

therefore that the Park Authority will recognise this and act on these proposals.

5.12-5.20 - The need for sustainable business development is a matter of prime concern. Ballater's needs are different from those of other settlements where commercial development is strong. Ballater needs incentives for new businesses to come to the village. The cost of renting industrial units is high. We hope the Plan will highlight the need for Government agencies to encourage new business by means of rates relief, etc. as available in other areas.

5.25 - 5.26 - Ballater and Crathie Community Council believes that the housing requirements as indicated in North East Together (NEST) 2001-2016 do not reflect the needs of the Park. Many residents consider the 250 housing units proposed for Ballater alone is over-development and is unacceptable. The Plan does not take into account the 60 or more houses built in Ballater since 2002.

5.7-5.41 The Park Plan has formed policy for the Park as a whole when in fact the affordable housing needs and housing development market potential are quite different in Ballater from that in other settlements in the Park. The number of affordable houses in Ballater for local people and for commercial employment needs has not been established.

5.42 – 5.60 (policy 23/24) Ballater and Crathie Community Council fails to see how any future development in Ballater can sustain 30% affordable housing. In addition, 5.52 states that between 15% to 25% of a development will be social rented housing. We are not all agreed with the principles of mixed housing development and the sustainable balance of affordable and open markets, and await fuller discussion on details. Some members considered that the Plan ignores the fact that many house purchasers, especially those buying expensive homes, will not buy property in a mixed development.

With regard to house type and house size, the Park Plan should recognise the unique housing needs in Ballater. Low cost housing is certainly needed, for young families to get on the housing ladder, but also, two bedroom single storey private development for an aging population who can no longer manage stairs and large gardens, as well as high value private housing to achieve planning gain to help pay for the low cost housing. Above all we are determined to keep the character of our beautiful village. This is what delights tourists and residents alike. It is expected that most of these desirable features will be fulfilled if the expected plans of the Prince's Foundation are put into action.

The responses The Park received during consultation exercises highlighted the fact that the edibility criteria for affordable housing and social rented housing, to be taken from Local Authority and Housing Association waiting lists does not meet the needs of local people requiring affordable housing and has caused considerable anger in the community in the past. The needs of local people and those incoming workers in the Park requiring affordable housing should be considered.

6.5-6.9 - As tourism is vital to the village, land and building development for hotel and hostel accommodation should be identified.

6.11-18 The designated area for car and coach parking for Ballater Games is of much importance to the continued function of the Ballater Games and the Plan proposes to retain this, covering an area of c.3h. The remaining area of about 8h. is available for housing. However, the erection of the proposed 250 housing units would mean a density totally inappropriate in an area like Ballater.

6.18 Ballater is not well served with recreational facilities. The Schools Outdoor Centre was a splendid facility but was closed in a cost-cutting exercise. Its reinstatement for other purposes is a possibility. Facilities and activities for tourists need to encourage them to stay in Ballater rather than just pass through. The Park Plan should identify these aspirations. Ballater does not have purpose built facilities for indoor sport, theatre, cinema, etc. other than those provided by the Victoria and Albert Halls.

There is no mention of the proposed woodland project as an amenity area, a requirement supported by many at the public consultation meetings.

There appears to be no provision for football pitches planned by Aberdeenshire Council.

CNPA analysis of objection to Deposit Plan

a - The plan must ensure adequate housing provision. However additional focus will be placed on employment provision. The CNPA continue to work closely with

infrastructure providers to build into their investment programmes sufficient capacity to meet the needs of the local plan.

b - The boundary of Ballater has been drawn to include the main settlement and housing areas which form the village. This is in on way to imply that certain other developments do not play a key role in supporting the village, particularly economically. In regard to Crathie, the approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. Confirm that settlement boundary has been drawn to exclude the SSSI. Also confirm that Crathie as a dispersed settlement would be better served within a settlement boundary, as it allows a much greater degree of flexibility for incremental growth which supports the settlement - policy 25 and 26.

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

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

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

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

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

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

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

SETTLEMENT PROPOSALS Confirm that we will continue to work with the Local Authorities to promote sites where appropriate.

BL/H1 is shown to have a planned capacity of 250 housing units yet the area is less than both the Monaltrie and Invercauld developments which contain only 85

Table 2 is based on work undertaken by consultants and available on line to consider the issue of need and housing land. The plan therefore allocates sufficient housing units, and this was at the time considered to be too dense. Many villagers can identify the detrimental effects on the village of these 85 houses built by Scotia and adequate land for housing development.

Homes in the past few years. k - Amend policy to reflect findings of 3Dragons work on affordable housing provision. Two background papers undertaken by consultants relating to population

j -

This figure of 250 units has raised more comment and concern within the Community Council area than any other feature of the Plan. Therefore we are unable to figures and affordable housing requirements are available on line. A summary of the approach taken will be appended to the Local Plan. Also amendments will be support this proposal. made to the introduction to the housing section to clarify the need for housing in the Park. The approach to 'pepper potting' affordable houses is one which has

The Plan has failed to identify land required for shopping, sports development and amenity use. been tried and tested across the country for many years. However, the approach taken will be assessed on a case by case basis and a prescriptive approach will not

Area H1 as designated for housing development in Aberdeenshire Local Plan extends further east than the area shown on the Park Plan (page 73) What is correct? be imposed.

l - Modifications will endeavour to ensure a more appropriate balance is struck between development and tourism opportunities and the protection of the special Whilst you state on page 72 'that the CNPA will work with community developers and the Prince's Foundation' the area H1 and the areas further east and qualities of the area. Within Ballater, general policies have been included to do this, rather than identify a particular site which may be considered by some as extending around Aberdeen Cottage are shown in the Prince's Foundation proposal for development in Ballater. These proposals received much acclaim by the restrictive. However work will continue with the local chamber of commerce to ensure that the approach taken meets with the aspirations of the local community. people of Ballater at the consultation meetings conducted during November 2006 and should be recognised on the Park's map on page 73. Confirm that policies (esp 33 and para 6.3 and 6.4) aim to promote development such as tourism rather than shoe horn proposals into particular sites.

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

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

Response to 1st modifications

The Ballater and Crathie Community Council wish to continue our objections to the proposed Local Plan.

CNPA analysis of response to 1st modifications

a - Additional land has been included for employment and tourism uses, and the text amended to reflect the importance of securing employment uses within the National Park. No amendment is therefore proposed.

b - Dinnet has been recognised as a rural settlement. Crathie however remains as in the deposit local plan, to allow a degree of flexibility for small appropriate scale development to meet the local community needs. The approach taken to ensure that there is not a mentality of locating development purely on a boundary basis is intended to provide flexibility and opportunity. No further amendment is therefore proposed.

c - The National Park is required to produce a local plan for the whole of the National Park. In particular regard to Ballater it has identified the central shopping area, additional employment land, and open space which contributes to the settlement. No further amendment is therefore proposed.

d - The SEA has been amended and is available on line. No further amendment is therefore proposed.

e - The comment is noted and the conservation areas are marked on the proposals maps. No further amendment or modification is therefore proposed.

f - The policy has been largely altered to reflect the comments of SEPA and further work on flood risk on housing allocations is ongoing. No further amendment is

therefore proposed.

g - The housing allocations are a response to housing needs within the National Park for all sectors of the community. The wording does not therefore highlight particular sectors or age ranges. The allocations do not in any way intend to stifle development or opportunities, rather the opposite is true, and the policies aim to ensure that a greater cross section of the population are able to get an appropriate house. No further amendment is therefore proposed.

h - The work of the Prince's Foundation has now been embedded within the site allocation. The allocations also reflect work undertaken to establish local need, and we continue to work closely with the local housing authorities to ensure the most up to date information. No further amendment is therefore proposed.

l - The requirements for affordable housing have been reduced. The plan also identifies land for employment, and recognises the retail centres of particular settlements, including Ballater. No further amendment is therefore proposed.

j - The allocations also reflect work undertaken to establish local need, and we continue to work closely with the local housing authorities to ensure the most up to date information. No further amendment is therefore proposed.

k - The work to calculate the housing need have been placed on the CNPA web site. The allocations reflect this work undertaken to establish local need, and we continue to work closely with the local housing authorities to ensure the most up to date information. The requirements for affordable housing have also been altered. No further amendment is therefore proposed.

l - The local plan and park plan both recognise the vital role of tourism within the National Park. Rather than identify particular sites the policies have been worded in such a way as to encourage new developments in appropriate locations. No further amendment is therefore proposed.

m - The allocation of land for housing has included space for the Games which are recognised as important to the community. The density reflects the on going work of the Prince's Foundation, and within that work appropriate space will be made available for recreation and open space. The Policies of the plan are supportive of recreation uses, and the approach taken allows flexibility in terms of location and size. No further modifications or amendments are therefore proposed.

n - The density of development reflects the ongoing work of the Prince's Foundation who have studied existing densities within Ballater and reflected this in initial design concepts. The Foundation are also keen to include necessary community facilities such as shops and the allocation allows for this form of mixed use. The CNPA continue to work with the Princes Foundation to bring forward the development of the site and the plan has been modified to reflect this. No further modifications or amendments are therefore proposed.

response to 2nd modifications

Ballater and Crathie Community Council wishes to continue with the previous objections. Ballater and Crathie Community Council still considers the Craigendarroch complex as part of our settlement because they share and use the same public services. The area between Monaltrie House and the first Scotia Homes development should be maintained as part of a 'greenway' from Craigendarroch Hill to the Dee.

Many people in Ballater enjoying the present size and ambience of the area strongly oppose further eastern enlargement. However a majority very much want to see the established need for social and affordable housing to be fulfilled and a more balanced demographic community maintained. With the present financial regime this requires private development at the same time.

The work of the Prince's Foundation for building offers a reasonable opportunity to discuss methods of retaining community cohesion and the least removal of land from food production with sustainable uses of resources, including energy.

Ballater and Crathie Community Council wishes to see further discussion of the CNPA design guide and business opportunities in full consultation of plans by the whole community.

(note of meeting 26th november 2008 - having met with Jane Angus and Robin Blyth BCCC have confirmed that whilst a lot of points have been raised regarding various parts of the plan, these all relate to the position in Ballater and they wish their objections to be heard in an informal session on Ballater only rather than make representation to the various policies of the Plan. The objection is therefore lodged as a single objection to Settlements - Ballater KM)

HEARING

Objector **Name** David Thomas Lapsley **Agent**
451 03 Ardlui 19 Braichlie Road
 Ballater
 AB35 5QR

Company

Policy/site Settlements - Ballater

Representation to Deposit Plan

Those of us who are involved with the football clubs from primary school level, up to adult summer league all believe we have a valid case to ask for a dedicated football facility in Ballater.

Currently we are operating out of Monaltrie Park which is a fine large area with the adjacent dressing room's however as it is an open public area and many other groups use the park, this results in an unsafe environment for the players to play there football on. By unsafe I am referring to the numerous holes in the ground created by people golfing, fence posts from Ballater Games and animals it is only a matter of time before the sprained ankles we are getting every other week to be a hill break. This is a risk we fee] is to high to take and as we don't want to stop training the kids we feel this request is the best course of action.

The Primary training sessions attract 20-40 kids

The Secondary training sessions attract 20-25 kids

The Adult training sessions attract 20-25 adults

In total this gives us 60-85 people using the park per week for organized football. Our football schedule looks something like this:

Tuesday- Secondary School/Adult Training session

Wednesday- Primary School Training session & Adult Training session

Friday- Adult Summer League Match*

Saturday- Primary School Match*

Sunday- Secondary School Match*

* These match's are every second week.

We also try to run between 2-3 tournament's per year inviting teams from all over the Deeside area.

With the arrival of the Royal Guard we generally get 3 to 4 friendly games during there stay in Bal later.

Hopefully from this you can get a rough idea of how much time is put in to all these events every week by those of us who are all volunteer's.

With the newly formed Running club starting in Ballater we believe the facilities listed below would be well used almost every night of the week and for most of the year, weather depending obviously.

What we would love is an area of ground large enough to contain a full size pitch and running track. I training pitch (7-5 aside in size) which we would train on, Use in tournaments and the kids would use for match's. Changing and shower facilities. Full floodlights to ensure all year use.

We don't want this to be an exclusive area to only Ballater Football Club the more people who would use it the better,

We are trying so hard to get a female in our group to encourage the start up of a girls team and a safe area and quality facilities would strongly assist in this cause.

I feel it would be more than beneficial to Ballater, the surrounding communities but most of all the kids who will learn how to work in teams, leadership, equality and any other attributes we can teach through sports they love and enjoy

I would like to thank you for taking the time to read this letter and for any time you devote to this.

CNPA analysis of objection to Deposit Plan

The comment is noted, and in the work ongoing with the Princes Foundation, it is hoped to include additional detail within the Proposals map to identify the need for key services and recreational provisions. Work will also continue with the Local Authority to highlight issues such as this raised in the local plan process.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector	Name	Agent
462f	Phillip John Swan 30 Monaltrie Avenue Ballater AB35 5RX	

Company

Policy/site Settlements - Ballater

Representation to Deposit Plan

This objection relates to the same documentation as Objection 3. New housing development in the area and on the scale proposed in the Plan would close off the only remaining access route for wildlife (particularly deer) to move between Craighdarroch Hill and the fields bordering the route of the old railway line. At certain times of the year, deer have been observed on numerous occasions, usually at dusk, crossing 'Field 3' (which lies between Monaltrie House and Monaltrie Avenue) en route to base of the hill. Although I have no expertise in this aspect of wildlife, I am concerned that changes of this nature do not comply with CNPA commitment "to conserve and enhance the natural and cultural heritage of the area".

Requested change: reduce the target of 250 new houses to a more realistic number (maximum 50) and seek to satisfy this requirement by means of intelligent infill developments and upgrading/conversion of existing properties.

Please note that if there is a Public Local Inquiry, I would be happy to prepare written representations and to appear at the Inquiry. My ability to make an oral presentation is unfortunately constrained by a medical condition which causes a degree of speech impediment. If others have objected to the same part of the Plan, I would be happy to present a joint case with them at any Inquiry.

CNPA analysis of objection to Deposit Plan

The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. Confirm the allocation is for the long term needs of Ballater and within the 0-5 years the development indicates 90 dwellings. Confirm policies also support alternative forms of provision such as conversion.

Response to 1st modifications

I wish to maintain my objections to the CNPA Deposit Plan.

CNPA analysis of response to 1st modifications

The consideration of the impact of development on wildlife is considered under policies 5 and 6. No additional modifications are therefore proposed.

response to 2nd modifications

INQUIRY

Objector	Name	Agent
462c	Phillip John Swan 30 Monaltrie Avenue Ballater AB35 5RX	

Company

Policy/site Settlements - Ballater

Representation to Deposit Plan

Objection 3

This objection relates to Section 7, Settlement proposals, Ballater, pages 72-73. The location proposed for the 250 future houses comprises three existing fields totalling 10.99 hectares:

- A field of ca. 4.3 hectares ('Field 1') on the north east side of Monaltrie Park
- A field of ca. 5.5 hectares ('Field 2') on the north east side of Field 1
- A field of about 1.2 hectares ('Field 3') on the western side of Field 2, situated between Monaltrie House and Monaltrie Avenue

The total area of ca. 11 hectares, if used for 250 houses, indicates a fairly high concentration of around 10 houses per acre. The individual plot sizes would be further reduced by the need for enhanced amenity spaces and additional parking for Monaltrie Park overflow. This strongly implies a high percentage of relatively modest 'affordable' homes, which would be housing people for whom there would be only limited employment opportunities in Ballater. This would lead to a potentially serious level of unemployment in the local labour market with attendant social problems.

Requested change: curtail the proposed area for future housing to 'Field 1' only (4.3 hectares) which should be sufficient for up to around 100 affordable houses, plus additional allowances for enhanced amenity, parking requirements etc. Alternatively, find other solutions to the required increase in affordable housing, such as intelligent infill developments and upgrading/conversion of existing properties.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

I wish to maintain my objections to the CNPA Deposit Plan.

CNPA analysis of response to 1st modifications

The position regarding the need for affordable housing remains a key issue with the CNPA Board and within all housing developments the aim remains to secure a degree of affordable housing. Some economic land has also been included and reference to mixed use within the site will allow for some employment options including working from home. No further amendments or modifications are therefore proposed.

response to 2nd modifications

Third, I refer to page 43, policy 21, 2nd paragraph. In principle, I endorse the new statement that "Development solely for affordable housing will be favourably considered", if this is accompanied by withdrawal of site H1 for housing allocation. If site H1 is retained for housing allocation, then I object to the new statement, on the grounds that it implies the building of public sector housing which would be additional to the housing at site H1. With respect to the concept of

“Development solely for affordable housing” I would urge the CNPA to apply more creative energy than has been evident so far to this approach to addressing the real housing issue that confronts Ballater which is access to affordable housing for local people. I strongly suspect that the concept of “Development solely for affordable housing” could offer a more cost effective route (in terms of the net unit cost of affordable homes) to satisfying the needs of Ballater people for affordable housing than that achievable under the current CNPA strategy, which involves paying large public subsidies to a developer to damage the environment of Ballater by building houses which the Community does not need or want. Further, I believe that, if the concept of “Development solely for affordable housing” were combined with the removal of Ballater area HI from the housing land allocation, and efforts were made vigorously to pursue opportunities for intelligent “brown field” and infill developments, then the recommendation by the Prince’s Foundation of 28 September 2007, that “social housing should not be clustered in groups of more than about 5 units to avoid creation of social divides” could be achieved more naturally than would be possible with mass development in area HI. It would also give the added benefit of resolving much of the public opposition regarding the housing proposals for Ballater, provided area HI and the land beyond it is dedicated to amenity/recreational use in perpetuity.

INQUIRY

Objector	Name	Agent
037q	DW and IM Duncan Pineacre West Terrace Kingussie PH21 IHA	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

An additional 250 house units would significantly alter the character of this 18th century planned village.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land in Ballater has not changed. The importance of design to respect the existing settlement has been added to the text of para HI iii. As such no modifications are proposed.

response to 2nd modifications

I refer to your letter of 5th November regarding modifications to the Local Plan.

I have no further comments to make on these modifications but I would reiterate that I still have serious concerns regarding the extent of the zoning for new housing development across the area and I believe that this is at odds with the first aim of the National Park.

I am happy for my written submissions to be considered by the Reporter at the Local Plan Inquiry.

WRITTEN

Objector	Name	Agent
401	Harry Wright Ballaghdee Pannanich Road Ballater AB35 5PA	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

I enclose a petition against the about document. It is felt that the plan for the future development has not been thought through with sufficient sympathy applied to maintain the VILLAGE feeling of Ballater. To consider the building of 250 dwellings with an influx of around 1000 people is totally unacceptable to the residents at Invercauld Park.

There is a need for some housing to be built but not in the numbers stated in CI 1.6. It would be more to the point to identify the opportunity available for employment in the area prior to embarking on further house building. It may be better to put the horse before the cart.

There is surely an opportunity to develop small business pavilions aimed at the IT industry to encourage outsourcing to satellite stations. There are many businesses paying extremely high rental prices for office space in the major cities in Scotland. This is a market that could be attracted to the area and provide good jobs and income for the local area. The Old School which is falling into disrepair is an area that would be suitable for the afore mentioned opportunities.

(petition included with 27 signatures from residents of Pannanich Road and Lochnagar Way)

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The residents of Invercauld Park are still opposed to the Cairngorms National Park Deposit Local Plan

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land in Ballater has not changed since the modifications. The boundary has been amended to take account of ongoing work from the Prince's Foundation although the total number of houses to be built has not changed. The boundary in no way indicates that the woodland area would be removed and through the careful design of new development, the approach to the settlement will be enhanced. No further modification or amendment is therefore proposed.

response to 2nd modifications

HEARING

Objector **Name** Mr & Mrs Houston **Agent**
096a 28 Craigendorroch Walk
 Ballater
 AB35 5ZB

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

I have no problem with the "selected" NPP outcomes 2012 other than the outcomes and action programme as defined in '3' above. There is no statistical evidence that a 'need' exists for new housing in Ballater other than to satisfy second home owners (I estimate between 50-100 such properties at present) and pressure from Builders' Federations and Builder's Lobbyists - not to mention cash strapped landowners. I further object to so-called specialists who know nothing about how local communities function who simply allocate any vacant area to housing.

Those properties not bought as second homes will be presumably purchased by local, younger people. Where are all the new jobs coming from to pay for their mortgages. There is only forestry, agriculture and tourism and there is certainly not going to be a massive expansion in these areas.

This is all ill-conceived policy requiring a re-think to identify the real need for housing rather than a government target.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Thank you for your letter of 13th June in relation to the above and our objections to the plan. Whilst I am in full agreement with the environmental, ecological and community objectives of what the Board are trying to achieve, I am in complete disagreement as to the housing elements that are proposed in relation to Ballater. Having chaired the Aberdeenshire Community Economic Development Federation and the local CED company for a number of years I can speak with some knowledge of how communities think and work.

My main objection to what is being proposed is that you have had produced a theoretical model of housing need, which neatly fits your required strategy, without any recognition of what is actually happening in Ballater. Despite elaborate and purely theoretical statistics that have been produced you still have not demonstrated to me that there is actually the level of need that warrants the construction of the number of affordable housing you suggest.

Let us not even consider the purely private sector, because we all know what will happen there. Might I suggest a stroll down, for example, Victoria Road where 95% of the private houses are holiday homes. Legislation to combat this will, in my opinion, have barriers to enactment because of the European Act on Human Rights.

However, returning to my objections, let us assume 250 houses are constructed in the area you are proposing. This means that 250 rents and/or mortgages have to be paid, which means that the potential residents need to have employment locally. There are three main industrial sectors in the area - tourism, agriculture and forestry. The first is, by nature transient and seasonal and usually employing base rate minimal wages, the second is largely mechanised industry with little opportunities for the sort of expansion needed to provide many new jobs and the third is one where massive expansion in terms of new employment is hard to envisage. So where is the new work for the people likely to occupy these new houses? Braemar, Aboyne, Banchory or

Aberdeen. I think not. A week's commuting to Aberdeen or even Banchory would have a severely dilatory effect on both health and pocket. Perhaps you haven't noticed the price of petrol and diesel. Apart from this is the current national economic situation which is hardly conducive to the grandiose expansion of housing in Ballater. Having worked in the voluntary sector and closely with the public sector, I despair at the relentless pursuit of theoretical targets and the 'we know best what is good for you' attitude that is prevalent in many parts of the public sector. I fear this housing plan is no different.

CNPA analysis of response to 1st modifications

The CNPA position regarding land allocation for housing in Ballater has not changed. The work to establish housing need has been placed on the CNPA web site and indicates how the figures were reached. We continue also to work closely with the housing authority to ensure the most up to date figures for housing need from local authority waiting lists. No additional modifications or amendments are therefore proposed.

response to 2nd modifications

INQUIRY

Objector **Name** Ballater (RD) Ltd
076a 7 Bridge Street
 Ballater
 AB35 5QP

Agent Bryan Wright
Pronybeg
Ballater
AB35 5XB

Company Ballater (RD) Ltd

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

1.The area of the site BL/HI is 10.99 ha. At present an area of approx 2.8ha is used for car parking during the Ballater games, and the deposit plan proposes to retain this. Hence the net area available for development is 8.2 ha. The proposal to accommodate 250 houses would create density of about 30.5 units per ha. Which is not appropriate for a small rural settlement.

2.The previous draft Local Plan stated that 'housing should focus on providing for local needs and in particular on affordable housing for rent'. This proposal is supported by the vast majority of the community. Sites for 21 such units were identified in the draft plan. These should be retained. There is no evidence that there is a local need for 190 houses over the next 10 years, as proposed in the deposit plan.

3.Land in the Ballater area should not be designated for large housing development unless a prior environmental assessment indicates that it will not be detrimental to the community. Such an assessment should consider not only the effect on the natural environment, but other factors including road traffic, parking, tourism, age balance, and infrastructure. The economy of the area is heavily dependent on tourism, Further large housing developments are likely to have a damaging effect on the environment, character, and 'small village' charm of the area, which are the main attractions to tourists.

4.Over the past 7 years more than 130 executive type houses have been built in Ballater, causing a significant increase in population. It is essential that amenity areas are now developed to provide appropriate environmental/recreational assets. The site BL/HI is the only suitable location. Ballater (RD) Ltd has proposed the creation of a community woodland on this site, which would provide these assets. The many public consultations carried out over the past 5 years indicate that the vast majority of respondents favoured the creation of an environmental/recreational area close to the settlement.

5.The site BL/HI is on a flood plain of the River Dee and the maps produced by SEPA indicate that flooding is likely to occur at least once in 200 years. There is historical evidence to suggest that the probability of flooding is considerably more than once in 200 years. All methods of river flood prevention are either exceedingly costly or increase the risk upstream and downstream. Previous development on this flood plain has reduced its ability to store or move flood waters, thus increasing the risk. The designation of this site for housing may result in condemnation of the owners to a life without insurance or at a massive cost. If the site were designated for environmental/recreational use, the flood risk could be relatively easily managed. National Planning Policy Guidance 7 makes it clear that planning authorities should not encourage development on flood plains, and a revised policy is to be issued in the near future giving them more power to prevent such development. Clearly the site should not be designated for housing unless it can be demonstrated that the risk of flooding is at an acceptable level.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Thank you for your letter of 13 June 2008. I write to confirm that Ballater (RD) Ltd wishes to maintain their original objections to the Local Plan. We also object to the proposed modification involving the inclusion of additional land in HI. The existing community woodland was created as a planning gain item to form the north-east boundary to the settlement and to provide screening. Any housing development beyond this boundary would have a detrimental effect on the environment and on the appeal to tourists approaching from the east.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land in Ballater has not changed since the modifications. The boundary has been amended to take account of ongoing work from the Prince's Foundation although the total number of houses to be built has not changed. The boundary in no way indicates that the woodland area would be removed and through the careful design of new development, the approach to the settlement will be enhanced. No further modification or amendment is therefore proposed.

response to 2nd modifications

Further to our letter dated 14th November, we have given further thought to your letter dated 5th November 2008 and its attachments. In view of the apparent failures of communication and other errors we have decided that we would prefer a Formal Public Inquiry. Not only do we wish to maintain our original objections, but we also object to the second modifications for the following reasons:-

INQUIRY

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

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

1. Ballater has grown markedly in the last two decades. The CNPA deposit Plan envisages further marked expansion in the next 2 decades. There has been no increase in the (community) recreational space within the village and no clear allowance has been made for such space. This is an important omission.
2. The deposit local plan contains apparently contradictory statements. Thus on page 70 an 11.7 Ha site in Newtonmore 'would provide land for around 120 house units'. On page 72 a smaller 11.0 Ha site in Ballater would supposedly do 3 things:
 - a. Have a capacity for around 250 units
 - b. Incorporate extra space for Monaltrie Park
 - c. Provide extra parking opportunities for the Ballater games and other large eventsThe contrast between the proposals for the 2 centres is stark. I content that the claim of what is possible on the Ballater site is nonsense: either the amount of space available for the purposes b and c is inadequate or the proposed density of housing is vastly excessive.
3. Page 70 states that 'The CNPA will work with the community, the developers and the Prince's Foundation to ensure that a masterplan that reflects the community's needs... is prepared for the site.' I believe that, if this is not to be regarded as a specious comment then the first priority is to create the necessary recreational space. Thereafter the remaining space can be assigned as deemed appropriate.
4. Although some low cost housing is required, I am aware of no report that indicates a need for a large number of houses in Ballater. The proposal to build such a number without a clearly defined need suggests that this site is seen as the solution to an external problem. The proposal therefore poses a clear threat to the nature of the community and the appeal of the village to visitors which is key to its economic well being.
5. Conditional Objection : the proposed site clearly lies in a flood plain. Any development on this site is not only subject to risk but increase the risk of flooding elsewhere in the village. It is therefore essential that any 'detailed flood risk assessment' carried out on this site is not only carried out by an 'independent' assessor but is seen to be so.

Modifications required to resolve objection:

1. Clearly defined recreational area of adequate size and suited to the needs of residents and visitors (minimum 2.5 Ha)
2. Clearly defined and suitably designed parking area for use with the Highland games and other events. This area to be distinct from recreational area.
3. Housing density reduced to a level appropriate for Ballater. Area also to include appropriate commercial and community buildings.
4. Any development to recognise that the view of Lochnagar looking south-west from Tullich is one of the finest in the National Park and this site is in the foreground. The design any development placed on this site much enhance, and not detract from, this view.

CNPA analysis of objection to Deposit Plan

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

consultation will then be required within the community to assess the level of support for any modifications. The addition of extra information may impact both on the SEA and the Flood Risk Assessment for the site. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm ongoing work regarding flood risk assessment and discussions with SEPA regarding this issue. Confirm approach to developer contributions for new development to support services. Confirm the policy for affordable houses supported in the plan. Confirm that although holiday homes cannot be controlled, affordable homes can and this will form part of any development.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land in Ballater has not changed since the modifications. The boundary has been amended to take account of ongoing work from the Prince's Foundation although the total number of houses to be built has not changed. The boundary in no way indicates that the woodland area would be removed and through the careful design of new development, the approach to the settlement will be enhanced. No further modification or amendment is therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
056u	James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

7.1/7.16 We have stated our views on the Park Plan proposals for housing in the foregoing paragraphs. We therefore comment only on the map and legend as shown on pages 72/73. Area HI is shown to have a planned capacity of 250 housing units yet the area is less in area than both the Monaltrie and Invercauld developments which contain only 85 housing units and even these were considered to be over dense at the time of planning. We therefore cannot support your proposal. Area HI as designated for housing development in the Aberdeenshire Local Plan extends further east than shown on the Park Plan (Page 73).

Whilst you state on Page 72 'that the CNPA will work with the community developers and the Prince's Foundation' the area HI and the areas further east and extending around Aberdeen cottage are shown in the Prince's Foundation proposal for development in Ballater. These proposals received much acclaim by the people of Ballater at the consultation meetings conducted during November 2006 and should be recognised on the Park's map on page 73.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The work of the Princes Foundation has been included within the modifications, and this makes specific reference to density in keeping with other areas of Ballater. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..." is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decided on this matter but will probably follow the informal route.

HEARING

Objector **Name** Dinnet and Kinord Estate **Agent** Claire Smith
438c Estate Office Ryden
 Dinnet 25 Albyn Place
 Aboyne Aberdeen
 AB34 5LL AB10 1YL

Company Dinnet and Kinord Estate

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

1.0 INTRODUCTION

1.1 This formal objection to Cairngorms National Park Deposit Local Plan is made on behalf of Dinnet and Kinord Estate. Failing a resolution of this objection, Dinnet and Kinord Estate wish the opportunity for their objection to be considered at a future Public Local Inquiry into the Deposit Local Plan.

1.2 Dinnet & Kinord Estate, which extends to approximately 25,000 acres, is located at the main eastern entry point to the Cairngorms National Park. The Estate has embraced the objectives of the Cairngorms National Park Authority and contributes significantly to the economy of the area. It currently employs 15 full time workers with a significantly greater number in seasonal occupation. Employee numbers have increased in recent years and it is anticipated this growth will continue. The Estate's activities include farming, forestry, country sports and property lettings.

1.3 Dinnet & Kinord Estate would welcome the opportunity to discuss the terms of this Objection and their related Objections with the Cairngorms National Park Authority.

2.0 OBJECTION

2.1 Dinnet and Kinord Estate object to Proposal Site Hi in the Ballater Settlement Statement. The allocation of 250 units to Ballater should be reduced with some of the units reallocated to other settlements in the area, particularly Dinnet, which it has been shown can accommodate around 60 units. This would form the basis of related business and tourism development immediately adjoining the village.

3.0 GROUNDS OF OBJECTION

3.1 It is the contention of Dinnet and Kinord Estate that the Local Plan makes an overprovision of housing to Ballater to the detriment of other settlements within the area. Ballater is a relatively thriving community with a range of services and facilities serving the town and the wider area. Whilst it is acknowledged that it is capable of accommodating additional growth, the scale of development is considered excessive and concentrating further development in Ballater will do little to sustain other, smaller settlements in the area. This is compounded by the fact that much of the recent housing development in Ballater has been bought as second homes which has brought little economic benefit to the area and failed to address the needs of people living and working in the area. Also, unlike the proposals for Dinnet, the additional employment opportunities identified for Ballater are out of scale with the extent of housing proposed.

3.2 It is questionable if development in Ballater is more sustainable than development at Dinnet. Both settlements are served by the same public transport infrastructure and whilst Ballater may accommodate a greater range of services, the development at Dinnet would be in association with business and tourism development on the edge of the village, thereby providing employment opportunities in the immediate vicinity. Development at Dinnet would also help sustain existing facilities serving that village and encourage the re-opening of the garage and associated shop.

3.3 Concentrating development on major settlements such as Ballater will do little to revitalise smaller settlements and expand the range of tourism and business developments in the area.

4.0 PROPOSED MODIFICATION

4.1 Dinnet & Kinord Estate object to the scale of development proposed for Ballater. Site HI should be reduced in terms of both the scale and housing allocation. Around 190 units should be allocated to Ballater on a reduced Site Hi with the balance of 60 units allocated to a new site in Dinnet, as expressed in Objection 1.

4.2 Dinnet and Kinord Estate would welcome a dialogue with the National Park's Authority on the terms of this objection in an attempt to agree a modification to the Plan in advance of the Public Local Inquiry into the Plan. Failing agreement, the Estate would wish the objection to be considered at that Public Inquiry.

CNPA analysis of objection to Deposit Plan

The scale of development is linked to work done on establishing the housing need within the area, and further work will be done to prepare information which fully explains the thinking behind the approach taken. Additional work will also be undertaken to ensure that the scale of development is not out of character with the densities currently built in Ballater. This will be done in conjunction with ongoing work with the Princes Foundation to prepare a masterplan for the site, and a long term vision for the future growth of Ballater. The issue of spreading the allocation for the area across a number of sites will however be considered. Where there is a particular need identified for any given settlement, a full review of how this would impact on that settlement, and also on the ability of the area to provide sufficient houses to meet the need, will be undertaken. The issue may not therefore be an 'either or', situation but rather that the plan ensures that the appropriate level of development is directed to settlements and communities in particular need. Confirm the housing requirement comes from various reports and studies and is based on a long term growth projection. Confirm opportunities for development in other settlements outwith those with allocations, including inclusion of Dinnet in modifications.

Response to 1st modifications

Finally in terms of representation 438c it was considered that proposal site HI in Ballater should be reduced to 190 units. The modifications indicate that 90 dwellings are envisaged during the life of the plan for this site, the total allocation remains at 250 units. Therefore we would also wish to maintain our objection in relation to this site.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land for housing remains and the need to change the allocation in Ballater is not therefore accepted. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
085	Gordon M Cowie Garden House Morven Way Ballater AB35 5SF	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

I fully accept the need for more housing in Ballater and for a significant proportion of that to be "affordable". However, the proposal for the areas to the east of Monaltrie Park indicated up to 250 houses. If account is taken of the need for a sizeable area for car parking for the Ballater Games and for tree screening at the west, the area available is considerably reduced and consequently the number of houses would be reduced significantly. That I suggest is in fact appropriate since an extra 250 houses in Ballater is a huge % increase and the nature of the village and its ability to cope make this undesirable.

I also feel that the proposal to allow building in the field to the west of Monaltrie House is inappropriate and would have a very severe impact on the approach to and environment of this important listed building.

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

1. reduce significantly the number of houses planned.
2. allow a meaningful area for parking for the Ballater Games.
3. ensure a screen at the east at least as wide and to the same high standard as recently established for the new housing area to the south of the proposed housing area.
4. no houses on the field to the west of Monaltrie House
5. a clear commitment that this indicates the limit of eastern expansion of the village in order to maintain the iconic view from the top of the hill on the A93 just to the east of the Pass of Ballater

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Thank you. My understanding from earlier correspondence from CNP was that unless I responded, the original objection would stand. The modifications proposed clearly address the issue of the car park for the games but the extension eastwards to compensate for this heightens my objection - clearly in the view of CNP there is no natural eastwards boundary for housing and eventually the whole area to the junction of the A93 and the pass of Ballater road is eventually going to be approved for housing. My comments re a woodland screen have not been taken on board not the impact on the iconic view of Ballater and Lochnagar from the brow of the A93 just before the Pass road.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land in Ballater has not changed since the modifications. The boundary has been amended to take account of

ongoing work from the Prince's Foundation although the total number of houses to be built has not changed. The boundary in no way indicates that the woodland area would be removed and through the careful design of new development, the approach to the settlement will be enhanced. Also there is no implication that the whole of the area between the A93 and Pass of Ballater will be developed in the future. No further modification or amendment is therefore proposed.

response to 2nd modifications

I refer to your letter of 5 November and the copy of changes forming the second modification to the wording of the Plan.

Whilst you say that there are no major changes of policy, my reading of the changes is that the changes to page 43 policy 21 are fundamental as far as the housing proposals for Ballater are concerned. As a recent meeting in the village your vice convenor, Mr Eric Baird stated that the primary driver for the housing proposal is the need for more affordable housing. A requirement of 40% affordable housing in the development was quoted. It appears now that this could now be as low as 25%. It is to this change I now wish to register my objection.

In your letter you ask me to confirm my earlier indication that I would be presenting my objections at any forthcoming Local Plan Inquiry by written submission. If I am available at the time, I now wish to present my points by verbal presentation via the informal route. This will depend upon the actual date of the inquiry.

HEARING

Objector 404	Name Scott Fraser Ardmeanach Birkhall Ballater AB35 5ST	Agent
------------------------	--	--------------

Company

Policy/site Settlements - Ballater H1

Representation to Deposit Plan

The plan for housing in the fields marked H1 will in main prevent any social activity that needs car parking such as the highland games which this year had upwards of 600 cars and would require more in the future!!

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of housing land at Ballater has not changed, and the supporting text has been clarified to ensure that any development protects land to ensure the future of the Highland Games and other social events which occur in the area at present. As such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
050	Colin Robertson Priormuir, 11 Monaltrie Avenue Ballater AB35 5RX	

Company

Policy/site Settlements - Ballater H1

Representation to Deposit Plan

I wish to object to any proposal whereby a vehicle or pedestrian access is made to the proposed housing development referred to as H1 on the Local Plan directly from Monaltrie Avenue.

What changes would be needed to resolve objection: In the avoidance of doubt I wish to make clear that I do not object to the proposed housing development. I wish to propose that joined up thought process begins at this stage and that Craighdarroch Walk is joined up, in a straight line with Craigview Road. This would mean that a new road would cross Monaltrie Avenue. It is important to note also that an existing Aberdeenshire Planning/Scotia and Transportation road narrowing / poor visibility oversight would be eliminated by the introduction of this new crossroads / junction over Monaltrie Avenue that would link Craighdarroch Walk with Craigview Road and provide a two road access in to the new housing development.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Please note that my objection still stands and in the avoidance of doubt the nature of my objection is as follows:

It is my understanding that a separate consultation has been carried out by The Princes Trust. There was a meeting in Ballater Village Hall at which 3 residents turned up:

This consultation was therefore completely ineffective and left the vast majority of Ballater residents completely unaware of the Trust's proposals and the consequential effects on the village.

I attended a public meeting on Thu 25 Sep 2008 and was given sight of a plan (for the first time) that was produced by The Princes Trust the indicated a Housing and Roads Design for a 250 housing development that proposed to route vehicle and pedestrian traffic through the following areas:

Craighdarroch Walk
Monaltrie Avenue
Monaltrie Crescent
Craigview Road
Pannanich Road

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Ballater has not changed. No further modification is therefore proposed.

It is important to note that all of the above locations are at present that are effectively classified as cul-de-sacs and as such enjoy a high degree of privacy with no through traffic other than the residents who live there. The consequential effect of this proposal would be catastrophic and will generate massive public reaction.

response to 2nd modifications

I was extremely disappointed to discover that the Ballater, Community Council have in fact agreed to back The Princes Trust proposal. In view of the overwhelming and apparent lack of public participation in this matter further consultation needs to be carried out by the Community Council. The measures relating to the Community Council are therefore now required as a matter of urgency:

carry out further and a much more comprehensive investigation regarding public awareness.

make sure that all residents of Ballater see the Princes Trust development Plan.

reverse its decision as a result of the magnitude of the public opposition to the plan and accordingly advise the Princes Trust of the situation.

I am a newly retired professional Engineer/Company Director and it is my experience that attention to detail of this nature at this stage is essential. Politicians, Planners, Developers and Architects are dangerous individuals when left to their own devices and left un-challenged. What is proposed at this point in time can very soon become reality and then it is too late to do anything at all.

I hope this information is helpful and I look forward to meeting you at Ballater at on Tue 30 Sep 2008.

WRITTEN

Objector	Name	Agent
053	Mr George Inglis 25 Monaltrie Avenue Ballater AB35 5RX	

Company

Policy/site Settlements - Ballater H1

Representation to Deposit Plan

I object to the housing proposal in site H1 with specific reference to the elevated area west of the Cinder Track across the access path to Monaltrie House. It is assumed access to this section of H1 would be Monaltrie Avenue. The road width between numbers 25 and 38 Monaltrie Avenue is reduced to 4.10 metres with no footpath, therefore the increase in traffic flow the housing would create, in addition to the existing traffic of clients to Monaltrie House, would create unacceptable safety and privacy implications to Numbers 25 and 38.

How would your objection be resolved? Remove the planned housing from the section of H1 to the west of the Cinder Path and access path to Monaltrie House.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Last week I spoke to Karen advising that the information on the web did not appear to address my specific objection. At her request she asked me to remind her of it and on describing it to her she responded that, as it was specific to site access, the Plan does not advise on details such as access as the Park are awaiting the responses/recommendations from The Prince's Foundation on a potential housing layout in the defined area.

I therefore wish my objection to remain on record whilst awaiting further detailed information on the access road layouts

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Ballater has not changed. No further modification is therefore proposed.

response to 2nd modifications

In response to your letter of 5th inst regards the above and my objection submitted I would advise that I wish to represent myself at an informal hearing and accordingly await details from you regards the date the Hearing will be held.

HEARING

Objector	Name	Agent
356	Mrs Aileen M Barbour Doon Bye 38 Monaltrie Avenue Ballater AB35 5 RX	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

I object to the proposed housing in the area Site HI to the west of the cinder path across to the access path to Monaltrie House. Access to the housing most likely would be by Monaltrie Avenue where the road width between nos 25 and 38 is restricted to 4m10 with no footpath. I consider any increase in the present traffic level, which includes guests of Monaltrie House, would create an unacceptable safety risk and further reduce the privacy of both properties.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing land allocation in Ballater HI has not changed. No further modification is therefore proposed.

response to 2nd modifications

I refer to your letter of 5 november regarding the above and my objection, submitted. Also I wish to represent myself at an Informal Hearing and await details from you when the date the 'hearing' will be held.

HEARING

Objector 056j	Name James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	Agent
-------------------------	---	--------------

Company

Policy/site Settlements - Ballater H1

Representation to Deposit Plan

5.7 (Policy 17,18 and 19) We fully agree with the need for good design in all proposed future developments. It is for this reason that the B&CCC fully support the endeavours of the Prince's Foundation and its proposals for the future development of Ballater. The Foundation's emphasis on the use of good design and materials in keeping with the style of our village is fully endorsed by Ballater & Crathie CC. We hope therefore that the Park Authority will recognise these aspirations and incorporate tangible support in the Park Local Plan with regard to the Prince's Foundation proposals.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The work of the Prince's Foundation has now been embedded within the site allocation. The allocations also reflect work undertaken to establish local need, and we continue to work closely with the local housing authorities to ensure the most up to date information. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..."is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decide on this matter but will probably follow the informal route.

HEARING

Objector	Name	Agent
405	Mr M Pietranek Monaltrie House Ballater AB35 5NX	

Company

Policy/site Settlements - Ballater H I

Representation to Deposit Plan

I am the owner of Monaltrie House which is a B listed building of historic interest. Built in 1782 it was the first house to be built in what is now Ballater.

This was the home of Francis Farquharson of Monaltrie and founder of Ballater. The house plays a big part in local history. If houses were built on the small field to the left of the house, which is hardly 100/200 metres from the house, it would detract from the beauty of the house and its grounds.

Changes being sought -

Perhaps the future building development could be kept to the two lower large fields.

If this was the case at Monaltrie House we could plant trees in a certain position to block off this.

If the houses were in the field next to Monaltrie, this would be impossible

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land in Ballater has not changed since the modifications. The boundary has been amended to take account of ongoing work from the Prince's Foundation although the total number of houses to be built has not changed. The boundary in no way indicates that the woodland area would be removed and through the careful design of new development, the approach to the settlement will be enhanced. No further modification or amendment is therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
462d	Phillip John Swan 30 Monaltrie Avenue Ballater AB35 5RX	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

This objection relates to the same documentation as Objection 3, plus the declared aims of the National Parks (Scotland) Act 2000 Section 1, page 3. As a general comment the construction of new housing on the proposed scale in the proposed location is contrary to my understanding of the aims of the National Parks (Scotland) Act 2000 Section 1, as cited in the Plan. Specifically, the visual impact of these proposals on the impression gained by visitors to Ballater would damage the value of tourism to Ballater.

Requested change: reduce the target of 250 new houses to a more realistic number (maximum 50) and seek to satisfy this requirement by means of intelligent infill developments and upgrading/conversion of existing properties.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

I wish to maintain my objections to the CNPA Deposit Plan.

CNPA analysis of response to 1st modifications

The allocation will come to fruition through the application of a carefully considered design guide to ensure that the new development creates an attractive and appropriate approach to this important settlement within the National Park. No additional modifications are therefore proposed.

response to 2nd modifications

INQUIRY

Objector **Name** James and Evelyn Sunley **Agent**
0561 12 Lochnagar Way
 Ballater
 AB35 5PB

Company

Policy/site Settlements - Ballater H1

Representation to Deposit Plan

5.25/5.26 We believe the housing requirements as indicated in "North East Together" (NEST) 2001-2016 of 150 homes within the Mar area very much more reflects the needs in the Mar area than that indicated in this Park Local Plan. The 250 housing units proposed for Ballater alone in the plan is extreme over development and is totally unacceptable. The Plan pays no recognition to the sixty or more houses built in Ballater since 2002.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The allocations also reflect work undertaken to establish local need, and we continue to work closely with the local housing authorities to ensure the most up to date information. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..."is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decide on this matter but will probably follow the informal route.

HEARING

Objector	Name	Agent
481	Mrs Carole Dickson 9 Ardlui Gardens Milngavie Glasgow G62 7RL	

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

I note from the Plan that 'site capacity for around 250 units, with 90 dwellings envisaged during the life of the Plan.'

Following a telephone enquiry to your office I now know that the issue of the main access roads serving the area is a matter for the Roads Authority.

I believe that there are several reasons why this matter requires to be given early consideration before the development of the site:

1. area HI now consists of two parts: one (contained in a smaller form, in the original proposal) bounded by the Deeside way and Monaltrie Avenue and the other (an additional area) bounded by the Deeside way and the A93 Ballater-Aberdeen trunk road. It seems likely that the development of these two parts of area HI will occur separately, unless permission is granted for an access road to breach the physical barrier of the Deeside way; an eventuality which should probably be regarded as unlikely.
2. if the above assumption regarding the Deeside way is correct, the additional area of HI might be served by access roads linking with the A93 Ballater-Aberdeen road, but this scenario would rule out access to the remaining (larger) area of HI via an extension to Craigview Road, Lochnagar Way, Pannanich Road or the new access road built to serve the 'additional area'.
3. the town centre lies to the SW of area HI, but the park/playing fields lie between the two areas, and it seems unlikely that a new access road for HI, linking with Provost Craig Road or Old Station Road would be allowed to be constructed through or around the park.
4. the only significant existing nearby access road to HI is Monaltrie Avenue, which runs SW towards the Town Centre, but close to the Primary School. With current trends towards improving traffic safety on roads close to schools, any proposal to use Monaltrie Avenue as an access road from the Town Centre for an area containing a substantial number of new units seems likely to be regarded as a retrograde step.
5. while area HI might have road access towards Aboyne and Aberdeen via Monaltrie Avenue and the B972 (Pass of Ballater) road, in view of the constraints which exist, early consideration requires to be given to the question of connections between HI and Ballater Town Centre. Requiring vehicular traffic to exit from HI onto the B972 and then return to the town centre along the A93 would create a feeling that the residents of HI were in an area which is really not an integral part of the town.

CNPA analysis of response to 1st modifications

The approach to the allocation of land in Ballater has not changed. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

I Object to the proposal for making this area a potential site for 250 more houses. If this development went ahead it would completely destroy the character of the village. The number of houses is far too many, and the site is very obvious and stark visually. This is also some of the best agricultural land in the area, further eroding the viability of agriculture in the area.

Ballater already has had several new housing developments, all of which are very visually intrusive, and a high percentage of which are second homes; a case of supply creates demand.

Changes being sought: - No more large scale, visually intrusive housing development are planner for Ballater and no more new built homes are allowed to be sold as second homes.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained

CNPA analysis of response to 1st modifications

The approach to the allocation of land in Ballater has not changed. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector
535c

Name Gordon Chaplin
6 Morven Way
Ballater
AB35 5SF

Agent

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

On the subject of the enlarged area HI I would like your clarification that the overall boundary covered by HI is inclusive of a shelter belt of trees in a north easterly direction. This information was given to me verbally by a member of your staff, some time ago, and may now have been included in an updated copy of the map of which I am unaware. The Prince's Foundation documentation shows building development right up to the boundary.

WRITTEN

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

Company

Policy/site Settlements - Ballater HI

Representation to Deposit Plan

Ballater is already suffering from too great an expansion. The infrastructure cannot support another large development. There are no employment opportunities in Ballater to hold young families and the new houses will be bought, as were the last two developments, by the retired or as second homes which is contrary to the Park's objectives. Also it is spoiling the unique structure and character of the village.

How to resolve this objection – removal of the housing development in Ballater

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at Ballater has not changed, and as such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector
488

Name Mr J A Lovie
26 Monaltrie Avenue
Ballater
AB35 5RX

Agent

Company

Policy/site Settlements - Ballater H I

Representation to Deposit Plan

Having read your documents and plans for the future development of Ballater and being aware of the need for some affordable housing for local people, I wish to object to the proposal for the following reasons.

- we are too isolated for travelling south in winter conditions and commuting to Aberdeen for employment.

My suggestion for the future of our area would to help the tourist industry by encouraging and helping the Hotels, Bed and Breakfast establishments, making paths and access to our beautiful natural assets much more user friendly.

- the area in question for further housing development is in a flood plane where insurance cover would be difficult if not impossible to obtain. See SEPA maps.

- there are too many vacant sites in the village with derelict properties, which could be used to provide affordable housing.

- there are holiday homes which are occupied for only a few weeks in the year. Further development would only add to this situation.

- the character and balance of the village would be completely spoiled.

- there is little community area for the young and disabled sectors of our residents.

- there road and infrastructure is not in place to service an increase in population.

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

The response and objection is maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Ballater has not changed. No further modification is therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
056t	James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	

Company

Policy/site Settlements - Ballater other land uses

Representation to Deposit Plan

6.12/6.18 (Policy 36) No provision appears to have been made for the football pitches planned by Aberdeenshire CC; nor any mention of the proposed Woodland Project which was a desire expressed by many at the public consultation meetings. Proposals for the sustainability of the areas required for the Ballater Games and car and coach parking do not appear on the Plan.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The boundary of the site HI has been amended and reference to the importance of the Games included within the text. No comment is made in the representation of this change. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..."is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decide on this matter but will probably follow the informal route.

HEARING

Objector 056s	Name James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	Agent
-------------------------	---	--------------

Company

Policy/site Settlements - Ballater other land uses

Representation to Deposit Plan

6.12/6.18 (Policy 35/36) Ballater is not well served with formal recreation facilities and compares poorly with many villages within the Aberdeenshire County. The Schools outdoor activity centre was a splendid facility which introduced the outdoors and hills to very many primary school children from outwith the area but was sadly closed by the council in a cost cutting exercise. The building is still owned by the county and could be put back in use under CNPA control or similar to that provided at Loch Morlich in the Glen More outdoor activities and mountain training facilities. Facilities and activities for tourists such as mountain biking routes, ropeways and dinghy sailing and canoeing in the local lochs etc. in the Ballater area is urgently needed to encourage tourists to stay in Ballater rather than just pass through. The Park Plan should identify these aspirations.

In addition Ballater does not have purpose built facilities for indoor sport, theatre, cinema and other activities other than that which can be provided by the Victoria and Albert Hall which struggles for funding.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The modifications have included land as ENV which includes open space and other important land creating the setting of settlements. The wording of the plan also recognises the important role of established businesses such as cinemas, and presumes against their change of use. Policies are also worded to support new recreation development where appropriate. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..."is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decide on this matter but will probably follow the informal route.

HEARING

Objector	Name	Agent
056q	James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	

Company

Policy/site Settlements - Ballater other land uses

Representation to Deposit Plan

6.5/6.9 (Policy 33) Ballater has suffered from the loss of many hotel beds in recent years which are having a detrimental effect on availability and cost. The Park Plan should identify land and building development for Hotel and hostel accommodation as tourism is vital to the village.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The local plan and park plan both recognise the vital role of tourism within the National Park. Rather than identify particular sites the policies have been worded in such a way as to encourage new developments in appropriate locations. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..."is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decide on this matter but will probably follow the informal route.

HEARING

Objector	Name	Agent
056d	James and Evelyn Sunley 12 Lochnagar Way Ballater AB35 5PB	

Company

Policy/site Settlements - Ballater other land uses

Representation to Deposit Plan

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

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

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The modified Park Plan does not address any of the objections that we made, we therefore continue our objections and ask you to think again.

CNPA analysis of response to 1st modifications

The National Park is required to produce a local plan for the whole of the National Park. In particular regard to Ballater it has identified the central shopping area, additional employment land, and open space which contributes to the settlement. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan. I refer you to the changes indicated in appendix page 8 of your letter and point out that "page 68 , Ballater ..." is in fact page 72, page 68 refers to Kingussie. I further point out that the change to 16.2ha from the original 10.99ha, is a change due to the inclusion by CNPA of areas E2, and E3 areas which did not form part of development land on the Aberdeenshire CC Local Plan. This change should be properly delineated as a change from the ACC Local Plan.

With regard to my intentions with regard to the Reporters enquiry, it is decided on this matter but will probably follow the informal route.

HEARING

Objector	Name	Agent
425u	Rona Main Scottish Enterprise Grampian 27 Albyn Place Aberdeen AB10 IDB	Steve Crawford Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 IXB

Company Scottish Enterprise Grampian

Policy/site Settlements - Ballater/Braemar

Representation to Deposit Plan

Chapter 7 of the Local Plan discusses the settlement proposals with four key proposals identified as Housing, Economic Development, Community and Protected Open Space.

Housing and Economic development are the key areas of interest to SE Grampian, in particular - employment development land allocations. Effectively SE Grampian operates on the eastern side of the Park so it is the proposals relating to settlements in this location are the focus of the following representations.

The Plan operates a hierarchy of settlements - Strategic or Intermediate. 5 out of the 6 strategic settlements are located in the west of the Park with only one — Ballater in the east. 7 out of the 9 intermediate settlements are located in the west with only one — Braemar, located in the east. This is a strong move away from the Draft Local Plan where many other settlements were identified and this is of concern to SE Grampian. Indeed, these lists show that Braemar is not considered a strategic settlement yet it is at “the heart of the park”. This effectively represents a housing and economic development strategy falling out of the settlement allocations but with no strategic discussion on which to comment.

Furthermore, the two settlements that are included as Strategic or Intermediate on the eastern side of the Park have very limited development associated with them:

Ballater (Strategic) — has one 250 unit housing site but this is limited to 90 units within the first 5 years of the plan. We understand it is also affected by flooding, so we would question whether it should be considered as part of the effective housing land supply. In effect, even though this site is allocated, the development constraints and viability do not appear to have been investigated.

Ballater also has 3 zoned business sites. 2 of these have existing businesses operating from them and the third is very small. Of significant concern to SE Grampian is that there are no major commercial development sites in Ballater.

Within the hierarchy of settlements, only 1 strategic and 2 intermediate settlements are in the east of the Park. Braemar should be considered a strategic settlement as it is at the ‘heart’ of the Park. Also the development proposals within Ballater are very limited and do not represent an effective forward development strategy. The whole approach represents a housing and economic development strategy falling out of the settlement allocations but with no strategic discussion on which to comment.

CNPA analysis of objection to Deposit Plan

The approach to settlement identification will be revised in light of the representations received, and the proposals maps will also be amended to provide an appropriate level of detail to guide developers and clarify to local communities the future growth potential of settlements. A more strategic view will also be included, within the context and introduction of the plan, to set the settlement strategy in context and clarify the approach in line with the overall vision for the local plan.

Confirm the allocations reflect the nature of the geography of the Park.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

A number of other settlements have been identified in Aberdeenshire. The approach taken reflects the geography of the Park and the settlement pattern found there. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

Objector 455a	Name Seafield Estate Seafield Estate Office Cullen Buckie Banffshire	Agent Jill Paterson Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB
-------------------------	---	--

Company Seafield Estate

Policy/site Settlements - Boat of Garten

Representation to Deposit Plan

Object to the non-allocation of land to the south of Deishar Road for residential use.

This site was zoned within the previous local plan for residential and is still considered suitable for development. The site can easily be accessed and has the capacity to accommodate between 15 and 20 units. Its allocation will provide further opportunities for development within Boat of Garten and be a logical extension to the settlement.

Modifications: Identify site to the south of Deishar Road for residential use, for capacity 15-20 dwellings, and amend proposals map (as attached) accordingly.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Maintain objection.

CNPA analysis of response to 1st modifications

The position regarding housing land allocations and supply remain the same. No additional land has therefore been included by way of a further modification.

response to 2nd modifications

WRITTEN

Objector 390q	Name Roy Turnbull Torniscar Nethy Bridge Inverness-shire PH25 3ED	Agent
-------------------------	--	--------------

Company

Policy/site Settlements - Boat of Garten

Representation to Deposit Plan

BG/HI Object. This pinewood provides habitat for a European priority species, capercaillie, and development within it was formerly opposed by the CNPA. Contrary to the first aim of the Park. Contrary to the EU Habitats Directive.

CNPA analysis of objection to Deposit Plan

The proposal will be reviewed in line with the aims of the Park and international and national natural heritage legislation. Any conflict will be reflected in an appropriate modification.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land for housing in Boat of Garten has not changed. No modification is therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
400i(m)	Dr A M Jones Badenoch and Strathspey Fiodhag Nethybridge PH25 3DJ	

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Boat of Garten

Representation to Deposit Plan

Object to HI on grounds of excessive scale and conflicts with the 1st and 3rd aims of the Park.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Response to 1st modifications

Object to HI on grounds of excessive scale and conflicts with all 4 aims of the Park.

There is evidence from field research undertaken within the CNP that recreational disturbance impacts on capercaillie, who avoid using woodland by paths by up to a few hundred metres.

CNPA analysis of response to 1st modifications

The position regarding site allocations in Boat of Garten has not changed. Therefore no modification is proposed.

response to 2nd modifications

Maintain objections

Boat of Garten

Object to HI on grounds of excessive scale and conflicts with all 4 aims of the Park.

There is evidence from field research undertaken within the CNP that recreational disturbance impacts on capercaillie, who avoid using woodland by paths by up to a few hundred metres.

HEARING

Objector **Name** Frank Bardgett **Agent**
092d Boat of Garten Community Council
 Tigh an Iasgair
 Boat of Garten
 PH24 3BY

Company Boat of Garten Community Council

Policy/site Settlements - Boat of Garten

Representation to Deposit Plan

The Boat of Garten Scoping Study published by the CADISPA Project, Faculty of Education, University of Strathclyde in January 2004 highlighted features of key importance to this community:

- "... the high quality of the (natural) environment in which the village is surrounded"
- "... the need for more businesses and other services within the village. It was felt that bringing such enterprises into the village would help to stimulate economic and social well-being, through providing more services and potential employment. Furthermore, many respondents indicated that there was not a lack of skills within the local population: rather, the difficulty was finding or providing opportunities for people to use existing skills."
- "Tourism is obviously an important market for businesses in the local area, reflected in the respondents confirming that encouraging tourism is essential to the future economic success of the village."

While encouraging the provision of additional housing in Boat or Garten, the Community Council also wishes to see the Local Plan guard the current balance of use of locations within the village. There are enterprises crucial to employment and to the village as a tourist centre that we would not wish to lose to housing. There are open spaces, equally, that very clearly ought to remain as open spaces. The Plan should have clear Open Space (OS) and Economic/Tourism (ED) proposals for this village as it has for other villages of similar size. General wording to resist 'change of use' is not sufficient protection, particularly as development in HI has yet to be agreed.

Changes being sought

Add the following OS and ED proposals under the section and map for Boat of Garten – and widen the area covered by the map in order to do so.

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

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

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

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

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

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

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

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

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

The community council makes this submission after a period of public notice that it intended to recommend these proposals, and believes them to be acceptable and

also compatible with the allocation of BG/HI for sufficient housing for the lifetime of this Plan. Boundaries shown on the attached map are not intended to be accurate but merely representational.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Two objections to the mapping of Boat of Garten as an Intermediate Settlement were maintained. The map neither included the Milton Loch nor specified that it should be protected as open space of importance to the environment of the village. Further, the Community Council continued its objection to the failure to map the Boat of Garten Hotel as an important commercial and tourism asset to be protected within that category. As the only hotel in the village, the Boat of Garten Hotel is of considerable commercial significance to the community. Its prominence at the corner of Deshar Road means that it also contributes significantly to the built environment of the village. Finally, the Council noted that the Strathspey Railway Station and yards had been accorded mapping as important in the commerce/tourism category; the Hotel as the former Railway Hotel formed an integral part of that complex and hence should also be mapped. These special circumstances, taken together, ought to override any general presumption not to map hotels; they were of sufficient strength that the modified text (Policy 33, page 56) was insufficient protection.

Further objections to the failure to map other small properties as commercial were withdrawn. The Community Council welcomed and supported the new mapping of the Caravan Site and the Strathspey Railway and yards as retained for business/tourism use, and of the Playing Field and Golf Course as recreational open space of importance to the environment of the village. The mapping and designation of area BG/HI was again accepted, again with the hope expressed that a proper proportion of the sites would be 'affordable'. However it was noted that a planning application was expected imminently that would not fall to be considered under the new CNP Local Plan. Depending on sight of these plans and consideration of their implications, further comments on the Draft Plan might be required.

CNPA analysis of response to 1st modifications

The proposals map for Boat of Garten has been amended to reflect some original objections. However it is not the approach taken to identify particular hotels within settlements. The text however supports the retention of important uses which support the community such as that referred to. The site referred to at Milton Loch is outwith the settlement but protected from development through para 7.5. It is not therefore considered necessary to add this area into the settlement boundary in an effort to protect it from development. No additional modification or amendments are therefore proposed.

response to 2nd modifications

Your letter of 5 November 2008 was considered at the Community Council meeting last night, and it was decided to reaffirm our outstanding objections to the Deposit Local Plan, viz those relating to the mapping of the Boat of Garten Hotel and Milton Loch.

The information given in the letter on the Local Plan Inquiry process was helpful and it was decided that these objections would be pursued via written representations alone.

In due course the Community Council will wish to expand on what has been written so far, and we would appreciate an indication of how and when this may be done; no doubt the Pre Inquiry meeting will be helpful here.

WRITTEN

Objector	Name	Agent
381	G Simpson 8 Birch Grove Boat of Garten PH24 3BA	

Company

Policy/site Settlements - Boat of Garten HI

Representation to Deposit Plan

I would like to object to the number and density of houses which are proposed for Boat of Garten, quite in contrast to the smaller sites and number of houses which were discussed at the consultation meetings. Why the change of plans? This development is in line with the suburban sprawl you see in Edinburgh, Inverness and lately in Aviemore and once started, it will be continued in years to come, only to please the big developers. There is no demand for more holiday homes. In my street alone there are still more holiday homes than permanent residents. It is preposterous to allocated 475 more holiday homes – so much for sustainable developments. The creation of the Park does not make any difference as far as housing policy is concerned. Shame on you!

Modifications to resolve this objection – what we need in Boat of Garten is affordable houses (20-30) in small developments like the ones in Muirton Place, which were built by Albyn Housing Association. These houses fit into the village and are pleasing in design and are affordable.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of housing land at Boat of Garten has not changed, and as such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Reidhaven Estate
456n Seafield Estate Office
 Cullen
 Buckie
 Banffshire

Agent Jill Paterson
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Reidhaven Estate

Policy/site Settlements - Boat of Garten HI, CI

Representation to Deposit Plan

BOAT OF GARTEN - BG/HI and BG/CI

The Estate support the designation of HI and CI within Boat of Garten however consider that part of the site allocated as CI should be considered for business use.

There are no opportunities for businesses within the village. Part of this site was allocated in the previous local plan for business and it is our view that this zoning should be retained. The Estate have been in discussions with a business user in respect of this site, therefore demand exists and would be in line with the aims of the Park. The allocation of the front part of this site for business use would not compromise the viability of the remainder of the site for community use, which the Estate support.

Modifications: Amend proposals maps (as attached) to zone part of the site CI as business use and amend text accordingly.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained. Our initial representation sought the re-zoning of the northern part of Site CI for business. Whilst this remains our preference we welcome the amendment to the settlement text for the CI allocation to 'other uses which support development of the settlement and its sustainable community'.

Amendments - as per initial representation - amend proposals map to zone part of site CI for business use.

CNPA analysis of response to 1st modifications

The amendment has included reference to 'other uses' and no further modification is proposed.

response to 2nd modifications

WRITTEN

Objector **Name** The Proprietors of Mar Centre
394b

Agent Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company The Proprietors of Mar Centre

Policy/site Settlements - Braemar

Representation to Deposit Plan

Tourism - In order to make more housing available to those living and working in the area it is necessary, in our opinion, to reduce the amount of holiday accommodation available within Braemar. We believe that purpose built holiday houses (perhaps chalets) should be made available outwith the village. We have in mind such a development that could be linked strategically with a Core Path. Again, if the planning authority approved the concept we would ask for the Deposit Local Plan to allow for such development.

CNPA analysis of objection to Deposit Plan

The comments regarding holiday homes is noted. The allocations for housing have been calculated to take into account the fact that the purchase of open market houses as second or holiday homes cannot be controlled by the planning authority. The aim of the policies is therefore to focus development on those aspects which can be controlled and make an appropriate allowance for open market houses. Within the village any housing development will have to comply with the earlier policies in the plan regarding affordable housing provision. The wording in the plan, particularly in the housing section will be amended to reflect this. Confirm policies which support development of tourism accommodation.

Response to 1st modifications

Tourism/Holiday Accommodation (ref: 394b)– that holiday accommodation should be reduced in Braemar. It should instead be located in purpose-built holiday houses or chalets outside of the village. Such a site has been identified by The Mar Estate located close to Braemar. We do not agree that the allowance for open market housing is appropriate for Braemar but support the requirement for affordable housing to meet local need. Accordingly this objection is maintained.

CNPA analysis of response to 1st modifications

Holiday accommodation proposals would be considered under policy 33. The reduction of holiday accommodation in the settlement would be contrary to this policy and would be contrary to the views of the Board to promote tourism within the National Park. No modifications are therefore proposed in regard to this objection.

response to 2nd modifications

HEARING

Objector **Name** The Proprietors of Mar Centre
394o

Agent Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company The Proprietors of Mar Centre

Policy/site Settlements - Braemar

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

Settlement Proposals - Braemar Representations – First Modifications

The settlement boundary should be altered to take into account the sites shown on the annotated plan in Appendix 3. Settlement boundary should be considered flexible. ED1 is limited in scope and does not facilitate the future economic development of Braemar; ED2 and 3 are existing developments – a more forward-looking strategy is needed that identifies new business land for the settlement.

Changes Required to Resolve the Objection

Alter settlement boundary as suggested and introduce more business land.

CNPA analysis of response to 1st modifications

No additional land was requested at the deposit stage. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

Objector **Name** John Macpherson **Agent**
428b Braemar Community Council
 7 Broombank Terrace
 Braemar
 AB35 5YX

Company Braemar Community Council

Policy/site Settlements - Braemar

Representation to Deposit Plan

Also we wish to refer to the proposed housing area H3 which it is felt inappropriate for further housing. It is a locally valued amenity site on a popular walk for locals and visitors alike. Again we would mention the field adjacent to the Balnellan houses were it not required for commercial use.

CNPA analysis of objection to Deposit Plan

The comment is noted. Further consultation will be held specifically with the objector to ensure that the community views are properly reflected in the plan.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** John Macpherson **Agent**
428a Braemar Community Council
 7 Broombank Terrace
 Braemar
 AB35 5YX

Company Braemar Community Council

Policy/site Settlements - Braemar

Representation to Deposit Plan

On behalf of Braemar Community Council I wish to make the following observations regarding the Proposed Local Plan as it affects this community.

No allowance has been given to the provision of an area for future Commercial Units. This has been brought to light by the possibility of current storage area used by at least four commercial businesses in the former Fife Farm buildings no longer being available. This Council would like to propose that consideration be given to allocating either the area around the disused Snow Plough shed and disused Ambulance Station or the field area to the south of the Balnellan houses and to the east of the farm track, an area currently used as an unsightly dump and clearly of no agricultural value. We feel very strongly that there must be such an allocation in this plan.

CNPA analysis of objection to Deposit Plan

The comment is noted, and the plan aims to provide adequate development land to meet the economic aspirations of the community. In line with this the proposed site will be assessed and a review made to the proposals map in accordance with the findings of this work.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** The Proprietors of Mar Centre
394a

Agent Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company The Proprietors of Mar Centre

Policy/site Settlements - Braemar

Representation to Deposit Plan

We refer to the above plan and compliment those who have endeavoured to draft a strategy for the Cairngorms National Park which protects the landscape and the rural environment without stifling economic and social progress.

Our clients, the Proprietors of Mar Estate own much of the land to the west of the River Clunie incorporating the greater part of the village of Braemar and spreading westwards to the Ey Burn between the settlements of Inverey and Little Inverey. To the north the estate is bounded by the River Dee. The plan is of particular relevance to the future expansion of Braemar and to a lesser extent the settlements of Inverey and Little Inverey.

The Estate has considered the scope for both short term and medium to long term development and we would welcome the opportunity to discuss our thoughts. Of particular interest is the scope for a 20-30 house development on land which currently lies outwith the village envelope but within the Conservation Area.

We regularly receive requests from local families wanting to build or buy a house of their own to enable them to live and work in the area. It is impossible to satisfy demand and because of this we have considered where best the Estate could provide a site for a substantial development on which a high proportion (ie in excess of CNPA minimum requirements) of Affordable Housing together with recreational facilities could be located. We believe we have identified a near perfect site to accommodate such a scheme.

If the planning authorities approve the concept in principle we would ask that the Deposit Local Plan is amended accordingly. We believe there is scope for further development outwith the village envelope which would enhance Braemar. The village envelope boundary should in our opinion remain flexible.

Further development opportunities exist at Corriemulzie at the site of the old sawmill/estate workshop. We believe there would be merit in relocating the estate workshop/sawmill buildings to Inverey thereby allowing for the redevelopment of Corriemulzie. We believe that there would be merit in providing for some development in Inverey. This is a settlement much favoured by visitors to Upper Deeside. Carefully planned small scale development could be carried out without detriment to the existing 'village'.

CNPA analysis of objection to Deposit Plan

The comments are noted, and the allocated sites within Braemar will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated within the plan, but also approach to affordable houses and other opportunities outwith settlement boundaries.

Response to 1st modifications

Braemar (ref: 394a)– that there is scope and the need for further housing development in and around the settlement of Braemar and that the village should maintain a flexible village envelope to help accommodate this. We have some concern regarding the response from the CNPA [Local Plan – First Modifications (June 2008) Summary of Comments & Modifications]. It states that:

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

assessed through the SEA”. This statement is somewhat confusing. It suggests that none of the allocated sites have been assessed in relation to the above issues. This should be a key part of the local plan process and without this assessment there is no sound basis for the allocation of sites. It is therefore not clear whether the sites allocated are in fact deliverable or that there are more suitable sites, in land use planning terms, in the shape of alternatives put forward by objectors.

The response suggests that alternative sites will only be considered in a future review of the plan. We contend that the assessment of allocated sites and alternatives put forward should be undertaken now to ensure that the most appropriate sites, in planning terms, are allocated and can be delivered within the period of the plan.

Clarification is required on the site selection process to date, the basis for the inclusion of allocated sites and the future timescale for the assessment of allocated and alternative proposed sites. The CNPA should evaluate all proposed sites now and not in the next local plan review. This objection is maintained.

Corriemulzie (ref: 394a)– that development opportunities exist here. This issue was considered jointly with those objections relating to Braemar. We believe that this is a different, but related, issue and the response provided by the CNPA did not consider it fully. This objection is therefore maintained.

Inverey (ref: 394a) – that the settlement could accommodate carefully planned small-scale development. This issue was considered jointly with those objections relating to Braemar. We believe that this is a different, but related, issue and the response provided by the CNPA did not consider it fully. This objection is therefore maintained.

CNPA analysis of response to 1st modifications

The issue of the original allocations was not raised at the deposit stage. However the situation regarding the allocated sites remains the same. Applications have been received on some of these already. Additional opportunity for small scale development may exist outside the settlement boundary through policy 23. No modifications are therefore proposed in regard to this objection.

response to 2nd modifications

HEARING

Objector **Name** John Macpherson **Agent**
428c Braemar Community Council
 7 Broombank Terrace
 Braemar
 AB35 5YX

Company Braemar Community Council

Policy/site Settlements - Braemar HI

Representation to Deposit Plan

Site HI is indicated and noted as planning permission granted for 20 houses and we wonder why the Invercauld Farm site is not so marked as it also has planning permission for a significant number of houses.

CNPA analysis of objection to Deposit Plan

The comment is noted and the proposals maps will be amended to ensure a consistent approach it taken throughout.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector 390r	Name Roy Turnbull Torniscar Nethy Bridge Inverness-shire PH25 3ED	Agent
-------------------------	--	--------------

Company

Policy/site Settlements - Carr-bridge

Representation to Deposit Plan

C/HI Object. This is a species-rich pinewood. Development would increase the size of Carr-bridge by about one third. Contrary to the first aim of the Park.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of land for housing in Carr-bridge has not changed. No modification is therefore proposed.

response to 2nd modifications

HEARING

Objector **Name** James Gibbs **Agent**
421g HIE Inverness and East Highland
 The Green House
 Beechwood Business Park North
 Inverness, IV2 3BL

Company HIE Inverness and East Highland

Policy/site Settlements - Carr-bridge

Representation to Deposit Plan

Whilst the advantages of designating a brown-field site are evident in Carr-Bridge, the access to this particular site, passing as it does under the railway may not make it reasonably practicable to develop to its full potential capacity. We would welcome consideration being given to some additional designations for business uses in this village.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector	Name	Agent
037r	DW and IM Duncan Pineacre West Terrace Kingussie PH21 IHA	

Company

Policy/site Settlements - Carr-bridge

Representation to Deposit Plan

The proposals to build 117 houses within the existing Carr Plantation should be re-thought.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at Carr-bridge has not changed, and as such no modifications are proposed.

response to 2nd modifications

I refer to your letter of 5th November regarding modifications to the Local Plan.

I have no further comments to make on these modifications but I would reiterate that I still have serious concerns regarding the extent of the zoning for new housing development across the area and I believe that this is at odds with the first aim of the National Park.

I am happy for my written submissions to be considered by the Reporter at the Local Plan Inquiry.

WRITTEN

Objector	Name	Agent
400i(n)	Dr A M Jones Badenoch and Strathspey Fiodhag Nethybridge PH25 3DJ	

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Carr-bridge

Representation to Deposit Plan

Object to H1.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan.

Response to 1st modifications

Object to H1 as it conflicts with all 4 aims of the Park

All woodland surrounding H1 should be Environment to make it clear that Carrbridge will not expand further into this woodland.

All the woodland around Landmark and south of Station Road should be Environment.

CNPA analysis of response to 1st modifications

The position regarding site allocations in Carr Bridge has not changed. Therefore no modification is proposed.

response to 2nd modifications

Maintain objections

Carrbridge

Object to H1 as it conflicts with all 4 aims of the Park

All woodland surrounding H1 should be Environment to make it clear that Carrbridge will not expand further into this woodland.

All the woodland around Landmark and south of Station Road should be Environment.

HEARING

The CNPA position regarding the housing land allocation in Carr-Bridge has not changed. No further modifications are therefore proposed.
response to 2nd modifications

WRITTEN

Objector Name Glenmore Properties Ltd
453q Viewfield Farm
Craigellachie
Aberlour
AB38 9QT

Agent Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 1XB

Company Glenmore Properties Ltd

Policy/site Settlements - Cromdale

Representation to Deposit Plan

Glenmore Properties are interested in the Cromdale Settlement. In particular we support the allocation of site H2 for new housing. The plan, however, does not fully reflect the position within the town. The area to the east of H2 already has outline consent for 14 houses (Outline consent awaiting the S.75 to be signed) and should form part of the overall H2 site with an increased allocation of housing to reflect the larger consolidated site. The site allocations for such sites within settlements should be considered indicative and actual development capacities should be determined at the time of any planning application. The Plan should make this clear.

Modifications: Alter policies to reflect comments in summary.

CNPA analysis of objection to Deposit Plan

The proposals maps will be reviewed in light of the comments received to provide the most accurate level of detail and guidance, including reference to extant planning permissions. The wording in support of such proposal sites will be amended to reflect more accurately the position. The comments regarding capacity are also noted, and further clarity will be included to explain this position.

Response to 1st modifications

Our clients' previously objected to the absence of the area immediately south east of the allocated H2 site, extending to the A95. We wish to sustain this objection, as the allocation boundary has not been altered. Glenmore Properties are interested in the Cromdale Settlement. We support the allocation of site H2 for new housing. The plan, however, does not fully reflect the position within the town. The area to the east of H2 already has outline consent for residential development (subject to the completion of a Section 75 agreement) and should form part of the overall H2 site with an increased allocation of housing to reflect the larger consolidated site. The site allocations for such sites within settlements should be considered indicative and actual development capacities should be determined at the time of any planning application. The Plan should make this clear.

CNPA analysis of response to 1st modifications

Site allocations are identified as indicative in table 4. Where permissions have been granted the proposals maps have not included these as they are no longer 'proposals'. No further modifications are therefore proposed.

response to 2nd modifications

In respect of our previous correspondence we would wish to maintain our objections as previously detailed to Cromdale

HEARING