPA will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan.

Core paths through woodland and adjacent to Loch Morlich and Abhainn Ruigh-eunachan will need to consider capercaillie (Natura) in the former and otter (Natura) in the latter where they are new paths still to be constructed/formalised.

The meaning of the 'Opportunity Site – Sustainable Economic Growth' symbol in the forest to the north of Loch Morlich is unclear, and this may need to be considered as part of the HRA of the LDP with regard to nearby European sites. (Map supplied)

Summary

Observe much of proposed settlement boundary is within Cairngorms SAC, Cairngorms SPA and Glenmore Forest SSSI. Building within these areas could impact on the features of the sites. Request settlement boundary is reduced, but if retained, the Habitat Regulations Appraisal of the LDP will need to test the likely impacts on the Cairngorms SPA and SAC.

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC Cairngorms SAC and Cairngorms SPA. Core paths through woodland and adjacent to Loch Morlich and Abhainn Ruigh-eunachan will need to consider impact on capercaillie otter. Question meaning of the 'Opportunity Site – Sustainable Economic Growth' symbol in the forest; it may need to be considered as part of the HRA.

CNPA Response

The boundary at Glenmore has been reviewed. CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan. Symbols indicating possible longer term locations of development have been removed from the Plan.

Name The Highland Council

Objector Ref 043 Map/g

Representation

The identification of Glenmore as a settlement itself is a departure from the previous LP; the setting of such extensive boundaries, yoking together the camp site, existing houses, difficult to develop land, and a quite separate area of development at Glenmore Lodge, requires explanation.

Summary

Questions designation of Glenmore as a settlement and approach adopted.

CNPA Response

CNPA have included Glenmore as a settlement to enable a more strategic response to current development pressures.

Name Scottish Government

Objector Ref 051 Map/o

Representation

Transport Scotland: Glenmore. This development was not included in the MIR but it is unlikely that the scale of the development will impact on the strategic transport network. Further dialogue would be appropriate.

Summary

It is unlikely that the scale of the development will impact on the strategic transport network, although further dialogue would be appropriate.

CNPA Response

Noted. A meeting was held with Transport Scotland.

Name Forest Holidays LLP

Objector Ref 060 Map/a

Representation

On behalf of Forest Holidays, and following on from previous representations made to the Main Issues Report consultation, we set out our response to the Council's above consultation. Our comments below relate, in particular, to the proposed map for the settlement of Glenmore.

We welcome and support the National Park's vision to underpin the economic, social and environmental assets of the settlement whilst also encouraging an opportunity site for 'Sustainable Economic Growth' to the north of the settlement, outside the proposed settlement boundary.

Notwithstanding the foregoing, however, the settlement map needs to recognise the existing pressures and opportunities within Glenmore are wide ranging and interconnected and for the settlement to develop and realise opportunities available over the plan period and beyond, the settlement map needs to be based on a robust overall strategy for Glenmore. Therefore, the settlement map should not be fixed until these pressures and opportunities have been fully recognised and a long term strategy produced for the settlement, as is currently being developed and forwarded through the Local Development Plan process.

It is also necessary, as the Plan progresses that any specific policies relating to settlement development boundaries do not seek to constrain development outside of such, for example the Opportunity Site promoted on the proposed Glenmore plan, and continues to recognise the opportunities that such sites bring to the settlement as a whole.

Summary

Request the settlement map should not be fixed until these pressures and opportunities have been fully recognised and a long term strategy produced for the settlement.

CNPA Response

The Glenmore settlement has been reviewed and the settlement boundary also revised.

Name Roy Turnbull

Objector Ref 062 Map/g

Representation

I note that the settlement boundary at Glenmore has been greatly increased and includes areas of SSSI and European sites. I object to this increase in settlement boundary and recommend that the boundary be drawn tight around existing buildings. I do not understand the Opportunity Site - Sustainable Economic Growth symbol to the north of Glenmore, which may be a mistake. If it is intended then I register a holding objection to it.

Summary

Object to increased settlement boundary. Unclear about the Economic Opportunity Site to the north of Glenmore, and object to it.

CNPA Response

The settlement boundary at Glenmore has been reviewed and revised. The Economic Opportunity site has been removed.

Name SEPA

Objector Ref 063 Map/o

Representation

Water body(s) affected/current status & pressures - The settlement boundary is close to River Luinneag – u/s Loch Morlich, and to Loch Morlich. Both at good ecological status. Related site specific advice - Prevent deterioration in these water bodies. Site mainly compliant with licence and there is available capacity

Flood risk advice - Parts of the area are within the 1:200 fluvial flood plain and there are also several small watercourses at this location. The settlement is indicated to include tourism but types of development, buildings or accommodation may be restricted and constrained in several areas. FRAs may be required at planning application stage but the plan should note that any areas identified at risk by an FRA should be avoided.

Summary

Settlement boundary is close to River Luinneag – u/s Loch Morlich, and to Loch Morlich. Both at good ecological status- need to prevent deterioration in these water bodies. Site mainly compliant with licence and there is available capacity. Parts of area within the 1:200 fluvial flood plain and several small watercourses at this location. Types of development, buildings or accommodation may be restricted and constrained in several areas. FRAs may be required at planning application stage but the plan should note that any areas identified at risk by an FRA should be avoided.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Forestry Enterprise Scotland (FES)

Objector Ref 067 Map/a

Representation

as part of the Forestry Commission Scotland (FCS) welcomes the opportunity to comment on the informal consultation of additional settlement plans within the National Park. Our response relates directly to the proposed settlement of Glenmore and should be read in conjunction with our response made in relation to the MIR in December last year. FES supports the identification of Glenmore as a settlement, particularly given that it was identified as an area of high intensity visitor pressure in the MIR. By having a specific settlement boundary and identification of a sustainable economic growth opportunity site, helps to create the appropriate conditions for rural businesses and the community to flourish in accordance with Paragraph 92 of the SPP. Paragraph 92 also states 'the aim should be to enable development in all rural areas which supports prosperous and sustainable community whilst protecting the environmental quality'. Having a settlement boundary and some site specific designations should help to achieve this. We note from the settlement plan that our Visitor Centre is excluded from the tourism designation and given that the Visitor Centre has an important role to play in tourism in the area we would appreciate the centre's inclusion within the tourism designation. The Visitor's Centre which offers toilets facilities to visitors after a long journey and a place to enjoy refreshments after completing some of the activities that Glenmore has to offer in a core component of the settlement of Glenmore. We are keen to continue to work with the National Park in order to assist with creating the following:-

- excellent visitor experience in a quality environment
- clear sense of arrival in Glenmore
- clarity over where to park, dismount bus and secure bicycles in orderly manner
- clear segregation of pedestrians, cyclist and cars to improve visitor safety
- first class welcome and information of what is on offer, help and support in decision to inform decision making, where to go, etc
- development of visitor culture that area is special
- good range of services from budget to very high quality

- high quality design, layout and vernacular of infrastructure.

We believe that the work to prepare the development brief which will inform supplementary guidance as part of the Local Development Plan is vital to delivering this vision. We are hopeful that the outcome of the development brief will be to ensure the longevity of Glenmore as a sustainable visitor destination. We hope that the Cairngorms National Park will consider our suggestions made in this submission.

Summary

Supports the identification of Glenmore as a settlement and identification of a sustainable economic growth opportunity site. Wish to see the Visitor Centre included. We believe that the work to prepare the development brief which will inform supplementary guidance as part of the Local Development Plan is vital to delivering this vision. We are hopeful that the outcome of the development brief will be to ensure the longevity of Glenmore as a sustainable visitor destination.

CNPA Response

Support welcomed. The Glenmore settlement has been revised and the settlement boundary also reviewed.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/i

Representation

BSCG objects to the Economic Growth star as it is unspecified over what area and for what purpose the CNPA has made this allocation. BSCG objects that Glenmore has been introduced at this informal stage when there was no settlement map provided at the MIR stage when the public consultation was more thorough, structured and inclusive. We further wish to register deep concern that a public consultation that was held recently could only be attended during normal working hours, thus effectively excluding many people. BSCG objects to the large scale of area enclosed within the Settlement boundary and is concerned for what the CNPA has in mind by this uncharacteristically wide settlement boundary. BSCG objects that most of the unallocated areas within the settlement boundary are not allocated as Safeguarded. This area is ecologically distinct from the vast majority of the remainder of this state forest and much of it is covered by designations.

Summary

Object to and question the Economic Growth Star. Objects to inclusion of Glenmore at this informal stage which will have less public consultation, and suggest this was inadequate. Request settlement boundary is drawn tighter and object to current widely drawn approach. Request unallocated land within the settlement boundary is safeguarded.

CNPA Response

The Glenmore settlement has been revised and the settlement boundary also reviewed. Economic Growth opportunities have been removed from the plan.

Name Aviemore and Vicinity Community Council

Objector Ref 129 Map/e

Representation

AVCC is not content with the settlement boundaries shown on the Settlement Map for Glenmore. AVCC accepts that, in tune with other settlements in its area, a Settlement Boundary should be set for Glenmore but questions why so much ground is being set aside for development. AVCC notes that in other villages the settlement boundaries are, in the main, tight to the village boundaries. Glenmore is a small hamlet and that is what makes it attractive. To increase its size substantially, and this is what the proposed development boundary will do, we feel would ruin the general ambience of the area for locals and visitors alike.

The role of the settlement boundary in the local development plan is as a method of restricting incremental development which would detract from the overall character of the settlement and to prevent the sprawl of settlements beyond that which would be desired. We do not consider that development of the area to the east of the main road is desired by anyone other than the landowner and do not see how it can be justified. It appears to be more of an attempt to circumvent present Cairngorm Nation Park policies on development out with settlement boundaries and not something based on need. It will detract from the overall character of the settlement. To make a settlement boundary work well it must clearly identify the limits of the built form, and be what is described in planning terms as defensible. It should take the form of something recognisable as limiting future development beyond.

The road leading to Glenmore Lodge is not a 'defensible' boundary. There is already housing to the north of it and that could lead to creep. The settlement boundary on the east should be the main road. The boundary should come from behind the Forestry Houses down to the main road, between the Forestry Houses and the Sewage Works, and join up with the boundary on the south side at the bridge over the river. The river should be used as the southern boundary. There is no need to include the 'Hayfield' in the settlement. Doing this would damage the integrity of the 'defensiveness' of the southern boundary.

The only advantage of including Glenmore Lodge in the settlement boundary would be simply to acknowledge that it exists and that it is part of Glenmore. This is not a planning reason.

Summary

View settlement boundary as excessive and suggest an alternative. Question amount of development proposed.

CNPA Response

The map for Glenmore has been reviewed, the settlement boundary amended and no land identified for additional development.

Glenshee

Name Scottish Natural Heritage

Objector Ref 040 Map/q

Representation

Proximity to the River Tay SAC (which includes the Shee Water running through the settlement) will require the settlement boundary to be assessed as part of the HRA of the plan. In this regard we

recommend that the riparian corridor/floodplain area by the Shee Water be identified as safeguarded/open space/environment. We further advise however that there is no connectivity with, and hence no likely significant effect on, the Cairngorms Massif SPA for golden eagle lying 1km to the north.

Summary

The settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Tay SAC. Recommend that corridor/floodplain area at Shee Water is safeguarded as open space/environment. Advise of no connectivity, and hence no likely significant effect on, the Cairngorms Massif SPA for golden eagle lying 1km to the north.

CNPA Response

The map of Glenshee has been removed as there are no allocations.

Name Scottish Government

Objector Ref 051 Map/p

Representation

Transport Scotland: Glenshee. This settlement does not affect the strategic transport network.

Summary

This settlement does not affect the strategic transport network.

CNPA Response

Noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063 Map/p

Representation

Water body(s) affected/current status & pressures - The settlement boundary is very close to Black Water, which is the source to Allt Mor confluence. This is currently at good ecological status.

Related site specific advice - Prevent deterioration in this water body.

Flood risk advice -A large area of the settlement boundary is within the 1:200 year fluvial floodplain of the Shee Water. There are also small watercourses running through the area. Although no development is proposed in the settlement boundary (and incorporates all existing buildings), we suggest that the large open area in the centre of the settlement is safeguarded against development and allocated as open space. All development within the 1:200 year fluvial floodplain must be avoided.

Summary

Settlement boundary close to Black Water- the source to Allt Mor confluence, and currently at good ecological status. There is a need to prevent deterioration in this water body. Large area of the settlement boundary within the 1:200 year floodplain of the Shee Water. Small watercourses also run through the area. Although no development is proposed in the settlement boundary, suggest that the

large open area in the centre of the settlement is safeguarded against development and allocated as open space. All development within the 1:200 year fluvial floodplain must be avoided.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Grantown-on-Spey

Name Kelsey Tainsh

Objector Ref 001 Map/a

Representation

CNP Local Development Plan - Draft Settlement Map for Grantown-on-Spey - Years 0-5 Future Opportunity Housing - Comment by 28th September 2012

Park Economic Vision for Housing Development in the Park & National Economic Reality:

Now that Duncan Bryden has been appointed as the CNPA Convenor, and having noted in the article in the Strathy dated 6 Sept that he is also the CNPA Planning Convenor – There is a need to ensure that the previous Board mindsets, ref Park policy, red tape and economic vision, is still capable of meeting tomorrow's challenges and the 'national economic reality'.

What is clear is that the economic situation is forcing the Westminster Government to change lots of the existing planning, affordable housing and H&S regulations to try and stimulate large & small business economic growth – it is inevitable that these new initiatives will also impact upon Scotland and the Park – see web sites below – especially the scrapping of affordable housing percentages – a policy (linked to developer contributions) to which the Park is/was committed – and which I suggest now urgently needs to be reviewed – because nationally the affordable housing percentages policy, quite obviously does not work.

<http://www.cityam.com/latest-news/affordable-housing-rules-dropped-boost-builders>

<http://www.bbc.co.uk/news/uk-19540318>

Affordable Housing Policy and Flexibility:

I am also advised by a local builder that at the invitation of the Park, he advised the Park Board that his small business built more affordable homes for local people on the Park before the Park was created, than he has since the Park came into being – this indicates that there is a distinct possibility that there may be something desperately wrong with the Park's present affordable housing policy.

Is there sufficient flexibility in the Park's affordable housing policy and provision to cut red tape, to meet short term economic reality and the local communities affordable housing needs?

Respect for Local Community Insights and Intelligence – Thinking Fast and Slow by Daniel Kahneman: I have been reading a book titled 'Thinking Fast and Slow' by the Daniel Kahneman (one of the world's leading Psychologist's who has influenced 3 generations of Psychologist's) who is a Senior Scholar at

Princeton University, and Emeritus Professor of Public Affairs, Woodrow Wilson School of Public and International Affairs who was also awarded the Nobel Peace Prize in Economics in 2002.

If you want some background info on Daniel Kahneman, see below.

<http://www.nytimes.com/2011/11/27/books/review/thinking-fast-and-slow-by-daniel-kahneman-book-review.html?pagewanted=all>

The following extract from Chap 13 under 'The Public and the Experts' of this book (available from Amazon.co for £5.49) which outlines Paul Slovic comments (Daniel quotes that Paul probably knows more about the peculiarities of human judgement of risk than any other individual), highlights the level of public ill feeling (much of which was directed at the Park) and 'insight' that was created by the proposed recent Muir Homes development on the Mossie:

- Paul Slovic argues from such observations that the public has a richer concept of risks than the experts do.
- consequently, he strongly resists the view that the experts should rule, and that their opinions should be accepted without question when they conflict with the opinions and wishes of other citizens. When experts and the public disagree on their priorities, he says, "Each side must respect the insights and intelligence of the other".

Local Communities Wishes – CNPA to Ensure all Sensitive & Contentious Issues are Identified & Addressed:

I trust that all the 'CNPA Planning Experts and the Grantown-on-Spey & Vicinity Community Council' (GonS&VCC) will continue to respect the local communities 'insights and intelligence', which were robustly expressed at the Public Meeting held ref that proposed Muir Homes development not so long ago.

I also trust there is no requirement for the GonS&VCC to hold another Public community meeting to; ascertain and reflect the wishes of the local community ref the Mossie.

However, perhaps this is an ideal opportunity for the CNPA to decide if it wants the GonS&VCC to hold another Public meeting, to ensure that all 'sensitive and contentious issues' ref any future development opportunity on the Mossie (housing years 0-5 opportunity area), are identified and addressed.

Affordable Housing Initiatives – How many Affordable Houses could be built on the Mossie Opportunity Area & within Settlement Boundary:

A considerable number of persons in the local community have expressed their concerns to me that the Park's 'affordable housing initiatives' appear to have failed to deliver the number of affordable houses required for local people.

If that is the case, then new thought possibly needs to be given to this issue by the CNPA, including the ring fencing of some land within town Settlement Boundary for 'affordable houses for local people' - if all the legality of 'Human Rights and Equality Implications' can be resolved – I appreciate that may not be easy.

- exactly how many affordable houses could be built on the Mossie (housing years 0-5 opportunity area) for the local community?

- how much other land is available within the town's 'Settlement Boundary' and how many affordable houses could be built on this land, for members of the local community?

- I am aware of an ideal plot within the 'Settlement Boundary' with trees on it (10 meters from thousands of trees in Anagach Wood), but THC Planners (Mr Andrew McCracken) advised the trees were healthy (for next 150 years) & requested an expensive requested arbocultural report – I suggest mindsets in this economic recession need changing/reviewing, and red tape cut, if the Park is to facilitate further development of affordable housing within the shrinking land available within the town's 'Settlement Area' especially at a time when an average house in Scotland costs in excess of £160K.

- is it not time to investigate and prioritise the availability of other suitable development areas for local affordable housing outside of the town's 'Settlement Boundary' (For example: old freight railway yard over the river)?

Priority Protection of Mossie Adjoining Area to the Ian Charles Health Centre and Grant House: I am also aware that Dr Peters sits on committees, which includes discussion on the provision of future Health Care & Facilities in the Highlands etc – it may therefore be wise to advise Dr Peters of the Mossie proposal, so that where appropriate he can make relevant comment to the committees and agencies involved, to ensure that the 'Adjoining' area near Ian Charles is protected by the CNPA & THC

– as any future development around these facilities will have an impact upon the Mossie – and as the local community fully support the retention of the town's Health Centre and Grant House old folks home etc – I suggest that future Ian Charles health Centre and Grant House development should take priority over all other development in the vicinity of the Mossie.

Predicted Closure and Failure of Small Businesses and Hotels in Scotland:

If I recall correctly, the Scottish media recently reported that approx 20% hotels & 38% small businesses in Scotland would fail and close in near future.

I understand that the Ben Mhor Hotel closed on the 8th September 2012 – I am also aware that several of the shops are up for sale and/or are not making money. I also understand that the Craggan Mill Restaurant has closed, and that Stuart Grant's Butchers is also likely to close, which if correct underlines the delicate balance and economic reality of small businesses in the town.

The Scottish economy which was predicted to recover to 2008/9 levels by 2025/26, may now not recover until 2030/and beyond ??. This means that the Caravan Site (a major town economic asset) and adjoining area must be protected until the CNPA & CBP is fully 'confident' that the economy of the town is secure.

I believe that the towns economy is going to find the next 10 years extremely difficult, and predict that the worst is still to come.

Bear in mind that the Caravan Site is becoming more established, and is an ever increasing asset to the town and the Park, at a time of ongoing and great economic uncertainty – which means that it is important to protect the caravan sites 'adjoining Mossie Park Wilderness appeal' – any suggestion of a public access road from Seafield Avenue or on the Public Right of Way (Seafield Road & Inverallan Church + the historic Mineral Well by the Mossie Stream at the end of the proposed housing years 0-5 future opportunity) is just not acceptable.

Other Opportunities in the Park for Development:

Whilst the Seafield Estate may have thought that the turning down of the last Muir Homes proposed development was unfair, that decision was made 'On its Merits', and should stand – there should be no CNPA U-Turns - especially when Estates in the Park have so many derelict and abandoned buildings, all of which could be developed, or turned into new crofts and/or refurbished to create new small businesses and jobs.

I believe that the Park should focus on the development opportunity of these derelict and abandoned buildings now, as it is inevitable that these properties will eventually be sold off and brought back to life, probably as very expensive holiday homes, by people who have access 'today' to the finance required to regenerate these properties.

Summary

Request more flexible and relaxed approach to affordable housing in light of economic circumstances. Questions what can be delivered on the Mossie, if they will be for local people, and if other alternative sites outside the settlement boundary would be preferable. Suggests if this location is suitable for development and retention of health facilities should be the priority. Requests protection of the caravan site. Supports the re-use and regeneration of derelict properties across the Park.

CNPA Response

The policies in the plan reflect a flexible enabling approach to delivering market and affordable housing, and economic development, including the re-use of buildings where appropriate. The site at The regeneration of abandoned and derelict properties in the Park at this time, would help to the Mossie has been removed from the Plan.secure/create jobs, sustain local small business, and at the same time significantly improve the economy in the Park.

Name Gordon Bulloch

Objector Ref 024 Map/a

Representation

I have a number of comments to make on the Draft Settlement Map for Grantown-on-Spey under the informal consultation which closes on 28 September 2012.

1. It is difficult to make informed judgements on the draft settlement map as (as far as I am aware) there are no details of up to date projected housing need in Grantown – both in terms of number of housing units or in the type of housing unit. The starting point on the consideration of any future planning for Grantown must be a projection of need over the next 10 years with back up evidence to demonstrate how this need was calculated. Without this basis, CNPA is open to a wide spectrum of comments and it might not be clear how much the motivation for the comments is based on, for example, a wish for no further development of the town or by a wish to see much more affordable housing or just a wish for more housing to ensure the viability of the High Street shops.This matter must be fully addressed in the formal consultation process.

2. The process to formulate the new Development Plan must not follow the mistakes made with the last two Local Plans (Highland Council's plan and the current CNPA local plan. Both of these plans scoped out future housing needs for Grantown in terms of numbers of units and the preferred location for housing development. Both these plans bore no relation to what housing development actually took place and despite being the focus of considerable comment throughout the consultation process and the inquiry process, these plans were subsequently largely irrelevant. Although it is always difficult to

predict the future, the success of this new Development Plan (as far as Grantown is concerned) needs to be judged on how accurate it turns out to be.

Possibly the biggest mistake made with the Grantown settlement plans which formed part of these Local Plans was the failure to include sites where infill development is possible or even has planning permission. This Draft Settlement Map yet again does not even include infill sites which I understand currently have planning permission, far less other potential sites where housing infill is possible. In Grantown such infill sites have the potential to meet a significant percentage of possible needs for affordable housing or first time buyer's housing. I urge CNPA to include such sites in the settlement maps which will be produced as part of the formal consultation process.

3. Area zoned for Housing 0-5 years

I appreciate that CNPA has listened to my representations on the NE boundary of the site between the houses of The Dulaig and Revoan and has moved the boundary line back to the logical boundary line of the ruined field wall. Unfortunately, for some unexplained reason, the NE boundary line on the NW side of Revoan seems to have been moved forward some 10-20 metres (in the direction of the Caravan Park) from the line in the current Local Plan. The new line runs along the bottom of the river terrace (at least for the first 50 metres or so from the edge of Revoan's grounds. This is totally wrong in good practice planning for the same reasons I gave in my objections to the Grantown-on-Spey HI Development Brief. In addition the boundary of this area zoned for housing is moved closer to the Caravan Park and would overlook the Caravan Park, reducing the amenity of this very successful Caravan Park. I also note the inclusion of an "Opportunity Site – Sustainable Economic Growth" just to the NW of the proposed housing area. Extension of this site zoned for housing as described will only conflict with any future development on this Opportunity Site.

For the above reasons and as there is no demonstrable need for the extra housing that would occupy this extension to the housing site, I strongly recommend that this boundary line is pulled back to mirror the boundary line between The Dulaig and Revoan – i.e. on a line extending from the back (SE) wall of Revoan's grounds.

4. Area zoned for Future Opportunity Housing

I refer to the area adjacent to Seafield Court. I appreciate that some attempt has been made to avoid all future housing zoning in the Development Plan being focussed on only one site – which was the erroneous result of the 2009 Inquiry into the current Local Plan which CNPA later adopted in the current Local Plan. (At the time, I commented at length in a letter to Don McKee about the erroneous recommendations made by the Inquiry Reporters).

Nevertheless, this future opportunity zoning of the site adjacent to Seafield Court is far from satisfactory. To enable a more natural and sustainable growth in housing supply (if growth is what the market requires) the Development Plan needs to show a number of small future housing developments suited to the expected housing mix rather than falling into the mistake planners habitually make of focussing on very few larger developments. The Settlement Plan as illustrated in this informal consultation shows one big development site (Area zoned of Housing 0-5 years), to be followed by one smaller, but still substantial development site. What I believe Grantown needs (again if growth in housing is required) is more, smaller developments which blend into the existing framework rather than the 'big scheme'. As stated in point 2 above, known or proposed infill development should be included in the Settlement Plan and more thought given to releasing more but smaller parcels of greenfield land suitable for future housing development in years 0-5 of the Plan.

I request that CNPA is not swayed by the somewhat illogical approach taken by some of the Mossie supporters – e.g. the letter to the editor which appeared in the Strathy of 20 September. If these people just based their argument on no future housing development in Grantown their argument might have some element of logic, but to object on environmental grounds to any development of any of the lands comprising the Mossie is just not defensible. If you were to follow the logic of the individual who wrote the letter to the Strathy, then Seafield Court should never have been built as it is just as at risk (or not at risk) of flooding than the area zoned for Future Opportunity Housing. It is imperative that the vocal supporters for no development on the Mossie are not permitted to over influence the consultation process, and I encourage you to look more innovatively at (and consult on) several much smaller developments on Mossie land adjacent to existing development. However, as I have said repeatedly in this response, the basis of consultation on the Settlement Plan must be founded on demonstrable evidence of future housing need and the associated housing mix.

5. Woodside Industrial Estate

Although possibly not appropriate at this stage of the consultation process in the new Development Plan, I hope that thought is being given to enabling development of a railway station in the town. As plans seem to be moving on in extending the steam railway into Grantown, this must be a significant part of the new Development Plan with respect to Grantown. The logical place is around the site of the old station, and if this is just not possible then another site needs to be identified within the Settlement Plan.

Summary

Question the evidence base supporting housing number and allocations. Request identification of infill sites within settlement boundary. Question boundary of Revoan sites and its impact on caravan site. Request it is redrawn. Object to large allocation at Seafield Road. Would support some smaller development on Mossie land, justified by local needs evidence. Highlights need to think about location of new railway station in the town for steam train extension.

CNPA Response

The evidence behind the LDP is set out in the evidence paper. The boundary at Revoan has been redrawn and the site at Seafield Road removed. CNPA are satisfied that there is sufficient land for housing in the Plan, but windfall application may come forward and would be considered against the policies in the Plan. The text continues to refer to the need for land for a station.

Name Seafield Estate

Objector Ref 037 Map/d

Representation

I would be grateful if you would explain your justification for zoning as much as 4.13 acres for Community Use in the vicinity of Grant House and the Ian Charles Hospital? This land is currently farmland. Whilst some expansion of the hospital might be envisaged, the last report suggested that this could be accommodated within the existing grounds.

It is helpful that you have identified an alternative site for housing to service the community in the 15 year plan period. We have concerns, however about the choice of site to the rear of Mossie Road. As you know, extensive surveys of the Mossie area were conducted on behalf of Muir Homes in the recent past. These included work on flood data in consultation with SEPA. I attach a copy of a Muir's plan –

Plan 2 , which shows an interpretation of the 1:200 year flood event. As you will see the majority of the area you have shown as future housing land falls within this flood plain. I cannot vouch for the accuracy of the plan but I suggest you liaise with SEPA as they may have some record of their discussions with Muir's at that time which could inform your consultation. I have also attached Plan 1 which is an earlier Muir's plan and which does identify potential for 18 houses in this approximate area but laid out so as to avoid any disturbance of the birch woodland. You will note that access is not shown from the spur leading to Mossie Road and I think this may have been a roads department issue as the Estate has control of that access and it would clearly have been a more viable option than the access shown which is via Seafield Avenue. We suggest you reconsider the housing areas off Seafield Avenue and Castle Road East as shown on Plan 2 as a more realistic alternative to the site you have chosen. These avoid peatland and woodland, are out with the flood plain and are readily accessible. The Reporter dealing with the Local plan did not rule out some development on the Mossie area and we believe this should be followed up and whilst that process continues the whole Mossie area should remain within the settlement boundary, as in the existing plan.

Summary

Request justification for zoning land at Grant House and the Ian Charles Hospital for community use. Concerned about housing site at the Mossie due to flood risk, impact on woodland, access issues. Suggest site at Seafield Avenue and Castle Road East is a more realistic alternative. Requests the whole Mossie remains within the settlement boundary.

CNPA Response

Representations received indicate a desire for choice. Part of the site by the hospital is now allocated for additional housing and the remaining land remains allocated to help support the community. The site at Mossie has been removed from the plan. The land in the vicinity of hospital is considered to be better suited for development land at Seafield Avenue and Castle Road East.

Name Scottish Natural Heritage

Objector Ref 040 Map/r

Representation

Proximity to the River Spey SAC and Anagach Woods SPA will require proposed allocations to be assessed as part of the HRA of the plan. In respect of the SAC, this should include those where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths through woodland and adjacent to the River Spey will need to consider capercaillie (Natura)

Summary

Allocations should be assessed as part of the HRA of the plan due to proximity to River Spey SAC and Anagach Woods SPA . This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths through woodland and adjacent to the River Spey will need to consider impact on capercaillie and otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/h

Representation

Given the strong views expressed in the past about a need to maintain an undeveloped “cordon sanitaire” between the caravan site and the built-up area of the town to protect the former’s amenity and setting, it seems odd that the site continues to be enclosed by the settlement boundary. Even stranger is the extension of the settlement boundary from the edge of the caravan site ownership to the centre line of the disused railway and core path nearby. The Speyside Holiday Park at Aviemore is excluded from the Aviemore settlement boundary despite being much more contiguous with its neighbouring built up area than is the Grantown caravan site. Apart from that the boundary seems sensible in allowing reasonable scope for short term growth, but some explanation of how the “housing – future opportunity site” could be serviced and developed, having regard to the surface water drainage issues which emerged during the CNPLP Inquiry, would be helpful. The lack of core paths penetrating the settlement is curious given that these are a feature of many other settlements.

Summary

Questions inclusion of caravan site within settlement boundary and extension of boundary to the centre line of the disused railway. Questions how the “housing – future opportunity site” could developed. Questions the lack of core paths penetrating the settlement.

CNPA Response

CNPA remain committed to the allocation as the caravan park forms an integral part of the town. The symbols indicating potential future opportunity sites have been removed form the plan. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/q

Representation

Transport Scotland: Grantown-on-Spey. There have been amendments to the proposed land allocation but it is unlikely that the scale of the development will impact on the strategic transport network. However, any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate

Historic Scotland: Grantown-on- Spey - Existing core paths? Core path passes next to Castle Grant GDL, A-listed Old Spey Bridge (HB No. 335) and Inverallan Churchyard, Symbol Stone and Cross-Incised Slab (index no 2456)

Summary

It is unlikely that the scale of the development will impact on the strategic transport network. Any conditions that pre-exist should be carried forward and further dialogue would be appropriate.

CNPA Response

Noted.

Name Jeremy Money

Objector Ref 058 Map/a

Representation

I am writing to respond to the Settlement maps informal consultation. In particular I would like to register my objection to the zoning of an area for housing on the area known as the Mossie on the Grantown-on-Spey map. This area, to the north of Inverallan church, is unsuitable for such development for the following reasons: - the area has already been identified as part of an active flood plain and, as such, would be at risk of flooding and would increase the risk of flooding in other areas;

- the area is of considerable conservation importance and, as you will be aware, it provides habitat for many rare species of plant and animal, including otter;

- there is local support for designating the Mossie area as a local nature reserve, something which, one would hope, the CNPA would wish to support. Zoning this area for housing would obviously negatively impact upon this proposal;

- the Mossie, in its current state, has an important positive effect on the character of Grantown offering views over a relatively wilder and extensively managed area. Although, no doubt, it might be argued that the proposed rezoning of the area in question would not be visible from the High Street it sets a precedent which threatens the future of the whole area.

Summary

Object to allocation of land at the Mossie for flooding and environmental reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 061 Map/e

Representation

The Cairngorms Campaign objects to the 'Future Opportunity' site in the Mossie. The allocation would have significant negative impacts on the important suite of habitats on the Mossie that contribute to its importance for landscape, recreation, healthy living and natural heritage.

The Campaign supports the removal of part of the 'Housing' allocation (to the East of Revoan House) from a flower rich grassland site allocated in the MIR map. We object if this area does not remain free of development.

We object to the Economic Growth Future Opportunity site near Beachen Wood as it would have numerous negative impacts on landscape, habitats and biodiversity in a sensitive area.

We object to the Economic Growth Future Opportunity site that is 'starred' in the Achnagonalin area. The industrial estate and the waste recycling area (that is unmarked by a star) lie within an exceptionally

important area for biodiversity interests with outstanding landscape features. There are also potential constraints relating to contaminated land associated with a former landfill site. For these reasons any area that the CNPA wishes to propose for future development should at the very least be carefully outlined.

Summary

Object to development at the Mossie for landscape, recreation, healthy living and natural heritage impacts. Supports the removal of grassland to the East of Revoan House from the allocation. Object to Economic Growth Future Opportunity site near Beachen Wood due to impact on landscape, habitats and biodiversity.

CNPA Response

The site at the Mossie has been removed from the Plan. Economic Growth Future Opportunity symbols have been removed from the Plan.

Name Roy Turnbull

Objector Ref 062 Map/c

Representation

The area of land known as the Mossie should be Safeguarded from development. The CNPA should promote this area, which is of value for wading birds, scarce plants, fungi and invertebrates, as well as recreation, as a local nature reserve and make clear to the owner that the CNPA will not allow development on this site. This lack of clarity on behalf of the CNPA may have been instrumental in motivating the owner to spread fertiliser over much of the site, an act that is known to damage fungi, certain plant species and invertebrate, and therefore wading bird, interests.

Summary

Object to development at the Mossie due to impact on biodiversity and recreation.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name SEPA

Objector Ref 063 Map/q

Representation

Water body(s) affected/current status & pressures - Previous allocations to south of town were close to River Spey (River Nethy to River Avon) which is currently at good status.

Related site specific advice - Prevent deterioration, as commented previously. Site is compliant with licence, however the site has operational issues during periods of increase flow (rainfall) therefore increase in effluent may affect the treatment process.

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary including 012f/H1. We did not comment on 012d. This includes an area of housing and an area

of tourism at an existing camp site. We have records of flooding in the area. The housing site has a small watercourse running along the boundary and enters a culvert (an FRA would be required here to ensure that flood risk is not increased downstream). The tourism area may be constrained due to the fluvial flood envelope associated with the burn, it has already flooded previously and any development here would need to show its not increasing flood risk elsewhere.

Summary

Previous allocations to south of town were close to River Spey (River Nethy to River Avon) which is currently at good status. There is a need to prevent deterioration. Site is compliant with licence, however the site has operational issues during periods of increase flow (rainfall) so increase in effluent may affect the treatment process.

See settlement comments made in response to MIR. There are records of flooding in the campsite area. The housing site has a small watercourse running along the boundary and enters a culvert, and there is a need to ensure that flood risk is not increased downstream. The tourism area may be constrained due to the fluvial flood envelope associated with the burn, it has already flooded previously and any development here would need to show its not increasing flood risk elsewhere.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/j

Representation

BSCG welcomes the Safeguarded areas and recommend that they should not be reduced in size or omitted.

We object that the following areas are not allocated as Safeguarded

- the Mossie
- the fields West and East of Revoan House
- the land West of existing housing up to the former railway line and extending to the road to Dreggie.

We realise that this land is presently out with the Settlement Boundary.

Aanagach wood

We object to the Future Opportunity site in the Mossie. The allocation would have significant negative impacts on the important suite of habitats on the Mossie that contribute to its importance for natural heritage. The direct footprint of the allocation is part of the important natural mixed birch woodland including natural aspen and woodland in poorly drained habitat up to the burn. Habitat for protected species including bats would be lost and degraded. Natal squirrel dreys with young have been documented in this woodland by BSCG and squirrels also use the Scots pine stand adjacent which in recent years has held a high density of dreys. Birds on the UK Red List of High conservation concern known to use the allocation site include song thrush and starling. Housing on this site would have

indirect impacts of inevitably increasing impacts of people and their pets on sensitive habitats nearby. There would also be a displacement effect as more people would be accessing a smaller area for recreation purposes. This displacement effect has implications for Anagach Wood Special Protection Area.

We welcome the removal of part of the Housing allocation (to the East of Revoan House) from the area allocated in the MIR map and recommend that this area should remain free of development; it provides flower-rich grassland habitat that is valuable in its own right and also provides valuable habitat continuity linking to the wetland at the base of the slope. The wetland is valuable habitat in its own right and is vulnerable to becoming degraded through proximity to housing and the inevitably increased impacts of people and their pets.

We object to the Housing area which is excessive in scale and would have significant negative impacts. We object to the extension of housing allocation West of Revoan House and to the North of the former field boundary that runs south of Revoan House. We object to the rest of the housing allocation in that it is excessive in scale and is on grassland habitat that is sunny, flower-rich and valuable for invertebrates and other wildlife.

We object to the Economic Growth Future Opportunity site near the Dreggie road as it would have multiple negative impacts on habitats, biodiversity and landscape in a sensitive area. It should be noted that it is close to Beachen Wood, which although currently not designated, has long been recognised as of exceptional conservation value and is an important area for public enjoyment of the countryside.

We object to the Tourism area at the caravan site as we believe the western and south western boundaries includes land that should not be designated as Tourism and is not part of the caravan site. The western boundary should extend only to the former railway line fence rather than the path and the south west boundary should extend to the caravan site fence and not across the road and the burn.

We object to the Economic Growth Future Opportunity site in the Achgonalin area. It is unspecified what area the CNPA now has in mind as suitable for potential development (even though this was outlined in the MIR). In this area there are some highly sensitive biodiversity issues that could be vulnerable in many respects to land use change.

Object to the Waste recycling facility not being marked and note that there are contamination issues connected to the former landfill site area. As with the Achgonalin industrial development, it is adjacent to highly sensitive habitats.

Summary

Welcomes safeguarded areas. Request the Mossie, the fields West and East of Revoan House, - anagach wood, and land West of existing housing up to the former railway line and extending to the road to Dreggie (currently outside the Settlement Boundary) are also safeguarded.

CNPA Response

The site at the Mossie has been removed from the Plan. The allocation, including for open space have been reviewed.

Name Grantown & Vicinity Community Council

Objector Ref 084 Map/a

Representation

1. Dulicht Bridge

While welcoming apparent reservation (confirmation required) as the possible terminus of the Strathspey Railway in the long-term, it was felt that the former Local Plan designation of such sites as suitable for "Tourism" use was more descriptive than "Opportunity Site - Sustainable Economic Growth".

2. The Mossie

It was not felt that the (light brown) Mossie area should be designated for "Housing".

3 Grant House

The designation (Pink) of the fields immediately North and South of Grant House for "Community" use was welcomed, as this was the intention circa 2005.

4. Castle Road Playpark

It was considered this should be coloured green as "Safeguarded - Recreation".

Town Boundary

It was considered the Town Boundary is less inclusive than the former boundary, as the map does not record such areas as the Heathfield Show fields etc. important for "Community" or "Safeguarded".

Core Paths

While in agreement with most paths, it was felt that LBS6 should be along the woodland boundary not as shown, as it goes through the middle of the proposed Strathspey Railway goods yard and sidings. Regarding LBSS, it would be a much more attractive and historical route if it kept to the former railway trackbed under the notable granite bridge (which should be listed and protected) and past the Home Farm and out to Glaschoil, as a long-term objective, instead of the present uninteresting deviation.

(Map supplied)

Summary

Welcome reservation of land for Strathspey Railway terminus, although feel that the previous 'Tourism' descriptor was more useful than 'Opportunity Site - Sustainable Economic Growth'.

Object to allocation of land at the Mossie for housing.

CNPA Response

The allocation has been removed due to uncertainties around delivery but the text continues to refer to the need for land for a station. The site at the Mossie has been removed from the Plan.

Name Ann Nicolle

Objector Ref 126 Map/a

Representation

Having read an article in "The Strathy" re designated development in Grantown Mossie area, I am retired now and resident in Grantown and would welcome more affordable/family houses built there. The town has become "moribund" with some empty large houses which are too expensive to heat, gardens which require gardeners to control, and of course hotels/shops closing because we require investment with youthful entrepreneurs.. The average age of residents must be 70! The Mossie is an ideal area for this development. The NIMBY culture has prevailed in the past with regard to this site but this is being selfish and in the long term Grantown needs these houses.

Summary

Support allocation of Mossie area for affordable housing.

CNPA Response

The site at the Mossie has been removed from the Plan. Other allocations in Grantown remain to enable the town to develop.

Name Mark Atkinson

Objector Ref 128 MAP/a

Representation

I was shocked to read the letter in yesterday's Strathspey Herald about the potential development of housing on The Mossie, Grantown on Spey.

Firstly, I do think the National Park has an obligation to consult with local people. Having only just being made aware through a reader's letter, I wonder at CNPA's commitment to consultation. I also wonder at the desire to encourage further development on the fringes of Grantown. The CNPA should be protecting such a fragile area and the idea of a nature reserve on this side of the town would be very welcome. Grantown can hardly benefit from becoming an urban sprawl that Aviemore has been allowed to become.

Although no expert, anyone can walk the Mossie and recognise the unique nature of the soil and undergrowth. It is completely covered by a soft moss, standing on very wet peat. It feels that without the lovely birch trees holding the earth together that one would sink! Surely development, entailing extensive drainage of such a wetland would cause further drainage problems. I know that the flooding in Hebden Bridge (for example) this year was caused by the eroding away of the natural sponge of the mossy moors above the town.

My other concern is access to the houses from Mossie Road. The exit point from Church Avenue is already hazardous due to the stone walls on either side of the junction. When the church or the church hall has visitors, the cars are parked all the way round this junction including down Mossie Road. It is not a wide road and with cars parked to one side, I doubt wagons including fire engines could pass. Mossie Road also has the playground at the other entrance which also often has parked cars when parents take their children. This section of Mossie Road is no wider although admittedly could be widened but this would be to the detriment of children leaving the park.

Summary

Object to housing allocation at Mossie due to environmental impact and access concerns.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Bill and Pam Baird

Objector Ref 131 Map/a

Representation

It seems ridiculous that we must go through this time consuming (and costly) consultation again - although there has been NO consultation as far as I can see with local residents.

The Mossie is totally unsuitable for building for so many reasons not least because its a functional flood plain. One only has to look at recent weather patterns to see that we have descended into a cycle of much wetter summers and know that building on a flood plain is not a good idea.

The Mossie is a beautiful quiet piece of open grassland which harbours many plants and insects and to interfere with this would be a sin given that the National Park attracts so many visitors who come here for seeing wildlife. Why not develop it in a small way as a nature reserve and encourage the nesting waders, plants and insect life that abounds here? (or leave it undisturbed to nature?)

Mossie Road is far too narrow to accommodate more traffic which would undoubtedly be the case if housing was built close by. I have already complained to Councillor Jaci Douglas about the speed of traffic on Mossie Road given that it only has pavement on one side along part of it and no pavement at all in some places (i.e. near the Inverallan Church) Adding more traffic to this would be detrimental to the quiet ambience of a back road which also by the way, runs past a children's play park around the corner leading on to Castle Road East.

The Castle Road East junction from Mossie Road is a nightmare to try and exit right with traffic hurtling round from the left oblivious to the Mossie Road junction. It would be daft to add more traffic exiting from that junction.

The proximity of proposed housing to the burn would surely mean litter and overflow from the houses. This would make it unsuitable for the very rare water vole which inhabits the water course and which those in the CNPA were fighting to save not so long ago. The fact that the burn also provides a foraging route for otters is another plus point to keep the area natural and undisturbed.

But my main objection would be that after the huge consultation we all went through last time ending in the area being successfully removed(or so we thought) from any future development - why has it even got to this stage?

We are 100% against any future housing development on this beautiful and important area for wildlife

Summary

Object to allocation of housing at Mossie for environmental impact and access reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Stewart Brown

Objector Ref 132 Map/a

Representation

The proposal to build housing on the Mossie and have access through the cul-de-sac in Mossie road I object to on the grounds of extra traffic on Mossie Road and the damage to the Mossie a place of great natural beauty.

Summary

Object to allocation of housing at Mossie for environmental impact and access reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Corinne Carroll

Objector Ref 133 Map/a

Representation

I am writing to express my concern that you have not consulted the local residents of Mossie area before you granted a housing development. Are you not aware of the trees and plants let alone the wildlife in this area? I find that most disconcerting when it is meant to be your area of expertise.

I would appreciate a full response to this email so I may see your reasoning for your authorization to build, therefore destroying this special and unique area of natural beauty.

Summary

Object to allocation of housing at Mossie for environmental impact reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Andrew Liggat

Objector Ref 135 Map/a

Representation

I wish to register my disappointment that CNPA has not seen fit to personally inform the residents of Mossie Road, Grantown-on-Spey reference the proposed housing development in the Mossie.

Whilst in my particular case the proposed development is at the opposite end of Mossie Road to my own residence (Brierlea), the associated increase in vehicular traffic along Mossie Road will no doubt have a direct and unwanted impact on the volume of traffic, noise and road safety there on. I fully appreciate that the town must develop and consequently new housing must be made available, but I am left feeling somewhat let down and suspicious at your obvious unwillingness to engage with the very local community that your organisation purports to represent.

I can only assume that your actions were an oversight and that due representation will be made giving a realistic opportunity for local residents to air their points of view before any unilateral action is taken.

Summary

Object to allocation of housing at Mossie for traffic and access reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Mike and Liz Lynch

Objector Ref I36 Map/a

Representation

We are strenuously opposed to a housing development on the Mossie.

We were under the impression that a similar plan was denied a few years ago and are dismayed to find it has popped up again, without any consultation with the interested parties and neighbours.

The Mossie is a beautiful, unspoilt area, very boggy in places, with a little stream and lovely trees. A haven for all sorts of wildlife. Just the sort of place the Park Authority would be expected to protect !

There are other sites in Grantown which could be developed although there are so many houses for sale, one wonders if there is a need. Besides the access to the Mossie would be quite problematic, as it's a narrow road with no scope for widening it.

We trust you will not only re-consider this application but also keep the public informed of any plans there might be.

Summary

Object to allocation of housing at Mossie for environmental reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Andrew McCracken

Objector Ref I37 Map/a

Representation

It is a little difficult to understand the rationale behind the settlement boundary without some knowledge of some features and allocations which differ from the Adopted Local Plan. What for example is the "community" allocation either side of Grant House.

Why has the settlement boundary at the caravan site extended up to the centre line of the former railway. If the caravan site is to be contained within the settlement boundary at all, surely there should be no change from the existing railway/caravan site fence line without considering the implications for both the landscape in general and the core path.

Another unexplained feature of the Grantown map is the "opportunity site – sustainable economic growth" symbol south-west of the caravan site and outside the settlement boundary. If this is a

reference to the idea in circulation that the Strathspey railway's terminus should be developed at this location – an idea which I support – there will have to be some consideration given as to how the core path on and adjoining the old railway is to be diverted. Generally, even in the vicinity of the committed site at the industrial estate, the core path alignment shows little regard for the practicalities of laying out and operating a railway station. With the exception of a few small spurs at the public park and at Forest Road no designated core paths penetrate the town. This is regrettable as in-town links can serve as links in the paths network or recreational walking opportunities in their own right. Prior to Adoption of the CNP Local Plan the former Development Plan and decisions on planning applications reflected such opportunities. The extensive network of core paths within the settlement boundaries of virtually every other settlement (notably Newtonmore, Aviemore, Kingussie, Nethybridge and Carrbridge) suggests that there is no incompatibility between a route being a core path and its being within a settlement – indeed its being part of the public road network. Routes which should be included are:

EXISTING –

- Seafield Ave – rear of Seafield Court – Mossie Road
- Mossie Road – The Square
- Ridge path between disused railway & Macgregor Ave – Seafield Ave

PARTLY COMPLETED –

- Seafield Ave – Rhuarden Ct – rear of Kylintra Cresc – Woodburn Dr – Braemoray Ave – access to public park opposite Braemoray Ave- Strathspey Dr – Woodburn Dr – Braemoray Ave

COMMENTS ON OTHER ISSUES

The rationale for showing some areas of recreation/open space as safeguarded and not others is unclear; this is a problem not confined to the Grantown settlement area. The error in the previous LP Grantown map, which excluded the industrial site adjacent to “Highfield” in Woodlands Terrace from the business allocation, has been over-corrected – the business allocation colouring now includes “Highfield” and its neighbouring house. I also consider it to be a mistake to put business colouring on the tree belt between this industrial estate and Strathspey Drive. As the woodland was planted to protect the amenity of the Strathspey Drive houses, and is owned by them, I see no ownership or other justification for this colouring – while experience at HIE developed business sites at Balmakeith, Achnagonalin and Dalfer suggests that even purposely planted woodland in industrial allocations is at risk of removal by irresponsible business users. Hopefully this is simply an error not a purposeful allocation. There is a live planning permission for 3 houses to the north of Hanover Court which should be shown as an existing permission.

Summary

Question allocation of land at Grant House, the boundary of caravan site allocation, the boundary of the industrial site adjacent to Highfields, and the economic growth site to the south. Suggest additional routes should be included in the Core Path Plan, especially within the settlement boundary. Question rationale behind safeguarding open space in general. Suggest extant permission for 3 houses north of Hanover Court should be shown as an existing permission.

CNPA Response

The map and allocation in Grantown have been reviewed. The CNPA remain committed to the open space policy. The extant permissions shown on the maps are generally larger in scale. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name David and Isabel Duncan

Objector Ref 140 Map/d

Representation

The area known as 'The Mossie' should not be developed for housing.

Summary

Object to allocation of land for housing at Mossie.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Sue and Iain Fraser

Objector Ref 141 Map/a

Representation

We wish to object to the proposed development on The Mossie, Grantown on Spey on the following grounds:

it is a beautiful area which was recognised as such in the last enquiry, and as such should not be ruined. Mossie Rd is not suitable for much more traffic. It has one section with no pavement and frequently has large delivery lorries from the Co Op which have no alternative route.

The ground is extremely boggy. Even a fairly small amount of rain leaves huge puddles for many days.

Summary

Object to allocation of the Mossie for housing development for environmental and traffic reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Harry MacGregor

Objector Ref 142 Map/a

Representation

I was surprised and alarmed to read in my local paper that building is to go ahead in The Mossie as this was the first I had heard about it. As any building and the creation of a road in this part of the Mossie would greatly adversely impact on my property and the Mossie as a whole I take this opportunity to register my objection to the proposal to build houses on this part of the Mossie

Summary

Object to allocation of the Mossie for housing development due to impact on neighbours.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Gregor MacKenzie

Objector Ref I43 Map/a

Representation

Having examined the above draft settlement map I have to express my surprise at the re-appearance of a housing area within the Mossie (the area designated GS/HI prior to the Report resulting from the Public Inquiry).

The Government Reporters recommended that the whole of the Mossie area should be removed from the Local Plan because of the various constraints on the site arising from uncertainty about the extent of the flood plain and its failure to match the criteria from SPP 3, as well as other environmental issues which came to light as a result of the Muir Homes Planning Application. While the Reporters conceded that certain parts of the Mossie might be suitable for small developments at a future time, they also stressed that this could only be determined after further detailed investigation had been carried out.

In the CNPA response to the Report the above recommendations were accepted in full and placed before the CNPA Board for approval which was duly given. However it is my understanding that to date no new investigations have been carried out and that while SEPA has received the consultative papers it has not yet had time to respond and so it is surely premature to re-zone part of the Mossie for development less than two years after the adoption of the current Local Plan which rejected development in this entire area.

Around the time when the Muir Homes planning application was first submitted, I learned from a respected local builder, that the reason why neither he or any other local builder had shown interest in embarking on a small housing development on the land beyond the second bungalow on the left of the lane, running from Mossie road towards the moss, was that when the number of houses exceeded the current four, the access road would have to be upgraded to the standard at which the council would adopt and maintain it and that the cost involved in this exercise could not be justified for the construction of a small number of houses. This being the case it must be assumed that the anonymous developer who is currently showing interest in this area intends to develop a substantial number of houses perhaps thirty or more.

It is a matter of great concern that between half and two thirds of the proposed area of "future opportunity" for development is covered by birch trees which help to control the water level in that part of the moss and in the event of a developer wishing to build thirty or more houses, these trees will all require to be felled. The result of such action will destroy the balance of the rest of the moss which has developed over decades if not centuries and will also render the cleared area completely unsuitable for development due to the resultant rise in the level of the water table and the unsuitability of the site for any form of SUDS drainage.

The proposed access to this site would presumably be via Mossie Road which is a two lane carriageway of only 16ft width and the present lane which services four bungalow between Mossie Road and the Mossie. The top section of this lane nearest Mossie Road is currently about 12 feet wide and would require to be widened to approximately 18 feet plus kerbs, a footpath and verges which would total

about 24 to 25 feet in width. Such an increase would certainly require the removal of part of at least one existing garden. More significantly it would necessitate the construction of a substantial bell mouth at the junction with Mossie Road and would result in the traffic from the new development turning out from an 18 feet wide road into the 16 feet wide Mossie Road. The probable volume of traffic emerging from a 30 house development could be up to 50 vehicles at peak times which would be well in excess of what Mossie Road could safely accommodate and would produce a traffic build up at the junction with Castle Road East, or at the War Memorial, as well as raising the level of danger to children and parents using the Children's Playground.

At present there are numerous occasions when a significant number of vehicles are parked in Mossie Road and Church Avenue, during church services, funerals, and weddings, as well as functions in the Inverallan Hall. On these occasions large stretches of the road are effectively reduced to a single lane and when events are held in The Square, Mossie Road is used as a town centre by-pass. Taking all of this into consideration it should be abundantly clear that Mossie Road is not an option when considering access for a substantial housing development and any suggestion of gaining access via the grass lane running along the side of Inverallan Church must clearly be rejected on safety grounds, due to its proximity to the Church Avenue Junction.

The problems associated with using Mossie Road as a vehicular access route for a substantial development at the south end of the Mossie were clearly recognised by Muir Homes who did not even propose this as a secondary access route in their Planning Application a few years ago.

Summary

Object to allocation of the Mossie for housing development for flooding, environmental, traffic and access reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Sheena Kelman

Objector Ref 145 Map/a

Representation

Today I have been made aware that a housing development is likely to occupy part of the Mossie. This house was bought by us in 2003 and one of the reasons we chose the bungalow was because the back gate opens onto the Mossie, and because of our dogs this was important. We did ask the estate agent and were told there would be no building projects on this land as it was a bog. This is my personal reason but it is already well documented why this is not a suitable area to build houses.

Summary

Object to allocation of housing at the Mossie for environmental reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Aileen Hendry

Objector Ref 146 Map/a

Representation

I am absolutely appalled to read in the Strathspey Herald that the Board were again considering a housing development on the Mossie. Do you not consider you have behaved in an inconsistent and underhand manner in not having the decency in not informing those who will be affected by what you have in mind? My late husband and I were among the first to have a house built in Mossie Road. We were first attracted by the open views, flora and fauna found there. It was also a haven for all kinds of birds. When housing was first mooted, my daughter and granddaughter were up on holiday from England. They could not believe that the area in which they had played safely were about to be spoilt by housing. They immediately went out onto the Mossie and wrote down a list of the flowers, insects, birds, bushes and trees found there. The list was duly posted off to the Board. We later attended the meeting held in the Ben Mohr hotel and our views and others were presented.

I really thought the Cairngorms Board was set up to protect the environment and also protect the few areas of beauty which are now left in the whole area. I am very disappointed in what is happening in our area.

Summary

Object to allocation of housing at the Mossie for environmental reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Alex Walker

Objector Ref 147 Map/a

Representation

I wish to register my total opposition to any attempt to reopen the debate on possible development of the land in Grantown on Spey known as The Mossie. Considering the total rejection of the Muir homes plans at every level, I am totally perplexed that a fresh attempt should be proposed by the CNPA planners to reopen the issue.

In addition to SEPA's standing objection to any such development on a functional floodplain, the national ruling against the use of a SUDs drainage scheme in an area with a permanent high water table would presumably preclude any housing development using such a system in the area under review.

I am equally surprised and disappointed by the CNPA's full hearted support of a Country Park at Aviemore and its apparent unawareness of the need to promote such a 'green heart' for Grantown on Spey. This is especially so since the Mossie has undoubted conservation value, confirmed by its own experts and unlike the Aviemore area. This stance by the CNPA would appear to be at variance with the primary objective of National Parks, namely the conservation of the natural habitats within the Park boundaries. It would appear that nowadays the identification and development of areas for housing over-rides such ideals and objectives. The proposed developments at An Camas Mor, Carrbridge and Boat of Garten would apparently support this interpretation. Perhaps you can explain your lack of support for the principle of rented Council housing. As a resident of Grantown on Spey for 40 years I have no doubt that the provision of such housing would supply the needs of the local inhabitants at the

primary population centres in the Valley. Such housing is the only solution for the bulk of local people who are mainly unable to raise the deposit or obtain a mortgage because of their ties to the minimum working wage.

Finally I am extremely disappointed in the complete inadequate provisions made by the CNPA to inform the Grantown people of the revised proposals.

Summary

Object to allocation of housing at the Mossie for environmental reasons.

CNPA Response

The site at the Mossie has been removed from the Plan.

Name Jimmy Mitchell

Objector Ref I48 Map/a

Representation

The Mossie - a future opportunity?

I write regarding the informal consultation in connection with the above matter. The land outlines (map provided) for this 'future opportunity' lies immediately to the west of Mossie Road. Land of this are could accommodate about thirty homes.

As was discussed at length by many objectors during the recent Muir Homes application, the Mossie is home to a profusion of rare wildlife, including European Protected Species. The Mossie is an ecologically important site.

The Mossie is a functional flood plain and it follows that flooding is a frequent event. No evidence has been produced, no is there any reason to believe such evidence currently exists, that this particular site lies out with the Mossie floodplain. On this basis, it follows that this 'future opportunity' would be contrary to many of the general principles of Scottish Planning Policy 7, parts of which are outlined, below:

- developers and planning authorities must give consideration to the possibility of flooding from all sources.
- new development should be free from significant flood risk from any source.
- new development should not materially increase the probability of flooding elsewhere.
- new development should not affect the ability of the functional floodplain to attenuate the effects of flooding by storing flood water.
- functional flood plains store and convey flood water during times of flood. These functions are

important in the wider flood management system. New development on the functional flood plain will not only be a risk itself, but will add to the risk elsewhere. Cumulative effects will arise from proposals which individually may seem of little consequence. For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year.

- built development should not therefore take place on functional flood plains. Piecemeal reduction of the flood plain must be avoided because of the cumulative affect on storage capacity.

Access to the site does not appear to have been discussed, and in the absence of such important detail, one must presume that it is intended to access the site via the small existing cul-de-sac from Mossie Road. The small cul-de-sac, which serves four houses, has not been adopted by the council. The property boundaries which border this cul-de-sac are such that they would not allow for the expansion of this narrow lane in order for it to be so adopted and adequately service about thirty dwellings. Mossie Road is a narrow two-lane residential road. It is narrower than modern-built standards and measures only 16 feet wide. It can be testing for drivers of small cars driving in straight lines passing in opposite directions. The road is not sufficiently wide enough to construct a proper safe junction with pavements.

It is understood that there is a large area of land in Grantown on Spey between Beachan Court and Seafield Avenue which has been officially zoned for housing for some time. There is ample land in this area to build sufficient housing for Grantown's immediate needs without disturbing or threatening sensitive areas such as the Mossie. As yet, there is no sign of any building in the zoned area.

If other such land was required, there is ample land (also owned by Seafield Estate) situated to the east of Grantown's Ian Charles Hospital, as outlined below. The only current use for this field is to provide parking for Grantown's Agricultural Show and Highland Games. There is ample parking elsewhere. This area could provide a genuine future opportunity for Grantown's housing for decades to come.

Additionally, any future housing development in this field would go some way to lessen the visual impact of some of the poorly maintained dwellings with which tourists are greeted when arriving in Grantown from the north.

For some time, many Grantown residents have been calling for the Mossie to be made a Local Nature Reserve. This would be an added attraction for tourists, would safeguard an ecologically important site and be within a stone's throw and the CNPA principle office. Such a reserve would require the consent of Seafield Estate and an undertaking by a local group to oversee and maintain the site. The formation of such a reserve would require encouragement and discussion from the CNPA but would be seen as a major achievement for the leadership skills of the Planning Department.

Summary

Object to allocation of housing at the Mossie due to lack of need and flooding, access and environmental reasons. Suggests land to the east of the Ian Charles Hospital should be used instead.

CNPA Response

The site at the Mossie has been removed from the Plan.

Insh

Name Scottish Natural Heritage

Objector Ref 040 Map/s

Proximity to the River Spey SAC, Insh Marshes SAC and River Spey-Insh Marshes SPA will require the settlement boundary to be assessed as part of the HRA of the plan (also adjacent in part to Insh Marshes NNR).

Summary

The settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Inches Marsh SAC and River Spey-Insh Marshes SPA.

CNPA Response

CNPA have worked closely with SNH on the HRA.

Name The Highland Council

Objector Ref 043 map/i

Representation

If the intention of the extensive boundary proposed for Glenmore is to open up development opportunities it is to be regretted that exactly the opposite approach appears to be adopted at Insh, effectively allowing only infill and not building on the direction of settlement expansion promoted by THC in the B&S LP 1997. At least a modest rounding-off of the cul-de-sac road leading south from the B970 to serve a limited number of plots would seem capable of being accommodated without adversely affecting the general principle of keeping the grazing land between the old village and the forest open and undeveloped.

Summary

Suggest Insh is capable of accommodating additional growth.

CNPA Response

There is no need for an allocation in Insh but CNPA would consider windfall developments.

Name Scottish Government

Objector Ref 051 Map/r

Representation

Transport Scotland: Insh. The scale of development proposed is unlikely to impact on the strategic transport network. Further dialogue would be appropriate.

Summary

Scale of development unlikely to impact on the strategic transport network. Further dialogue would be appropriate.

CNPA Response

Comments noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063 Map/r

Representation

Water body(s) affected/current status & pressures - The settlement boundary is close to Insh Marshes, which may drain into River Spey or Spey Dam to Loch Insh. It is a heavily modified water body at moderate ecological potential because of morphology pressures.

Related site specific advice - There are some embankments and floodwalls in the section of river near Insh, but unlikely to be scope to improve status linked to these settlements.

Flood risk advice - There are several small watercourses within the settlement boundary and it is adjacent to the 1:200 year fluvial floodplain of the river Spey. We have historical records of flooding in the area. Although no development is proposed within the boundary (and incorporates all existing buildings) it should be noted that any future application proposals within the 1:200 year fluvial floodplain must be avoided.

Summary

Settlement boundary is close to Insh Marshes, which may drain into River Spey or Spey Dam to Loch Insh- a heavily modified water body at moderate ecological potential because of morphology pressures. Some embankments and floodwalls are in the section of river near Insh, but unlikely to be scope to improve status linked to these settlements. There are several small watercourses within the settlement boundary and it is adjacent to the 1:200 year fluvial floodplain of the River Spey. There are historical records of flooding in the area. Although no development is proposed within the boundary any future application proposals within the 1:200 year fluvial floodplain must be avoided.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/k

Representation

BSCG objects that Insh has been introduced at this informal stage when there was no settlement map provided at the MIR stage when the public consultation was more thorough, structured and inclusive.

Summary

Objects to inclusion of Insh at this informal stage which will have less public consultation.

CNPA Response

CNPA have found the informal consultation very useful. The boundary has been reviewed

Name Kingussie & Vicinity Community Council

Objector Ref 105 Maps/b

Representation

I was asked to look at this settlement boundary for Insh by the KVCC. Please find a drawing attached which indicates what we think should be the revised boundary. (map enclosed)

You will see that all eleven properties extend to the FCS plantation boundary and therefore it would be logical to include each of these properties within the settlement boundary.

Summary

Suggest boundary should be extended to the FCS plantation boundary and include all eleven properties.

CNPA Response

The boundary has been amended.

Inverdrue and Coylumbridge

Name Scottish Natural Heritage

Objector Ref 040 Map/t

Representation

Proximity to the River Spey SAC (which includes the River Drueie), Cairngorms SAC and Cairngorms SPA will require the settlement boundaries to be assessed as part of the HRA of the plan.

Core paths through woodland will need to consider capercaillie (Natura) where they are new paths still to be constructed/formalised.

At Coylumbridge, we suggest that there is potential, from the natural heritage point of view (i.e. avoiding nature conservation designated areas), to add an allocation for tourism. See map below.

(Map supplied)

Summary

Settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Cairngorms SAC and Cairngorms SPA. Core paths through woodland will need to consider impact on capercaillie. Suggest potential for a tourism allocation at Coylumbridge.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan. Tourism allocation covers the existing caravan site.

Name The Highland Council

Objector Ref 043 Map/j

Representation

Along the B970, the settlement boundary excludes 2 houses, one with an existing permission in its garden, on both sides of the B970 to the north of the boundary shown. The boundary should be extended to recognise that. At Inverdrue the existing permission on the south side of the ski road – which is the justification for the boundary's crossing of the B970 – has been omitted.

Summary

Request boundary is extended to recognise extant permissions.

CNPA Response

The map has been amended to reflect these permissions.

Name Scottish Government

Objector Ref 051 Map/s

Representation

Transport Scotland: Inverdrue and Coylumbridge. The scale of development proposed is unlikely to impact on the strategic transport network. Further dialogue would be appropriate

Historic Scotland: Inverdrue and Coylumbridge - Existing core paths?

Existing core path within Doune of Rothiemurchus GDL.

Summary

Scale of development unlikely to impact on the strategic transport network. Further dialogue would be appropriate.

Historic Scotland question existing core paths, and highlight core path within Doune of Rothiemurchus GDL.

CNPA Response

Comments noted. A meeting was held with Transport Scotland. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name SEPA

Objector Ref 063 Map/s

Representation

Water body(s) affected/current status & pressures - The settlement boundary is close to River Durie / Coylumbridge which is currently at good ecological status.

Related site specific advice - This site is now a pumping station & emergency overflow, foul waste is pumped to Aviemore sewage treatment works.

Flood risk advice - The settlement boundary has the 1:200 year fluvial floodplain of the river Spey and River Durie within it. We have historical records of flooding in the area. Although no development is proposed within the development boundary (and incorporates all existing buildings) it should be noted that any future application proposals within the 1:200 year fluvial floodplain must be avoided.

Summary

Settlement boundary is close to River Druie / Coylumbridge which is currently at good ecological status.

Site is now a pumping station & emergency overflow, foul waste is pumped to Aviemore sewage treatment works.

Settlement boundary includes 1:200 year fluvial floodplain of River Spey and River Durie. There are historical records of flooding in the area. Although no development is proposed within the development boundary any future application proposals within the 1:200 year fluvial floodplain must be avoided.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/l

Representation

BSCG objects that Inverdrue and Coylumbridge have been introduced at this informal stage when there was no settlement map provided at the MIR stage when the public consultation was more thorough, structured and inclusive. BSCG objects to the incomplete nature of the allocations that are made e.g. the caravan site is not coloured, as other caravan sites are. We object that the area of high quality Caledonian pinewood around the Macdonald Hotel complex between the river and the public road is not allocated as Safeguarded.

Summary

Objects to inclusion of Inverdrue and Coylumbridge at this informal stage which will have less public consultation. Objects to the incomplete nature of the allocations e.g. the caravan site is not coloured, but other caravan sites are.

Request Caledonian pinewood around Macdonald Hotel is safeguarded.

CNPA Response

CNPA have found the informal consultation very useful. The boundary has been reviewed. The caravan site has been identified.

Name Aviemore and Vicinity Community Council

Objector Ref 129 Map/c

Representation

AVCC is content with the settlement boundaries shown on the Settlement Map for Inverdrue and Coylumbridge. AVCC would like to see the area opposite the Inverdrue Visitor Centre, presently used as a kick park safeguarded for community use. The area is presently leased to the community and although we have no concerns about that changing it is felt that, for continuity of purpose within the Local Plan, it should still be included.

Summary

Would like to area opposite the Inverdrue Visitor Centre to be safeguarded for community use.

CNPA Response

The maps have been reviewed and the land is safeguarded as open space.

Killiecrankie

Name Scottish Natural Heritage

Objector Ref 040 Map/u

Representation

Proximity to the River Tay SAC (which includes the Allt Girnaig running through the settlement) will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

The proposed settlement boundary at the SE corner includes a small part of the Pass of Killiecrankie SSSI. We recommend the boundary is slightly amended here to fully exclude the SSSI.

We note the map indicates no core path network for the area.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Tay SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Suggest settlement boundary should be amended to fully exclude SSSI.

CNPA Response

CNPA have worked closely with SNH on the HRA. Settlement boundary has been amended.

Name Scottish Government

Objector Ref 051 Map/t

Representation

Transport Scotland: Killiecrankie. The scale of development proposed is unlikely to impact on the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate

Historic Scotland: Killiecrankie - Housing and business - HS offered the following advice in response to the consultation on the MIR. Both sites lie close to the Government forces right flank was anchored, as well being as on the general line of their approach and retreat. Although, the proposals are unlikely to have a significant impact on the battlefield landscape both sites are in sensitive locations. Consideration should be therefore given to the impact on the battlefield and the need for appropriate mitigation highlighted.

Summary

Scale of development unlikely to impact on the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

CNPA Response

Comments noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063Map/t

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes site 052 and ED1.

Summary

See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Perth & Kinross Council

Objector Ref 110 Map/c

Representation

No comments regarding the settlement boundary.

With regards to the designation for housing within the settlement it should be noted that there are infrastructure constraints on the site in particular access (see our Housing Land Audit 2011).

The business designation on the old rail service yards should be removed as it is no longer relevant given that the site has been developed for housing.

Summary

There are infrastructure constraints on this site, notably access, as detailed in Perth and Kinross Housing Land Audit 2011. The business designation on the old rail service yards is no longer relevant as the site has been developed for housing.

CNPA Response

CNPA have picked up comments raised in Housing Audit and reference to the constraint included in the text, but CNPA remain committed to the allocation. The business designation has been removed.

Kincraig

Name Scottish Natural Heritage

Objector Ref 040 Map/v

Representation

Proximity to the River Spey SAC, Insh Marshes SAC and River Spey-Insh Marshes SPA will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the River Spey will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations and the settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Insh Marshes SAC and River Spey- Insh Marshes SPA. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to River Spey will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name The Highland Council

Objector Ref 043 Map/k

Representation

The changes to the settlement boundary in Braeriach Road to follow garden boundaries is logical. The extensions towards the A9 at the primary school and adjoining business land presumably also follow ownership boundaries?

Land allocation issues: The safeguarded recreation/open space between The Brae and the Village Hall is welcome but the area shown extends over approved, and in most cases developed, plots at The Brae.

Summary

Questions justification for settlement boundary. Suggest safeguarded recreation land should not include the plots at the Brae.

CNPA Response

CNPA remain committed to the sites allocated in the plan, and the current settlement boundary.

Name Scottish Government

Objector Ref 051 Map/u

Representation

Transport Scotland: Kincaig. The scale of development proposed is unlikely to impact on the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate

Summary

Scale of development unlikely to impact on the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

CNPA Response

Comments noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063 Map/u

Representation

Flood risk advice -See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes 051 and ED1. We did not provide comments on 038a b or c previously. It should be highlighted that there is a small watercourse which would need to be considered at a planning application stage and flood risk areas avoided, also it would need to be shown that flood risk is not increased downstream.

Summary

See settlement comments made in response to MIR. There is a small watercourse which would need to be considered at a planning application stage and flood risk areas avoided and flood risk must not be increased downstream.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Dunachton Estate

Objector Ref 071 Map/a

Agent Nikola Miller

Representation

With reference to the current informal consultation on the Settlement Plans as part of the Cairngorms National Park Local Development Plan preparation, I submit this representation on behalf of Dunachton Estate. Smiths Gore submitted representations to the LDP Main Issues Report consultation in December 2011 on behalf of Dunachton Estate. I have attached this representation for reference, and we wish to reiterate and reinforce the points made within this representation in regard to the Main Issues Report as a whole, but in particular with regard to the settlement of Kincaig.

We note that the draft settlement plan for Kincaig does not take into account the sites proposed within Smiths Gore's submissions in June 2010 at the Call for Sites consultation stage, and again at the MIR consultation stage in December 2011 to the west of the main road (B9152) at Kincaig, in line with the submitted Kincaig (West) Development Framework. We maintain our position and continue to promote the sites for residential development to allow for the future consolidation of the western edge of the village. These proposals are a long-term vision for the village.

We maintain our view that the next logical expansion of the village is westwards, rather than to continue linear development along the B9152, thus creating a more cohesive settlement. The proposed sites are both viable and deliverable, unlike the current housing site H1 which remains stalled. The Scottish Government is promoting the allocation of sites which can provide homes in the short as well as the long-term, and this site to the west of the B9152 can provide this development for Kincaig. Our representation in December therefore recommended that a small site be brought forward and allocated as a housing site within the Local Development Plan as a short-term deliverable site (site A1 or A2), whilst recognising the strategic long-term importance of the remainder of the site.

In addition, we question the proposed allocation within the draft settlement map of the area safeguarded as recreation/open space within the centre of the village, at The Brae. We do not support this allocation and contend that this is not a suitable area for open space, and that the area should remain unallocated 'white land'. Furthermore, we would like to see reasoning for this draft allocation, and where this has come from, as it has not been suggested or promoted in any way by the land owner, Dunachton Estate. We would like to be in a supportive position of proposals for Kincaig, and would not like to be in the position to formally object to proposals, therefore we would like this allocation of open space to be thought through again in this location.

We are aware that Dunachton Estate has been part of the core path network preparation process and is supportive of the path network within its land.

Summary

Note plan for Kincaig does not include sites proposed at the Call for Sites consultation stage in June 2010, and again at the MIR consultation stage in December 2011 to the west of the main road (B9152) at Kincaig, in line with the submitted Kincaig (West) Development Framework. We maintain our position and continue to promote the sites for residential development to allow for the future consolidation of the western edge of the village. These proposals are a long-term vision for the village.

We maintain our view that the next logical expansion of the village is westwards, rather than to continue linear development along the B9152, thus creating a more cohesive settlement. The proposed sites are both viable and deliverable, unlike the current housing site H1 which remains stalled. The Scottish Government is promoting the allocation of sites which can provide homes in the short as well as the long-term, and this site to the west of the B9152 can provide this development for Kincaig. Our representation in December therefore recommended that a small site be brought forward and allocated as a housing site within the Local Development Plan as a short-term deliverable site (site A1 or A2), whilst recognising the strategic long-term importance of the remainder of the site.

In addition, we question the proposed allocation within the draft settlement map of the area safeguarded as recreation/open space within the centre of the village, at The Brae. We do not support this allocation and contend that this is not a suitable area for open space, and that the area should remain unallocated 'white land'. Furthermore, we would like to see reasoning for this draft allocation, and where this has come from, as it has not been suggested or promoted in any way by the land owner, Dunachton Estate. We would like to be in a supportive position of proposals for Kincaig, and would

not like to be in the position to formally object to proposals, therefore we would like this allocation of open space to be thought through again in this location.

We are aware that Dunachton Estate has been part of the core path network preparation process and is supportive of the path network within its land.

CNPA Response

CNPA remain committed to the current allocations at Kincaig.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/m

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted.

We object that the (generally) wooded area that includes significant broadleaf woodland between the railway line and the Spey is not Safeguarded. This area is vulnerable to development at several edges and is of high biodiversity importance, including for invertebrates. We object to the Business allocation where it extends westwards beyond the Smiddy fence as this would have negative impacts on natural heritage and landscape and encroach into an area of natural woodland including aspen and supporting such UK red listed birds as Song Thrush. We object that this area and the rest of the woodland of which it is a part north to the school access road is not allocated as Safeguarded.

We object to the Housing allocation which is excessive in scale and would have negative impacts. It would lead to loss of productive agricultural land with implications for rural livelihoods and farmland wildlife; it would impact on the landscape setting of the village, including the view from the train, and natural heritage interest. Mammals potentially using this site include brown hare, foraging bats and wildcat.

The wooded and unimproved grassland area in the north east corner is of notable natural heritage interest including the nationally scarce Field Gentian and grassland fungi. We object that it is not zoned as Safeguarded in order to facilitate its appropriate protection and management. Were the housing allocation to be built, this sensitive area would be extremely vulnerable to such impacts as excessive trampling and nutrient inputs from dog mess which would threaten the natural heritage value of this area.

Summary

Welcome the safeguarded areas. Request woodland between the railway line and the Spey is safeguarded for biodiversity.

We object to the Business allocation extending westwards beyond Smiddy fence due to impact on natural heritage, landscape, loss of woodland and impact on birds. Request this area and the woodland to the school access road is safeguarded.

Object to the Housing allocation due to excessive scale and negative impacts: loss of agricultural land; impact on setting of the village, including the view from train, impact on natural heritage; and impacts on flora and fauna. Request land is safeguarded instead to enable appropriate management.

CNPA Response

CNPA remain committed to existing allocations.

Name David and Isabel Duncan

Objector Ref I40 Map/c

Representation

No more scarce arable land should be sacrificed for housing.

Summary

Object to any arable land being allocated for housing.

CNPA Response

CNPA remain committed to existing allocations.

Kingussie

Name Scottish Natural Heritage

Objector Ref 040 Map/w

Representation

The tourism zonation at the north end of the village overlaps with the Gynack Burn, which is part of the River Spey SAC. Assuming this is a cartographic error, the tourism zonation should be held to the west of the watercourse, and the 'safeguarded-open space-environment' area shown alongside the rest of the Gynack Burn should then be extended further north. Otherwise if the tourism zonation is maintained as including this section of the Gynack Burn, this should be assessed as part of the HRA of the LDP.

Proximity to/overlap with the River Spey SAC (which includes the Gynack Burn running through the settlement) (as well as Insh Marshes SAC and River Spey-Insh Marshes SPA) will require the proposed allocation (i.e. the tourism-related allocation to the north of the village) and the settlement boundary to be assessed as part of the HRA of the plan.

Core paths adjacent to the Gynack Burn will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Question tourism allocation at Gynack Burn suggesting the open space safeguarding should be extended. Allocations and settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Insh Marshes SAC and River Spey-Insh Marshes SPA. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to Gynack Bank will need to consider impact on otters.

CNPA Response

The tourism allocation has been amended. CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/v

Representation

Transport Scotland: Kingussie. It is noted that existing allocations are to be used for housing and employment. Any conditions that pre-exist shall be carried forward

Summary

Note existing allocations are to be used for housing and employment. Any conditions that pre-exist shall be carried forward.

CNPA Response

Comments noted.

Name Davall Developments

Objector Ref 053 Map/a

Agent Alan Ogilvie

Representation

We now write on behalf of Davall Developments Ltd in respect of their landholdings on the north east side of Kingussie. We are pleased to note that this area approved for development by the CNPA in 2010 and allocated in the adopted Local Plan is included within the settlement boundary. As such, our clients support its continued allocation through the Proposed Plan stage.

We also wish to express our clients' grave concerns about the inordinate length of time it has taken so far for the Court of Session to issue a judgement on the challenge to the adoption of the current Local Plan. The continued delay has had serious financial implications for our clients and set back the preparation of detailed proposals for the delivery of much needed housing on this land in Kingussie.

Summary

Support for allocation to north east side of Kingussie. Concerned about delays caused by Court of Session judgement.

CNPA Response

Support noted. CNPA endorse the need for speedily resolution of the issues at the Court of Session.

Name SEPA

Objector Ref 063 Map/v

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes EDI and H. The settlement boundary includes areas at risk of flooding and

where we have historical records of flooding. It should be highlighted that any proposed development e.g. at the school or treatment works needs to consider previous comments and constraints.

Summary

Settlement boundary includes areas at risk of flooding and where there are historical records of flooding. Any proposed development e.g. at the school or treatment works needs to consider previous comments and constraints. See settlement comments made in response to MIR.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/n

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted.

Summary

Welcome the Safeguarded areas

CNPA Response

Noted.

Name Kingussie & Vicinity Community Council

Objector Ref 105 Map/a

Representation

DRAFT SETTLEMENT MAP BOUNDARIES

1. We agree with the line of current settlement boundary as shown and do not wish it to be extended in the future.
2. We agree that all the current areas marked in green are important recreation/open spaces.
3. The settlement map, however, does not show the whole of the area designated as Kingussie territory; this includes further areas that are or should be shown as safeguarded: e.g. The RSBP Insh Marshes Reserve including the NNR and SSSI.
4. We wish the following area to be included on the LDP and designated as a safeguarded recreation/open space, to ensure it is protected : The Dell Kingussie. The area to the south of Kingussie on the Ruthven Road and adjacent to the R. Spey known as 'The Dell' is owned by the Kingussie Camanachd Club and includes the shinty pitch; it should be designated as a safeguarded recreation/open space. Whilst it is outside the designated settlement boundary it is well known and highly valued historic community facility.

5. The area around and including the Glebe Ponds should also be designated as a safeguarded recreation/open space.

6. The land to the north of houses along West Terrace and currently shown as outside the settlement boundary should also be shown as a safeguarded open area since it includes some ancient woodland and must be protected from any attempts at development. It was subject to a planning application for a number of dwellings by a local development company in the fairly recent past, and was rejected.

KVCC is anxious that this area should be secure and not open to further applications.

7. We have a query about the land and buildings known as Kerrow Farm and a building and land just to the north of it. They are both shown within the settlement boundary and lie adjacent to the grey area for which there is planning permission in principle for a large housing development. Will any further development affecting these properties be permitted? Or any attempts to seek permission for development of the land just outside the settlement boundary up to the A9? The community would wish to resist any such attempts.

Core of the Town

The core of the town needs to be extended to include key buildings which date from the inception of the planned town of Kingussie in the 19th century – as follows:

1. The core should include the whole length of Spey Street down to the line of the railway to include all the buildings and land on either side of this street.
2. The High Street to the east to include the houses on the north side up to the junction with Dunbarry Road and on the south side to include the Church of Scotland building on its ancient historic mound and the graveyard, and the Drill Hall nearby (formerly a school)
3. The whole length of Duke Street from its junction with the High Street and down to Spey Street and, importantly, all the buildings and the whole site of the former Folk Museum (Am Fasgadh).
4. The Station Road from its junction with the Newtonmore Road and down to the railway line to include the Gynack Gardens, the buildings and site of the Primary School and the Silverfjord Hotel beside the level crossing.
5. The listed buildings of the railway station, including the listed signal box on the south side of the railway line and the house that was the former stationmaster's house.

Car Parks – tourism/community use

1. The car park behind and including the Duke of Gordon Hotel buildings should be designated for tourism
2. The following car parks should all be designated for tourism and community use at:
 - Ardvonie Park (adjacent to the Health Centre) lying off the Gynack Road
 - by the Free Church in Station Road
 - the railway station car park

- the car park on Spey street opposite the Iona Gallery and part of the former Folk Museum (Am Fasgadh)

Business/Economic

1. The building and site of McCormack's Garage on the SW side of the Newtonmore Road should be shown as a commercial business premises
2. The commercial buildings and works and Highland Council depot along Market Land running west along the south side of the railway, including the animal pens at the Market Stance, together with the commercial buildings beyond the railway station buildings on the north side of the line should all be shown as business premises

Recycling facilities

The recycling facilities at the Market Stance off the Ruthven Road, together with those at the small adjacent council depot should be marked to show the site of the recycling facilities

Other

Delete the sign on the map indicating Cycle hire at a High Street shop. Such a facility has not been available for several years now.

Core Paths

Several existing paths require addition to those paths already indicated:

1. Mark the core path from bottom of the Gynack Road across Ardvonie Road (where there is an information board) to go across the grass and up the steps up across the green area onto Taits Brae at its junction with West Terrace. The path should then be marked along the length of West Terrace to the point beside the house called Tingberghiea, where it joins the core path leading up over Creag Bheag and onto the new core path alongside Loch Gynack.
2. Add a path on the road from the West Terrace/Taits Brae junction north to the point where it meets Middle Terrace and then continue in a northerly direction along a green unmade track behind the house known as Edingrene. The marking of this path and access is important since there is currently a detailed planning application for permission for one of four houses on the land behind the houses on the north side of Middle Terrace and the developer intends to use (and no doubt alter considerably) this green track to provide the permanent main access road to the four properties when they are built. (The plans have been called in the CNPA).
3. Indicate a new existing core path descending from the Township on UBS34 (west of Loch Gynack) down the hill past the Burnt Mound and the Cairn to join up with LBS77 at the end of West Terrace close to the house called Tingberghiea. Apparently some further work is required at the bottom to make a better, clearer join of the paths. This new path provides another useful route for walkers, particularly those coming down from the west and leads down into the town.
4. Mark the existing paths on either side of the Golf Course – from above the hospital at the top of Gynack Road and above Strathlynn on Ardbroilach Road from the new bridge crossing the R. Gynack to complete the paths on both sides of the river at this point providing a circular path system and joining up with paths LBS78, LBS75 and LBS73.

5. Mark the path near to Tom Baraidh going east along the open grassland from LBS73 passing on the north side above Kerrow, skirting woodland and onto cross the Allt Cealgach and leading onto the marked track to Upper Raitts and thence down to the Souterrain and then into Lynchat.

6. Mark in an existing path from near to Torcroy (just past the small car RSPB park on the track to Invertromie Steadings). The well used path starts on the S side of the B970 road at a gate and travels across open ground in a SE direction, through some natural woodland and eventually emerges near to the R. Tromie on the west side and continues south to a bridge over the river close by the kennels at Glentromie Lodge. Walkers can then cross the bridge and join core path CC8. If they so wish they can complete a circular walk back to Tromie Bridge and along the LBS83 towards Kingussie, or else go south along the long distance route CC8 over to Blair Atholl.

7. Mark on a footpath route from the Glebe Ponds along the B970 towards Lynchat as far as the Monument of the Witches Hill (there is a footpath on the roadside so it is safe for pedestrians).

Other points

a) there is a need to define the route of LBS83 along the road from the point where it leaves the RSPB reserve at Torcroy and then connects with LBS81 on the Ruthven Road.

B) what is LBS135? Letters are shown on the map where the A9 crosses the Ruthven Road at the R. Spey but no path is shown.

C) we assume that the marking of LBS1 along the River Spey indicates a right of navigation along the river bed and access to the banks of the river by fishermen? There is no safe footpath for walkers and ramblers though along either side of the river, which is prone to flooding, along the banks are probably dangerous for walkers; much of the hinterland is marshy.

New connecting core paths needed – two important new paths have been identified by the Paths Group of Kingussie Community Development Co. who do all the work on paths in our area:

a) the first lies within Kinncraig territory. A new off road path is needed parallel to the B970 from Lynchat to the Kingussie boundary at the cemetery. This will then provide a good circular off-road route for walkers going from Kingussie along the path from Tom Baraidh to Upper Raitts and the Souterrain at Lynchat and wishing to return to Kingussie.

B) a new footpath on the south side of the A9 linking up part of the old General Wade Road, which was cut when the A9 was made. Long distance walkers and horse riders wishing to travel along the route of the old General Wade Road from Etteridge to Ruthven Barracks are unable to do so safely without having to cross the A9 close to Milton of Nuide and avoid fast moving traffic at some point. There is a need to create a new route on the south side of the A9 from the old Wade Road at Milton of Nuide to where the old road is apparent again close to Knappach and runs to Ruthven Barracks. The new route could follow for some part at least the exiting pylon route which is due to be replaced in the near future.

Summary

Support current settlement boundary and areas identified as recreation/open spaces. Suggest map where the old road is apparent again close to Knappach and runs to Ruthven Barracks. The new route should show the whole of Kingussie to include the RSBP Insh Marshes Reserve which should be could follow for some part at least the exiting pylon route which is due to be replaced in the near future protected. Wish to see 'The Dell' and land north of houses along West Terrace safeguarded as

recreation/open space although they are outside the settlement boundary. Wish to see the area around and including the Glebe Ponds designated as a recreation/open space. Question whether the inclusion of the Kerrow Farm area within the settlement boundary, adjacent to the site with planning permission, will allow more development and if development of the land between the settlement boundary and the A9 would be resisted as the community would wish. Request core of the town is extended to include the whole length of Spey Street, the east of the High Street up to the junction with Dunbarry Road and on the south side to include the Church of Scotland building and the Drill Hall, Duke Street from its junction with the High Street down to Spey Street and the whole site of the former Folk Museum (Am Fasgadh), Station Road from Newtonmore Road down to the railway line, the railway station, signal box and the former stationmaster's house. Request car park behind the Duke of Gordon Hotel is designated for tourism, and car parks at Ardvonie Park, the Free Church in Station Road, the railway station, and the former Folk Museum on Spey Street should all be allocated for community and tourism use. Suggest McCormack's Garage should be shown as a commercial business premises, and the commercial buildings, works and Highland Council depot, including the animal pens at the Market Stance, and the commercial buildings beyond the railway station buildings on the north side of the line should all be shown as business premises. Request the recycling facilities at the Market Stance and those adjacent to the council depot should be marked on the map. Notes the map needs amending as there no longer cycle hire on the High Street. Request additional Core Paths from bottom of the Gynack Road to Taits Brae junction with West Terrace, along the length of West Terrace to the core path leading up over Creag Bheag and onto the new core path alongside Loch Gynack. Another from West Terrace/Taits Brae junction to Middle Terrace and then continue on to Edingrene (a house). There are concerns that recent planning application will impact green track in order to provide access to the new development. Request showing of new existing core path from the Township on UBS34 to join up with LBS77. Suggest marking existing paths on either side of the Golf Course to providing a circular path system joining up with paths LBS78, LBS75 and LBS73. Suggest marking path from Tom Baraidh to Lynchat. Request marking existing path from to Torcroy the kennels at Glentromie Lodge, and request a route from the Glebe Ponds to the Monument of the Witches Hill. Suggest need to define the route of LBS83 along the road from the point where it leaves the RSPB reserve at Torcroy and then connects with LBS81 on the Ruthven Road. Question what is LBS135 and the letters where the A9 crosses the Ruthven Road at the River Spey. Question whether LBS1 refers to a right of navigation along the river. Suggest new connecting core paths needed, one to parallel to the B970 from Lynchat to the Kingussie boundary at the cemetery, and the other on the south side of the A9 linking up part of the old General Wade Road.

CNPA Response

Only land within the settlement boundary can be subject to a safeguarding policy. Map has been amended to include additional areas of open space. The core of the village has been reviewed. The land for economic growth has also been reviewed. Additional land has been identified for community use. Recycling facilities have been added to the map. CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name David and Isabel Duncan

Objector Ref 140 Map/b

Representation

The land to the east of Ardbroilich Road and the caravan site and west of the area of proposed housing, has a vaccinium heath understory and should be safeguarded.

The mixed woodlands north and west of St Vincent's Hospital and to the north of West Terrace should be identified and safeguarded.

The western part of the land between the Newtonmore Road and West Terrace which has been zoned as recreation/open space is of little benefit to the public and could accommodate 2/3 housing units.

The eastern part of this land is over mature woodland and should be better managed and safeguarded.

'Core Paths' such as those shown on Creag Bheag are deteriorating rapidly due to increased trampling pressure. These routes should not be promoted until the path infrastructure is vastly improved and maintained.

Summary

Request safeguarding of land to the east of Ardbroilich Road. Suggest part of the recreation land at Newtonmore Road and West Terrace could be more usefully used for a small housing development.

CNPA Response

The open space allocations in Kingussie have been reviewed and additional areas included.

Laggan

Name Laggan Community Association

Objector Ref 114 Map/a

Representation

Laggan community would like to draw attention to the footpaths already used yet not on the map, I've attached a file of them for your information.

We would also not wish to highlight those that do not exist namely UBS 16 and UBS 31. Although these routes were identified as possibilities for 'safe routes to school' they have never materialised and therefore no route exists.

There was no wish to identify a site for development of housing, we would like to keep to the same condition of the last plan that being that housing follows the dispersed format we have at present around the whole parish.

Summary

Attention is drawn to various footpaths in Laggan that are not identified on the map and question inclusion of UBS 16 and UBS 31 which do not exist on the ground, although they were identified as possibilities for 'safe routes to school'. Do not support a housing site in the parish for development of housing, instead preferring to continue with approach of housing following a dispersed format.

CNPA Response

The CNPA will continue with this approach to managing development in Laggan. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Nethy Bridge

Name Seafield Estate

Objector Ref 037 Map/b

Representation

I would draw your attention to the comments I submitted on behalf of the Reidhaven Estate in response to the Main Issues Report at the end of last year on Nethybridge. I would urge you to redesignate the former Nursery and Duack sites previously zoned for development by Highland Council.

Summary

Request redesignation of former Nursery and Duack sites previously zoned for development by Highland Council.

CNPA Response

CNPA remain committed to the sites in the Plan and there is no need housing in additional

Name Scottish Natural Heritage

Objector Ref 040 Map/x

Representation

Proximity to the River Spey SAC (which includes the River Nethy running through the settlement), Cairngorms SAC, Abernethy Forest SPA and Craigmore Wood SPA will require proposed allocations and the settlement boundary to be assessed as part of the HRA of the plan. In respect of the River Spey SAC, this should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths through woodland and adjacent to the River Nethy will need to consider capercaillie (Natura) in the former and otter (Natura) in the latter where they are new paths still to be constructed/formalised.

We recommend that the riparian corridor by the River Nethy should be shown as 'safeguarding - environment'. At present some areas on the east side of the river near Causar are not so indicated (in contrast to the Local Plan).

Summary

Allocations and settlement boundary should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Cairngorms SAC, Abernethy Forest SPA and Craigmore Wood SPA. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to the River Nethy will need to consider impact on capercaillie and otters. Request River Nethy corridor is safeguarded.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan. Open space safeguarding in Nethy Bridge has been reviewed.

Name The Highland Council

Objector Ref 043 Map/l

Representation

This settlement is very tightly constrained by its boundary and it is believed that the allocated sites continue to face deliverability problems, not least because of natural heritage issues. Although there is a permission for housing (not shown) at the former railway station yard, this is scarcely sufficient to offer scope for growth in the event that the allocated sites cannot or do not proceed. Consideration should be given to extending the settlement boundary along the ridge in the direction of Rothiemmoon Farm. Subject to access improvement this direction appears to be the least constrained by flooding or natural heritage issues and would fit well with the “branching linear” grain of the settlement.

Summary

Concerned about deliverability of allocation. Request boundary extended along ridge towards Rothiemmoon Farm.

CNPA Response

CNPA remain committed to the sites allocated in the plan, and the current settlement boundary.

Name Scottish Government

Objector Ref 051 Map/w

Representation

Transport Scotland: Nethy Bridge. The scale of development proposed is unlikely to impact on the strategic transport network. Further dialogue would be appropriate

Historic Scotland: Nethy Bridge - Existing core path?

Existing core path passes next to Aultmore GDL and Castle Roy (AM 952).

Summary

Scale of development proposed is unlikely to impact on the strategic transport network. Further dialogue would be appropriate. Historic Scotland question if core path is an existing path, and highlight core path passing next to Aultmore GDL and Castle Roy (AM 952).

CNPA Response

Comments noted. A meeting was held with Transport Scotland. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Tulloch Homes Group Ltd

Objector Ref 057 Map/c

Agent Theresa Hunt

Representation

As the CNPA will be aware, a planning application consultation has recently been carried out in respect of our clients' site on School Road in Nethy Bridge. A planning application is to be submitted imminently for this site. Having carried out that consultation, the clients have superimposed the proposed layouts which were consulted upon onto the settlement map. Attached is a copy of the resulting plan. It would appear that the School Road site is further south than currently envisaged by our clients. By allocating the land further south, a number of significant squirrel drays (indicated orange on the plan attached) will be affected. Whilst it is likely that our clients' proposals could still be accommodated within the zoned area, we thought it was better to bring this discrepancy to your attention. To avoid confusion the plan should be amended so as not to affect unnecessarily the existing dreys in the area

Summary

A planning application is soon to be submitted. The site as currently indicated is further south than current proposal and would impact a number of squirrel drays. Suggest plan should be amended accordingly.

CNPA Response

The plan has been amended.

Name The Cairngorms Campaign & Scottish Wild Land Group

Objector Ref 061 Map/f

Representation

We object to both housing allocations in School Wood as being excessive in scale and would have unacceptable impacts. They would inevitably be damaging to this strategically located Ancient Woodland, both through direct loss and the indirect impacts of people and their pets.

The Craigmores Road allocation is an intrusive allocation extending into an area that remains as yet undeveloped and is significant to the landscape setting of the village, supports significant biodiversity and is valued for recreation and quiet enjoyment of the countryside.

The housing allocations would inevitably displace recreation deeper into the wood as well as displacing users to Craigmores Wood Special Protection Area for capercaillie.

The Campaign objects to the reduction in Safeguarded areas compared to the Environment areas in the adopted Local Plan.

The Cairngorms Campaign supports the reduction in size of the School Road housing allocation and the apparent removal of the Business Unit along Craigmores Road. The entirety of both School Wood and Balnagowan Wood should be designated as Safeguarded which is appropriate to the natural and cultural heritage of the village, the outdoor educational setting of the school and the landscape setting of the 'Forest Village', and we object if this is not done.

Summary

Object to housing allocations in School Wood as excessive in scale. It would have unacceptable impacts and damage Ancient Woodland. Object to Craigmores Road due to landscape and biodiversity,

recreational and quiet enjoyment impacts. Concerns about displacement of recreation and subsequent impact on capercaillie.

CNPA Response

CNPA remain committed to the housing allocations.

Name Roy Turnbull

Objector Ref 062 Map/b

Representation

I have lived at Torniscar, on the ENE edge of School Wood, continuously since 1972. I am also the owner of the ancient woodland, Culstank Moss, being the area outlined by the red line shown on the attached map (Culstank Moss, Nethy Bridge OS 70 acres.pdf), (with the exception of about three acres around Badanfhuaran). You will note that Culstank Moss lies immediately to the south of the proposed Craigmor Road housing plots development and is immediately adjacent to them. I am currently involved in a legal process that will ensure that Culstank Moss remains in conservation ownership: that is, in effect, it is now under conservation management and should remain so for all time coming, as a de facto local nature reserve.

School Wood, Nethy Bridge

I remain firmly opposed to the proposal for any development within School Wood, Nethy Bridge, which I consider to be an outstanding example of bad planning, pandering to the financial needs of a large developer rather than the real needs of the community of Nethy Bridge and riding roughshod over the 1st Aim of the National Park and the Policies 1 to 6 in the adopted local plan, intended to protect the natural heritage. It is the largest ever proposed development for this village and comes forward without any appraisal of local need on the part of the developer, perhaps because it is quite obvious that any such appraisal would demonstrate that there is no local need for a development of this scale. Further, the local community has consistently stated that it wishes for small numbers of houses (preferably built by local builders) as and when required for local need: that is the very opposite of what this proposal provides.

Areas in School Wood

The areas in School Wood that are under discussion are

1 - Business Unit, Craigmor Road,

2 - Housing, Craigmor Road and

3 - Housing, School Road.

I object to the inclusion of any or all of them within the Local Plan.

1 - Business Unit

It is noted that the business unit, formerly allocated in School Wood by Craigmor Road, is no longer shown in the settlement maps, and its removal (if indeed this is the case) is welcomed. The business unit represented a particularly grotesque aspect of the planning blunders that gave rise to the School Wood allocations, and whilst all non-essential developments within an ancient woodland in a national park are

to be deplored, the business unit was the worst such proposal in School Wood. However, the area previously allocated for the Business Unit appears to have been incorporated into the Craigmores Road housing area, and I object to this extension of the housing area.

The Business Unit (or the extension of the housing area to incorporate the business unit) in particular:

- 1) would extend the zone of development and disturbance further from the village centre and deeper into undeveloped woodland,
- 2) would impinge within 50m of the Caochan Fuaran burn, thus threatening the viability of the burn as a transit and hunting zone for European Protected Species, Otter.
- 3) would be about 1-200m from an area of boulders in Culstank Moss providing actual or potential natal holts for European Protected Species, Otter
- 4) would provide a grossly inappropriate entrance, in landscape terms, to the Forest Village of Nethy Bridge, particularly in the form of multiple container-like units envisaged by the developer in its recent displays.

I urge the CNPA to resist any suggestion that the business unit be re-allocated and make clear that such allocation is permanently removed (in the interests of clarity and to remove community uncertainty).

2) Housing, Craigmores Road

The continuing proposed allocation of housing along Craigmores Road, (particularly as extended towards the Caochan Fuaran) is similarly deplorable, particularly now that Culstank Moss has been secured as a de facto local nature reserve. Culstank Moss on the south side of Craigmores Road is presently entirely without footpaths and is hardly ever disturbed by humans or their domestic pets. In the nearly two years that I have owned Culstank Moss, only on two occasions have I recorded any person walking in Culstank Moss. In contrast, School Wood with its network of footpaths is presently frequently visited, but those footpaths would be largely destroyed by the proposed development, leading people to seek elsewhere for recreation, likely including Culstank Moss. Notwithstanding the undoubted value of woodland for human recreation, it is undeniably the case (as has been publicly acknowledged by the CNPA with respect to Boat of Garten wood) that recreation, particularly if accompanied by dogs, can create serious disturbance for sensitive species. School Wood presently serves the purpose of providing for human recreation (though still retaining substantial areas rarely visited) and the presence of the footpaths therein helps protect Culstank Moss from disturbance. That protection of Culstank Moss is imperilled by destroying the footpaths and developing much of the area presently used or passed through for recreation within School Wood.

Thus, housing in the Craigmores Road location, in addition to degrading School Wood itself will expose Culstank Moss to noise and light pollution and disturbance by dogs and cats and people, not only from the occupants of the new houses themselves, but also those displaced from their previous walking routes.

The proposed Craigmores Road allocation thrusts a peninsular of development into the otherwise pristine (in development terms) environments of both Culstank Moss and School Wood and towards the SPA of Craigmores Wood and provides an entirely unjustified and anomalous extension of the settlement boundary.

Munitions

I am informed that at the end of WWII considerable quantities of munitions were buried close to the then sawmill area near to the proposed Craigmore Road site (now marked by sawdust). I am not aware that there has been any attempt to locate these munitions or conduct a site specific risk assessment for them.

3) Housing, School Road.

Whilst the proposed housing at School Road is not as damaging in landscape and natural heritage terms as that at Craigmore Road, and does not extend so damagingly as a peninsular into undeveloped land and towards the SPA of Craigmore Wood, it nonetheless would destroy an area of ancient woodland and extend the zone of disturbance further into the wood. Indeed the area to the hinterland of this proposed site is currently the largest area of relatively undisturbed land in School Wood and is likely to become much more disturbed and polluted if this allocation goes ahead.

I welcome the reduction in size of the proposed housing area at this location (though see note on Safeguarding below).

The following discussions are relevant to the School Wood allocations in total:

Ancient Woodland Status

School Wood is recognised by Scottish Natural Heritage as ancient woodland of semi-natural origin. Thus, the proposed development would destroy an area of ancient woodland with considerable biodiversity and increasing amenity values and impact adversely on much of the remaining woodland.

The Woodland Trust recognises that developments close to ancient woodlands cause damage well outside the footprint of the development itself. The WT states, “Research commissioned by the Woodland Trust has highlighted the potential impacts on the ecology of nearby ancient woodland in the UK caused by adjacent developments.” ... [There are] “five main impacts: chemical effects; disturbance; fragmentation; invasion by non-native plants; and cumulative effects.”

Chemical Effects “Chemicals, such as herbicides, pesticides, ... nutrient-rich leachates, and sulphur and nitrogen oxides, may reach ancient woodland from nearby development through a range of mechanisms. These include: aerosol or spray drift; the application of road-salt; contaminated surface and ground water flows; deposition of dust, particulate and gaseous pollution; localised acid-rain events; deliberate dumping of rubbish or garden waste into woodland” Chemical effects on nearby ancient woodland include: population-level responses to lethal and sub-lethal doses of toxic chemicals, or nutrient enrichment, that can significantly alter the composition of the ground flora and lichens, mosses and liverworts growing on trees or rocks; reduced tree health by inhibiting root development and retarding growth, increased drought and frost susceptibility, defoliation, or leaf discoloration, poor crown condition, and the promotion of insect damage; poisoning of animals, leading to mortality, reduced feeding rates, or species avoidance; and loss of soil micro-organisms, including tree mycorrhizae, thereby affecting decomposition and nutrient cycling.”

Disturbance “Development in the vicinity of ancient woods may cause direct disturbance effects as a result of: modified local hydrological regimes; vibration; noise and light pollution; vehicular collisions with wildlife; external activity visible from within the wood; an increase in wind-blown litter accumulation; and tree surgery or felling along the woodland edge for safety reasons or subsidence prevention. Development near to ancient woodland increases the likelihood of unmanaged public access, leading to: trampling of vegetation and soil compaction; removal of dead wood or plants; acts of vandalism, and the dumping of rubbish or garden waste. Further indirect effects include predation of

woodland fauna by pets or large-bodied birds that may be attracted to the area. [Note. In the case of School Wood such factors are likely to include not only human disturbance, but predation/attack of otters by dogs, predation of red squirrels and small birds by domestic cats, interbreeding of wildcat (which have been recorded within 800m of the site) with domestic cats, and predation of eggs and chicks of ground nesting birds, including woodcock and, potentially, capercaillie, by cats and dogs]. Disturbance may result in more frequent biologically-costly flushing events and increased mortality of animal species. Noise and light pollution interfere with interactions between species, affecting foraging and predation, reducing breeding success and thereby affecting ongoing population viability. Disturbance may, therefore, lead to species being eliminated from woods.” [I note that the proposals produced at the March 1st meeting provided NO measures to minimise these matters, (other than the reduction in the direct footprint of the School Road site), nor, indeed, any indication that they had even been recognised.] Fragmentation “New development may be associated with the destruction or alteration of semi-natural habitats in the vicinity of ancient woods and the creation of large areas of terrain inhospitable for woodland species. Therefore, development may increase the distances between favourable habitats that woodland species must cross to disperse, forage, or breed. In addition, developments that create chemical or disturbance effects that penetrate nearby ancient woodland may effectively reduce woods to smaller functional habitat islands. As a result, new development may significantly fragment ancient woodland habitats, creating substantial barriers to species movement, interrupting natural flows between habitat patches, sub-dividing populations, and altering the population dynamics of associated species and communities.”

Non-Native Plant Species “The likelihood of ancient woodland being invaded by non-native plant species is increased by a range of factors associated with construction, including soil excavation and movement, altered environmental conditions and modified hydrological processes. Nutrient enrichment from developments, such as ... residential gardens, also increases the risk of non-native plant species invading woodland on an ongoing basis.”(see: <http://www.woodlandtrust.org.uk/en/campaigning/our-campaigns/neighbour-hell/Pages/neighbours-hell-summary.aspx#.T3m1otl0nuM>) Note, however, that this paper refers to development close to woodlands: clearly for developments within woodlands, such as that proposed for School Wood, these considerations apply with even greater force.

The CNPA The Strategic Environmental Report at page 137 ... notes under the heading “Reasoning for score” that “(i) the development of the H2 housing site will lead to the loss of Scots Pine plantation woodland and disturbance to the species that use it ...” and concludes that “The consented development proposals for the School Wood site in Nethy Bridge will ... have significant negative environmental effects in terms of loss of woodland habitat, fragmentation of habitat, and changes to the setting and character of Nethy Bridge.”

NPPG 14, para 51 states, “Planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands have the greatest value for nature conservation.”

SPP Feb. 2010 (which superseded NPPG 14) p.29 para 146 states, “Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. The Scottish Forestry Strategy identifies the protection of woodlands of high biodiversity value as an important consideration in the development management process. Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement.”

The proposed development is contrary to Policy 3 Other Important Natural and Earth heritage Sites and Interests of the CNPA Local Plan, which refers to “Development that would adversely effect an ancient woodland site ...”.

Landscape considerations of School Wood allocations

Policy 6 of the CNPA Local Plan states, “There will be a presumption against any development that does not compliment and enhance the landscape character of the CNP , and in particular, the setting of the proposed development”. The CNPA Report dated 7th January 2011 into the previous application at this location made it clear that “There are no exceptional circumstances, such as the development being of a social or economic benefit of national importance, to suggest that consideration should be given to allowing this development, when it fails to complement or enhance the landscape character of the area.”

In spite of this, an allocation of housing in the woodland along Craigmore Road, on the most rural approach to Nethy Bridge of the three roads entering the village, continues to be proposed. That approach, with time, as the woodlands on either side mature, could become a celebrated feature of the approach to Nethy, much as the similar approach to Grantown across the Spey Bridge from the south. The southern side of that approach to Nethy, in Culstank Moss, is now safeguarded: the School Wood side is imperilled by this proposed allocation. Added to the above considerations of the Craigmore Road approach to Nethy Bridge is the Reporters’ finding that this extension of the possible development sites would be [para.66.10] “violating a further piece of School Wood and providing nothing at all by way of an easily recognisable robust and defensible boundary” to Nethy Bridge.

Species relevant to School Wood allocations

Fundamental concerns relating to European legislation remain with respect to Annex I species, capercaillie, and European Protected Species, otter and wildcat. There is also untested uncertainty with respect to national legislation concerning licensing for squirrel drey destruction to enable development in an ancient woodland in a national park. The following briefly summarises some issues with respect to these vertebrate species:

Habitats and Birds Directive Annex I Species, Capercaillie

Capercaillie continue to be recorded occasionally in School Wood, the last I am aware of being a cock caper on 4th march 2012, seen by myself. Previous records were provided, for example, by residents of Dirdhu Court (see attached pdfs).

School Wood lies between Abernethy Forest and Craigmore Special Protection Areas. Capercaillie is one of three qualifying species for Abernethy Forest and the sole qualifying species for Craigmore. The sites proposed for housing development lie less than one kilometre away from these two SPAs.

The Reporters' Report following the Local Plan Inquiry in 2009 noted, para 66.8 “the importance of capercaillie in School Wood is still the subject of legitimate debate.”

The letter (14/12/2004) from the Commission of the European Communities to the Secretary of State for Foreign and Commonwealth Affairs noted, p.7,

"With regard to relevant habitat adjacent to SPAs in Strathspey, there is concern that the United Kingdom of Great Britain and Northern Ireland is failing to ensure that sufficient account is being taken of the capercaillie with regard to planning proposals in the new Cairngorms National Park. It appears that a large number of development proposals are in the pipeline and are being zoned for woodland areas important for capercaillie. The issue of the adequacy of guidance to planning authorities and their need to take into account the interests of the capercaillie in their planning decisions was already highlighted in the additional letter of formal notice of 17 December 2002.

The Commission is concerned that despite having raised these concerns, there is still no clear guidance being given the local planning authority on this matter. Furthermore, there appears to have been no overall assessment of the likely cumulative impact of these various individual proposals as is required under Article 6(3) of the Habitats Directive."

Since that time, outline consent for 1500 houses has been granted at An Camas Mor. If it is required to draw these later developments to the attention of the European Commission, then the School Wood proposal, were it to be forthcoming, would add a cumulative impact to that ACM consent.

European Protected Species, Otter

Otters regularly use the Caochan Fuaran burn that flows through School Wood. Photographic evidence of otter and their spraints at various points along the Caochan Fuaran, collected at various times, are available to the planning authority. Otters are vulnerable to attack from dogs. Indeed, an otter cub was recently attacked by a dog (in the presence of its owner) on the Allt Mor, upstream from Craigmor, a few hundred metres away from the Caochan Fuaran. It is not known if the cub survived the attack long-term, but it had to be separated from the dog by its owner and therefore probably suffered injury and may have succumbed to its wounds. The situation concerning the vulnerability of otters to attack by dogs along the Caochan Fuaran is unusual. The Caochan Fuaran is mostly fed from springs at the far eastern end of Culstank Moss, and thus flows constantly, although it is less than one metre wide and generally less than 20cm deep. Otters probably follow the Caochan Fuaran looking for frogs and eels (the springs in Culstank Moss are associated with pools with frogs, and frogs also occur elsewhere in both woods). The use of the Caochan Fuaran may also be associated with natal holts either in School Wood or Culstank Moss. There are large boulders in Culstank Moss a little way upstream (c.100m) from the Craigmor Road that may afford this possibility, though natal holts are notoriously difficult to find since the female otter ensures they are well concealed.

The unusual feature here is the extreme small size of the Caochan Fuaran that affords no refuge for an otter under attack from dogs: otters are therefore likely to be far more vulnerable than by the Spey or one of its larger tributaries where they can escape into a much larger body of deeper water if attacked.

Dogs associated with the proposed developments, particularly those along Craigmor Road, would likely regard stretches of the Caochan Fuaran as their home territory and pose an unacceptable threat to the otters using it. They will also effectively sterilise any potential natal holt in the area, including areas in Culstank Moss: a dog's nose will readily find that which may be overlooked by human eyes. This would also mean that otters would likely be denied access upstream of Craigmor Road, since, in addition to human forms of disturbance, otters would be reluctant to pass an area where attack by dogs would be likely. This would mean that the whole of Culstank Moss, including the springs at its far end and potential natal holts within it, would become unavailable.

Planning Permission was granted on 11th March 2011 by Highland Council for a "two person eco-cabin" close to the Lazy Duck Hostel, Badanhuarain and on the edge of Culstank Moss woodland, about 300m upstream on the Caochan Fuaran from the proposed business site. The eco-cabin has no vehicular access and no electric lighting and occupancy is restricted to two persons (plus possible baby or toddler) at a time. The planning condition included with the permission stated "the terms of the building include a requirement that curtains or blinds on the north side windows shall be drawn closed between the hours of sunset and sunrise, and that no dogs shall accompany occupiers of the building". The reason for these conditions to be imposed upon this tiny development was concern for light pollution causing disturbance within Culstank Moss and the potential for predation/disturbance by dogs.

Two conclusions may be drawn from these eco-cabin conditions: firstly, that they were necessary to protect the natural heritage of the surrounding area, and secondly, that they were possible. If such conditions were required to be imposed upon the eco-cabin then it is logical for similar conditions to apply to the very much larger proposed developments along Craigmore Road, that are adjacent to the same Culstank Moss (not to mention School Wood), and moreover include 24 hour vehicular access and, of course, lighting and domestic pets – indeed all the noise and disturbance normally associated with domestic sites. That such restrictions are not possible on these latter developments hardly needs stating. It follows that consistency in imposition of planning conditions requires that no allocation should be made for development along Craigmore Road.

The Caochan Fuaran, of course, flows into the Spey, a Special Area of Conservation (under the EU Birds and Habitats Directive) for which the otter is one of four qualifying features (the others being salmon, lamprey and freshwater pearl mussel). Thus any harm to or restriction of foraging or breeding habitat of otters on the Caochan Fuaran would be harming not only a European Protected Species but would also have an adverse effect on a Special Area of Conservation. This proposed development is thus contrary to Policy 4 Protected Species and Policy I Natura 2000 Sites of the adopted CNPA Local Plan.

European Protected Species, Wildcat

Wildcat are known to frequent Craigmore Wood SPA. In the 1970s I used to find the skeletons of wildcats in snares in Craigmore Wood (and gave about half a dozen skulls to the biology department in Grantown Grammar School). I have frequently noted possible wildcat tracks in snow around Rynafeorack (NJ017214) and I last saw a probable wildcat at Crofmaquien (NJ022210) early in the morning of 17th October 2010. These are both good quality woodland edge areas, habitat favoured by wildcats since they are near to deep cover whilst providing hunting grounds for mice, voles and rabbits on uncultivated land with scattered pine, birch and extensive juniper, presently little disturbed by humans. They are also less than one kilometre from the proposed Craigmore Road housing allocation site and well within the range of domestic cats from any houses built there. As has become increasingly apparent in recent years, hybridisation between wildcats and domestic cats is the predominant cause of the decline towards extinction of this species (particularly since, certainly in this location, persecution is no longer a concern). This is a situation that the CNPA has done well to champion and publicise. It would be frankly bizarre, (as well as being wholly unacceptable) for the CNPA to champion the cause of saving the wildcat from extinction whilst simultaneously and needlessly allocating housing developments in its Local Plan that would indubitably increase the main risk, that of hybridisation with domestic cats, of its extinction.

Otter and Wildcat summary: There are no imperative reasons of overriding interest which would suggest that an allocation should be made within a local plan where the potential impacts on European Protected Species, otter and wildcat, can reasonably be expected to be adverse. The ultimate arbiter of the application of such policies is the Directorate-General, Environment, of the European Commission, to which reference may need to be made.

Schedule 5 Species, Red Squirrel

The Wildlife and Countryside Act, 1981 was amended by the recent introduction of the Wildlife and Natural Environment (Scotland) Act 2011 to the effect that there is no longer a complete prohibition upon the granting of a licence for the destruction of red squirrel dreys for the purpose of development. This amendment to the 1981 requires that, “The appropriate authority shall not grant a licence under subsection (3)(i) unless it is satisfied— (a)that undertaking the conduct authorised by the licence will give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit; and(b)that there is no other satisfactory solution.” [WINE(Scotland) Act 2011 Sect. 18 (2) (b)]

In this context, it should be pointed out that:

i) I am not aware of any attempt to demonstrate that the proposed development in School Wood will contribute towards the achievement of a significant social benefit, since no assessment of the possible social benefits and disbenefits of this proposal has, to my knowledge, been conducted.

li) the only likely economic benefits fall to the developer, whereas local builders and craftsmen who might reasonably be expected to derive benefit from smaller developments that this proposed development precludes, are disadvantaged. Thus, the local economic benefit has not been demonstrated to be positive and is likely to be negative. Further, the aims of the National Park require that any economic benefit (and any use of the natural resources) within the park should be sustainable: development that destroys natural capital in the form of ancient woodland cannot be regarded as sustainable under any definition.

lii) there is no environmental benefit associated with this development. Thus, the “achievement of a significant social, economic or environmental benefit” as a result of this proposed development has not been demonstrated.

liv) since no demonstrated demand has been shown by the developer to indicate that the proposed development must be accommodated within School Wood, it follows that any purported problem to which this is supposedly a solution is not constrained to this locality. Thus, any development elsewhere that does not impinge upon red squirrel territory (or have other fatal constraints) must be recognised as a “satisfactory solution” to any such purported problem. It is therefore the case that the relevant requirement within WINE (Scotland) 2011 is not met.

Notwithstanding the changes to the Wildlife and Countryside Act, 1981, Policy 4 ‘Protected Species’ of the CNPA Local Plan requires that a “development should avoid any adverse impact on species listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act, 1981.” Red squirrel remains a Schedule 5 species and destruction of its habitat and potential introduction of a predatory species such as domestic cat and disease transmission via possible feeding stations into its habitat is indubitably an adverse impact. This proposal is therefore contrary to Policy 4 of the CNPA Local Plan with respect to red squirrel.

Photographic Evidence

I attach for information photographs of the following:

1) a boulder on the Caochan Fuaran in School Wood at NJ01472101: otter, red squirrel, water shrew, domestic cat, domestic dog. Water shrew is scarce and this is a notable record.

2) at another boulder on the Caochan Fuaran in School Wood, otter spraint on boulder at 01552077

3) at other boulder near the Caochan Fuaran in Culstank Moss, otter spraint on boulder at 01632059

Note that the otter spraint records are both close to the proposed housing allocations at Craigmore Road and are consistent with otter travelling along the Caochan Fuaran between Culstank Moss and School Wood.

Safeguarding Remaining areas of woodland

Notwithstanding the final decision with respect to any allocations within School Wood it is necessary to clarify the CNPA position concerning the remaining unallocated areas of School Wood, and indeed Balnagowan Wood also. The CNPA, in response to the 2009 Reporter’s Report, and with respect to

the School Wood allocations, stated, “CNPA consider the removal of these sites would create confusion for the reader, and the local community. CNPA has previously committed to improving the clarity for the reader.” The present situation, with all of School and Balnagowan Woods owned by developers, remains uncertain for the local community and is a continuing source of confusion and anxiety for that community. A firm commitment by the CNPA to Safeguarding all remaining areas of these woodlands is an urgent necessity and should follow from the stated concern against confusion and for clarity that the CNPA purports to uphold.

Other Nethy Bridge issues

Other areas (besides Balnagowan Wood and School Wood) that should be Safeguarded around Nethy Bridge include:

1) the field at Duackbridge between the two roads (to Boat and Abernethy Forest).

The CNPA refused permission for development in this field in 2009 and an Appeal was rejected by the Reporter (24th December 2009) stating that the area consisted of : “semi-improved acid grassland and contributes to the matrix of habitats in the area. It is host to field gentians and possibly other valuable species. ... The significant grassland habitat would be disturbed by the development. Taken together with the landscape impact, this would run counter to the aim of conserving or enhancing the natural heritage of the National Park.”

This field is out with the settlement boundary in the adopted Local Plan, but is within it in the present Draft settlement Map for Nethy Bridge.

2) the field opposite the Old Kirk, presently used for grazing horses.

Again the CNPA refused permission for development in this area and was supported on Appeal by the Reporter during 2004/5.

3) the area of scattered mature pines between Balnagowan Wood and the Causer to village road, behind the houses Clachbeo and Clachban.

Summary

Is currently involved in a legal process to ensure Culstank Moss remains managed for conservation Schedule 5 species and destruction of its habitat and potential introduction of a predatory species such purposes. Question need for development in Nethy Bridge and request only smaller scale as domestic cat and disease transmission via possible feeding stations into its habitat is indubitably development to meet local needs. Object to allocations of land in School wood for housing and business purposes due to impact on woodland, impact on recreation, impact on protected species, noise and light pollution. Requests safeguarding of the field at Duackbridge, the field opposite the Old Kirk, and the area of scattered mature pines between Balnagowan Wood and the Causer to village road.

CNPA Response

CNPA remain committed to the housing allocations. The open space allocation in Nethy Bridge have been reviewed.

Name SEPA

Objector Ref 063 Map/w

Representation

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes O23 and H with regard to small watercourses. Although no other development is proposed within the settlement boundary (and incorporates all existing buildings) it should be noted that any future application proposals within the 1:200 year fluvial floodplain must be avoided. It is noted that open space is allocated in some areas already within the indicative 1:200 flood map which we welcome.

Summary

See settlement comments made in response to MIR. Any future application proposals within the floodplain must be avoided. Support allocated open space in areas already within the flood map.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/o

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted.

We object that all the Environment areas in the adopted Local Plan are not included as Safeguarded areas in the informal consultation map.

We object that the fields currently used by horses at the west of the village on either side of the B970 are not Safeguarded. These fields provide long established grassland of significant natural heritage value, supporting such nationally scarce plants as Field Gentian and an assemblage of grassland fungi, and are particularly important in the landscape setting of the village. Adjacent ground supports luxuriant Juniper, a UK priority species, and has significant and vulnerable natural heritage value. The CNPA has already rejected this area for development and on appeal the Reporter supported the CNPA's position. The CNPA should provide clarity for everyone, including landowners and developers, that this area is deemed unsuitable for development.

We object that the whole of the former tree Nursery and fields up to Dell Farm and Dell of Abernethy on both sides of the road are not allocated as Safeguarded. This area is of high natural heritage value, of cultural significance, high landscape value and very well used for recreation. BSCG has recorded Notable, Nationally Scarce and Red Listed species in this area that are all vulnerable to land use change. The combination of habitats in this area adds to the natural heritage, landscape and recreational value.

We object to both Housing allocations in School Wood. These are excessive in scale and would have unacceptable impacts. The housing allocations would intensify recreational pressure on the remaining woodland. This would adversely impact on the quality of the wood for capercaillie that are known to have used it in recent years. In this context, BSCG has advised the CNPA that School Wood is strategically placed between the SPAs of Abernethy and Craigmore and connectivity between these Natura sites for capercaillie may be critical for the long term survival of the Strathspey metapopulation. Capercaillie chicks marked in Craigmore Wood SPA have been recorded in Abernethy SPA. The

housing allocations would predictably displace recreation deeper into the wood as well as displacing users to Craigmore Wood Special Protection Area where capercaillie is the internationally qualifying interest. Such displacement would increase disturbance to capercaillie in these areas. School Wood supports red squirrels including dreys. Licensing to remove dreys is out with the control of the CNPA and it can in no way be foretold whether such a licence would be forthcoming. By allocating housing in areas with dreys the CNPA is risking promoting housing where it cannot be provided due to such constraints. The wood is known to support otters that have been recorded on the Caochain Fhuarain over many years and the wood could support natal holts as BSCG has already informed the CNPA. It can reasonably be assumed that these otters are associated with the nearby River Spey & Tributaries SAC for which otter is a qualifying interest. Bats, which are European Protected Species are known to use School Wood including the housing allocation sites. Wildcat which is a European Protected Species is known to have formerly used nearby woodland and may currently use School Wood. It is a species that can range widely and is readily overlooked. Housing in School Wood would increase risks of wildcat hybridisation with domestic cats.

The Craigmore Road housing allocation would extend development into a part of the village that remains undeveloped and is significant to the landscape setting of the village, supports significant biodiversity and is valued for recreation and quiet enjoyment of the countryside. It is an area particularly rich in the UK priority species Juniper. Invertebrates recorded in this area include the Juniper Bug and the rare Highland macropterous form of the Common Groundhopper *Tetrix undulata*. The birdsfoot trefoil mining bee *Osmia uncinata* and the Gallows spider *Diplocephalus torva* which are both UK priority species and Scottish Biodiversity List species have been recorded from this area. The area also supports characteristic pinewood plants including the nationally scarce Serrated Wintergreen and provides potential habitat for *Buxbaumia viridis*. We welcome that the proposal for business units in this area appears to have been dropped and that the allocation footprint has been made to be somewhat further away from the burn the Caochain Fhuarain. However we object that the north west boundary of the allocation has been extended westward deeper into the wood.

BSCG supports the reduction in size of the School Road housing allocation. We object if the area formerly allocated for housing is not allocated as Safeguarded which is appropriate to the natural and cultural heritage of the village, the outdoor educational setting of the school and the landscape setting of the 'Forest Village'.

BSCG objects that the whole of School Wood is not designated as Safeguarded. This would provide clarity for everyone, including developers and landowners, that this woodland on the Ancient Woodland Inventory is not available for development.

BSCG objects that the field opposite the old kirk and Castle Roy currently used for horses is not allocated as Safeguarded. This field has already been rejected for development by the CNPA and this decision was upheld by the Reporter on appeal. This field is an important buffer for the cultural and landscape features associated with Castle Roy and the Old Kirk and graveyard, and the Natura interests associated with Craigmore SPA.

Summary

Welcome the safeguarded areas and request all environment areas in the adopted Local Plan should continue to be safeguarded. Request fields at the west of the village on either side of the B970 are safeguarded, as they are unsuitable for development. Request the former tree Nursery and fields up to Dell Farm and Dell of Abernethy are safeguarded due to their natural heritage, wildlife habitat, cultural significance, landscape value recreation use. Object to Housing allocations at School Wood due to their

unacceptable impact on flora and fauna, excessive scale, and intensification of recreational pressure on the remaining wood.

Concerned Craigmore Road housing allocation would extend development into undeveloped part of the village impacting landscape setting, biodiversity, recreation and quiet enjoyment of the countryside.

Support dropping of proposal for business units and that allocation is now further away from the burn.

Object to extensions of north west boundary deeper into the wood.

Supports reduction in size of the School Road housing allocation and request formerly allocated housing site is now safeguarded for its natural and cultural heritage and contribution to the setting of the school and the 'Forest Village'.

Request the whole of School Wood is not designated as Safeguarded. This would provide clarity for everyone, including developers and landowners, that this woodland on the Ancient Woodland Inventory is not available for development.

Request field opposite the old kirk is safeguarded as it is an important buffer for the cultural and landscape features associated with Castle Roy and the Old Kirk and graveyard, and the Natura interests associated with Craigmore SPA.

CNPA Response

CNPA remain committed to the remaining allocations.

Name Donny Black

Objector Ref 099 Map/a

Agent Mike Munro

Representation

On my client's behalf, we hereby object to the Local Plan and attach a copy of my previous letter dated 5 December 2011, which sets out the justification for the objection, and illustrates why my client's land at Lettoch Road should be included in the Plan, it is suitable and deliverable.

Summary

Request allocation of land at Lettoch Road as it is suitable and deliverable.

CNPA Response

CNPA remain committed to the site allocated in the current adopted plan and that there is no need for additional sites in Nethy Bridge.

Name Valery Dean

Objector Ref 134 Map/a

Representation

I would like to make a short comment on the new CNPA Local Plan under the 'informal consultation' arrangement.

With reference to housing developments in Nethy Bridge, I think the park should see this village as worth conserving as a 'forest village' where man has been intimately related to the Caledonian Forest since early times, originally dependant upon charcoal burning/iron smelting, then upon timber felling and floating, then felling and milling, and upon tourism from the mid-nineteenth century onwards.

Now more than ever we (living in the area of 'Abernethy') depend, as a community within the park, upon visitors appreciation of and interest in the 'ancient forest' that surrounds us and permeates our boundaries, - whether for its ecology or its history. And with more and more visitors from overseas becoming aware of and interested in areas containing Natura 2000 sites I believe that if the CNP favours the School Wood housing development going forward they will be actually betraying their commitment to conservation of both the natural and the cultural heritage within the park and eroding the basis of our economic sustainability.

As to the issue of the need for low-cost housing, my comment would be to ask why the quotas have to depend upon the building of a great majority of open-market houses. Could this not be addressed separately in terms of what is actually needed? Plots of land existing within village boundaries where individual homes could be built are clearly not economic for developers to use but are arguably very suitable for local people to self-build in, employing local firms. As it is, local young people have to live in building schemes dominated by executive (or second) homes, often large empty houses, and this is a very different social matter from living and bringing up your family along your own village road. Throughout the park this becomes quite obvious on a greater scale and unfortunately I believe that the prevailing ratio set for low-cost houses within developments will steadily lead to the loss of both a fragile natural asset (ancient forest) and potentially the main economic asset (a healthy tourist economy) of the area.

This is especially unfortunate in the case of the School Wood development within this historic village community

Summary

Object to housing allocation at School Wood for environmental reasons and lack of need.

CNPA Response

CNPA remain committed to the remaining allocations.

Newtonmore

Name Scottish Natural Heritage

Objector Ref 040 Map/y

Representation

Proximity to the River Spey SAC (as well as Insh Marshes SAC and River Spey-Insh Marshes SPA) will require proposed allocations to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the River Spey and River Calder will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations should be assessed as part of the HRA of the plan due to proximity to River Spey SAC, Insh Marshes SAC and River Spey-Insh Marshes SPA. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to the River Spey and River Calder will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Royal Society for the Protection of Birds

Objector Ref 047 Map/a

Representation

We welcome the fact that the allocation west of the village has been removed from this consultation.

Summary

Welcome removal of allocation west of the village.

CNPA Response

Noted.

Name Scottish Government

Objector Ref 051 Map/x

Representation

Transport Scotland: Newtonmore. The settlement proposals should not affect the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

Summary

The settlement proposals should not affect the strategic transport network. Any conditions that pre-exist shall be carried forward. Further dialogue would be appropriate.

CNPA Response

Comments noted. A meeting was held with Transport Scotland.

Name SEPA

Objector Ref 063 Map/x

Representation

Water body(s) affected/current status & pressures - The west of settlement is relatively close to River Calder, which is currently at good ecological status, however we would still recommend prevention of deterioration. The south housing development is relatively close to River Spey and the Spey Dam to Loch Insh, which is a heavily modified water body at moderate ecological potential because of morphology pressures. There are no morphology pressures close to this settlement.

Related site specific advice - Prevent deterioration of both water bodies. Site compliant with licence and sewage treatment works has available capacity however the sewer network may not have.

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary which includes 043, 044 ED1 and ED2.

Summary

West of settlement close to River Calder, which is currently at good ecological status, however still a need to prevent deterioration. The south housing development close to River Spey and the Spey Dam to Loch Insh, a heavily modified water body at moderate ecological potential because of morphology pressures, although. There are no morphology pressures close to this settlement. There is a need to prevent deterioration of both water bodies. Site compliant with licence and sewage treatment works has available capacity however the sewer network may not have.

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name Badenoch and Strathspey Conservation Group

Objector Ref 080 Map/p

Representation

We welcome the Safeguarded areas and object if they are reduced in size or omitted.

We support the removal of the Housing area (H2 in the adopted Local Plan) from the informal consultation map. This housing allocation would be excessive in scale and incur the loss of agricultural land that is valuable in its own right and contributes significantly to the attractive landscape setting of the village as well as to its natural and cultural heritage.

BSCG objects to the Housing allocation which is excessive in scale and would have negative impacts on productive agricultural land, landscape and the natural and cultural heritage of the area. The excessive scale of the area allocated for Housing is even more so given the sizeable area of Permitted Development.

Summary

Welcome safeguarded areas and the removal of the Housing allocation (H2 in the adopted Local Plan) as it would be too large, result in a loss of agricultural land. Objects to the Housing allocation as excessive in scale, especially given permitted development, and due loss of agricultural land, impact on landscape, natural and cultural heritage.

CNPA Response

CNPA remain committed to allocations.

Name Newtonmore and Vicinity Community Council

Objector Ref I15 Map/b

Representation

Newtonmore and Vicinity Community Council has only two observations to make:

1. we wish the settlement boundary to be extended to include the recent expansion of the Russwood timber products company in the business section (marked A in red at the southern part of the village), and
2. the village core to be amended to include the filling station/Costcutters store in the west of the village

Summary

Request settlement boundary and village core are extended.

CNPA Response

The settlement boundary and the village core have been amended as requested.

Name Newtonmore Community Council

Objector Ref I15 Map/a

Representation

The first is that we could not see why the area to the north of the chef's grill up to the A86 had been taken out of housing allocation, and along with it, the aspiration for a new link road along its western boundary to divert the trunk road out to Ralia instead of through Newtonmore and Kingussie so that a) the industrial estate could be better served avoiding the narrow and dangerous Station Road and second, we could not begin to understand the 'village core' which ended to the east at the post office, despite the fact that the co-op are now where waltzing waters used to be (we have known about this for long enough!) and ended to the west before the filling station. We also could not understand why not all the buildings whose frontage lies on the 'core' area had not been included - the former Craig Mhor Hotel - now Monarch Country Apartments being the obvious one - its grassy area and driveway were included, but the building was not - very odd!

Summary

Question the removal of land from the housing allocation and impact on new link road. Suggest village core should be extended to include all buildings in the core area.

CNPA Response

Site removed as both sites in Newtonmore were not needed to meet housing land supply requirements. Part of the HI site already has permissions so this is the site that was continued. The village core has been amended. Reference to the link road remains in the Plan.

Tomintoul

Name Scottish Natural Heritage

Objector Ref 040 Map/z

Representation

Proximity to the River Spey SAC (which includes Conglass Water to the north-east of the settlement) will require proposed allocations to be assessed as part of the HRA of the plan. This should include those allocations where development may require changes to surface water drainage, may result in exposure of sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water.

Core paths adjacent to the Conglass Water and the River Avon will need to consider otter (Natura) where they are new paths still to be constructed/formalised.

Summary

Allocations should be assessed as part of the HRA of the plan due to proximity to River Spey SAC. This should include developments which may require changes to surface water drainage, may expose sediments during construction, may impact on the riparian zones favoured by otter, as well as disposal of waste water. Core paths adjacent to Conglass Water and River Avon will need to consider impact on otters.

CNPA Response

CNPA have worked closely with SNH on the HRA. The CNPA Access Team have responded separately to all the comments on the Core Path Plan.

Name Scottish Government

Objector Ref 051 Map/y

Representation

Transport Scotland: Tomintoul. This settlement does not affect the strategic transport network.

Summary

This settlement does not affect the strategic transport network.

CNPA Response Noted.

Name SEPA

Objector Ref 063 Map/y

Representation

Water body(s) affected/current status & pressures - There are some allocations on east of settlement which are in catchment of Conglass Water, which is currently at moderate ecological status because of morphology pressures. However there are no pressures which are close to Tomintoul.

Related site specific advice - Prevent deterioration. Site compliant with licence, however currently the sewage treatment work is a septic tank, future upgrades at the works maybe required due to future increase loading.

Flood risk advice - See previous comments (in Appendix 2) for all individual sites within settlement boundary. There is a slight extension for tourism at visitors centre, and there are some very small watercourses where flood risk may need to be taken into account by a developer.

Summary

Some allocations on east are in catchment of Conglass Water, currently at moderate ecological status because of morphology pressures. However there are no pressures which are close to Tomintoul, but need to prevent deterioration. Site compliant with licence, however currently the sewage treatment work is a septic tank, future upgrades at the works maybe required due to future increase loading. See settlement flood risk comments made in response to MIR; there are some very small watercourses where flood risk may need to be taken into account by a developer..

CNPA Response

The SEPA representation has been carefully considered and changes to the Plan and maps made as appropriate.

Name The Crown Estate

Objector Ref 070 Map/a

Agent Nikola Miller

Representation

With reference to the current informal consultation on the Cairngorms National Park Local Development Plan Settlement Plans, I submit this representation on behalf of The Crown Estate in relation to the settlement of Tomintoul, within The Crown Estate Glenlivet Estate.

Smiths Gore submitted representations to the LDP Main Issues Report consultation in December 2011. We continue to support a masterplanned approach to the settlement of Tomintoul and support the Park's Settlement Plan for Tomintoul which follows the principles set out within the Tomintoul Masterplan.

We continue to support our representation with regards to Tomintoul and also the other MIR questions

Summary

Continue to support the Settlement Plan for Tomintoul and the need for a masterplanned approach. Reiterate comments made in response to MIR consultation.

CNPA Response

Comments noted and support welcomed.