

Objector
363

Name James Crichton
Floradale
Dinnet

Agent

Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Dinnet requires all the help it can have.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

We wish to maintain our objections

CNPA analysis of response to 1st modifications

Dinnet has been included as a rural settlement in line with the objection. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Dinnet

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 The Estate objects to the failure of the Cairngorm's National Park Deposit Local Plan to identify Dinnet as a settlement with provision for new housing and related development. This contrasts with the Consultative Draft Local Plan, published in October 2005, which identified Dinnet as a settlement with scope for housing, business and community development. Proposals contained in that draft plan should be reinstated.

3.0 GROUNDS OF OBJECTION

3.1 Dinnet lies on an important crossroads at the eastern edge of the Cairngorms National Park. It comprises a grouping of buildings with more recent infill housing development accessed off the A93. It contains a number of businesses including an hotel and self catering accommodation, restaurant, antique shop and the offices of Dinnet and Kinord Estate. A garage, located at the eastern end of the village recently went into receivership and is presently closed. Dinnet and Kinord Estates are currently in discussions with the Receiver with a view to acquiring and reopening this property. It also benefits from a public hall and play area I picnic site and is the starting point of the footpath network for the Loch Kinord National Nature Reserve. It lies on the A93 and is well served by public transport on that route.

3.2 The size of the settlement and the business and facilities which it sustains would dictate that it should be identified as a settlement in the Deposit Local Plan. The Aberdeenshire Local Plan, adopted in June 2006 in conformity with the Aberdeen and Aberdeenshire Structure Plan, identified Dinnet as a Rural Serve Centre with a tightly defined settlement boundary. That development plan defined Rural Service Centres as minor service centres that contain some viable services and may provide opportunities to absorb small scale local development needs. In identifying Dinnet as a Rural Service Centre, it recognised the important contribution the village makes to the wider area.

3.3 This position was reinforced by the Consultative Draft Cairngorms National Park Local Plan which identified Dinnet as a settlement with the provision for a

phased development of housing over the next fifteen year period. If further promoted infill development within both Ordie and Dinnet. Business development opportunities were also highlighted in the plan with the provision of enhanced community facilities. In identifying scope for new housing in Dinnet the local plan acknowledged that future housing should primarily be concentrated within settlements. It considered that housing of all tenures was required, but particularly affordable housing to rent in order to attract young families and encourage younger people to stay in the area.

3.4 The continued identification of Dinnet as a settlement and the proposals for its growth was supported by the local community and by Dinnet and Kinord Estate. Indeed, Dinnet and Kinord Estate has adopted the proposals as a platform for the diversification of the Estate and the development of related business opportunities in the immediate vicinity. These were presented to Officers of the National Park's Authority at a meeting on 28th August 2007 having been formulated following the publication of the Consultative Draft Local Plan.

3.5 The proposals are all interlinked, but require the housing development proposed at Dinnet both to cross fund the business and tourism developments and provide housing for workers employed in those businesses. A planning application has already been lodged for the first component of diversification proposals comprising the construction of a smokehouse to the west of the village to add value to the traditional produce of the Estate. It will also help diversify the Estate business and develop a prestigious "Deeside brand" for food products. An outlet for the products and other local produce is proposed for the "Clarack" which lies to the north of the A93 to the west of the village. This presently comprises a large granite steading building with a number of more modern agricultural storage buildings in the immediate vicinity. The proposal involves the conversion of the steading to provide a major tourist facility on Deeside comprising a foodhall specialising in Scottish produce, local gifts and crafts, country clothing, a restaurant and tea room. Also included will be a children's play barn with an outdoor adventure playground. A local information and interpretation centre will be provided as part of the proposals and the associated car parking will provide access to the footpath network around the Loch Kinord National Nature Reserve. Jointly, the proposals will provide a significant tourism development on the site creating employment for a substantial number of local people. It will also bring additional spending to the area to the benefit of the wider community and businesses in the area. A feasibility study, jointly funded by Scottish Enterprise Grampian, is presently being carried out into the proposals. The findings of this study will be submitted to the National Park Authority in due course in support of this Objection.

3.6 The development of the above facilities are entirely dependent upon the provision within the plan of a housing development at Dinnet. The proposal involves the erection of around 60 units to the south of the A93 in the area identified in the Consultative Draft Local Plan. It is anticipated that an agreed proportion of the house sites would be sold to a private developer in order to cross fund the development of the remaining housing land and the associated business and tourism developments. The remaining land would be retained by the Estate for the development of housing for private rent and as accommodation for staff employed at the Clarack and the smokehouse. The proposal would deliver high quality accommodation in the park area as well as providing accommodation for staff. The development will embrace the sustainability objectives of the plan with the provision made for a biomass heating plant serving the new housing development and enable connection of this to the wider community. The district heating system would be fired by timber products produced on the Estate and locally. The details of the entire package of proposed developments is attached at Appendix A.

3.7 As well as complying with the Objectives of the Cairngorms National Parks Authority, the proposals will accord with National Planning Policy Guidance. SPP1: The Planning System advises that the aim of development plans is to provide a land use framework within which investment and development can take place with confidence. The importance attached to the development plan makes it essential the policies provide clear guidance to developers and the public on the relevant planning issues affecting an area; are properly justified to explain their intentions; are expressed simply and unambiguously; and, can be easily monitored, reviewed and kept up-to-date. Local plans are specifically charged with identifying effective opportunities for development and encouraging investment in an area. The aim is to

exert a positive influence over land use decisions. The Consultative Draft Local Plan justifiably identified Dinnet as a settlement with provision for future housing. Dinnet and Kinord Estate took confidence from the support demonstrated by the draft local plan and accordingly embarked on their proposals for the growth of the village and the related business and tourism developments. It is now entirely inappropriate for the local plan to remove that development opportunity and contrary to the objectives set out in SSP1.

3.8 Such development as envisaged by Dinnet and Kinord Estate is supported by SPP15: Planning for Rural Development. This highlights that rural Scotland needs to become more confident and forward looking, both accepting change and benefiting from it, providing for people who want to continue to live and work there and welcoming newcomers. It advises that the intention is to have vigorous and prosperous rural communities, ranging from small towns and villages to dispersed settlements. The countryside should be able to absorb more people content to live and able to work there. It encourages planning authorities and agencies involved in rural development to adopt a proactive approach to providing land for development. The overarching aim is to have a prosperous rural economy with a stable or increasing population that is more balanced in terms of a structure and where rural communities have reasonable access to good quality services. It advises that the planning system can assist this by adopting a more welcoming stance to development in rural Scotland including the further refinement of the approach to diversification. Planning Authorities should support a wide range of economic activity in rural areas and seek environmental enhancement through development at every opportunity. Tourism is of vital importance to the social, economic, environmental and cultural wellbeing of rural Scotland accounting for 9% of Scottish jobs. SPP15 advises that Planning Authorities should support the development of the tourism and leisure industry with appropriate policies on the siting and design of new development. Planned development is encouraged and the interlinked proposals for Dinnet and the wider area are entirely within the spirit of SPP15.

3.9 SPP3: Planning for Housing states that development plans should allocate sufficient land to meet housing requirements including affordable housing. The amount and location of housing that can be developed in rural areas is determined by a number of factors. These include: proximity to services such as schools, shops; ease of access; drainage and sewage capacity and their fit within the landscape. Dinnet, is ideally placed to accommodate additional housing development with a range of services already provided within the village and lying on a main public transport corridor. The proposed housing development would help sustain those existing facilities and assist the development of new business and tourism related developments. It would provide much needed accommodation for workers and young families within the area, all cross-subsidised through the sale of part of the site for private sector development. The Deposit Local Plan itself at paragraph 5.36 recognises the need to provide land for housing growth to meet social and economic needs of settlements and communities within the park area.

CNPA analysis of objection to Deposit Plan

3.10 Dinnet is a sustainable location with the availability of public transport on the A93 providing frequent services to Ballater and Braemar to the west and Aboyne, Banchory and Aberdeen to the east. Development at Dinnet would comply with the objectives of SPP17: Planning for Transport which advises that local plans rational behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided should relate the existing land use development pattern to the capacity of the transport network, and appraise the pattern of new land allocations in relation to for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both transport opportunities and constraints, It advises that Planning Authorities should locate such developments in places well served by public transport. Further 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 development at Dinnet is likely to result in further enhancements to public transport services along the A93. Dinnet also lies on the Deeside way which is likely to the SEA.

encourage walking and cycling trips to nearby facilities.

Response to 1st modifications

3.11 Siting and design will be key issues in the development of new housing and the related business and tourism developments. Dinnet and Kinord Estate are

refer to your letter dated 13 June 2008 advising of the publication of the further modifications to the Cairngorms National Park Local Plan which were recently sympathetic to the use of traditional designs and materials and clearly have a vested interest in the quality of development in Dinnet. Accordingly, their proposals will be agreed by the Park Board.

comply fully with design guidance provided by the Scottish Executive and the Cairngorms National Park Authority. Furthermore, it is the intention of the Estate to In total three representations were made on behalf of my client, Dinnet and Kinord Estate. These were referenced 438a in relation to Dinnet, 438b in relation to ensure that a sustainable carbon neutral development is promoted embracing the principles of SPP6 in regard to renewable energy. In particular the proposals housing land requirement and supply, and 438c in relation to the settlement of Ballater.

envisage a biomass plant for providing heating and hot water to the proposed housing development. This will utilise adequate supplies of wood from the Estate and the immediate area. The Estate would intend to work closely with the Cairngorm's National Park Authority and other related bodies to ensure that the proposed development is sympathetic to the local area and maximises the use of renewable energy technology. With regard to representation 438a it is welcomed that Dinnet has now been reinstated as a settlement. Nevertheless, although reference is made in the supporting text to the provision of housing to secure a sustainable community, objection remains to the failure to identify specific land for housing. Therefore we would

maintain that part of our objection that provision should be made for housing in Dinnet and that the proposals for the settlement in the Consultative Draft Local Plan should be reinstated. This would dictate the provision of a settlement boundary allowing for infill development of the village to the south east with scope for the phased expansion of the village over a 20 year period, comprising a mix of mainstream and affordable housing, with plans to be brought forward in due course.

CNPA analysis of response to 1st modifications

The CNPA position regarding the need for additional land for housing remains the same and no modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 364	Name Mrs Jean Greenlaw 6 Mulloch View Dinnet Aberdeenshire AB34 5GG	Agent
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Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Dinnet is a lovely village, but it desperately needs a shop or two and more houses to keep the village alive. There are lots of walkers come to Dinnet, I have been asked on several occasions where they can buy juice and snacks.

Modifications - Young people are in need of affordable housing. Dinnet estate has built nice houses, please let them build more.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Dinnet has been included as a rural settlement in line with the objection. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Pamela Thain and Scott Michie **Agent**
360 3 Mulloch View
 Dinnet
 Aboyne
 AB34 5GG

Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

I think the village of Dinnet needs more housing for young families, as there are not many young children in Dinnet. A village shop and Garage is also needed in Dinnet.

Modifications

I believe Dinnet really needs the garage and shop reopening and if there was more affordable housing in Dinnet this would benefit Dinnet.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector 365	Name Mr Robert Greenlaw 6 Mulloch View Dinnet Aberdeenshire AB34 5GG	Agent
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Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Dinnet is one of the gateways to the National Park and has a lot of walks etc. Therefore we need to expand the village.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Dinnet has been included as a rural settlement in line with the objection. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector 343	Name Elizabeth C Gillanders Tigh-na-Aitionn Peathillock Dinnet	Agent
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Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

'Why?' is the word that immediately springs to mind. We need it as a settlement which would not only benefit the village but also the surrounding area. We require affordable housing as a base for workers not a village used as a fast route westwards and eastwards. Dinnet has much to commend it historically, environmentally and is worth more than it is at present receiving. Let us have more housing and amenities.

Although not strictly a 'local' only having lived in Dinnet for the past 36 years, I have unfortunately seen the slow dying of the village – no shop, no post office, no garage or petrol station. I would strongly support the provision of housing (affordable) and also varied in size – first buyers? Dinnet is approximately half way between Aberdeen and Braemar – time to expand – cottage industries or similar are found in many remote areas – why not encourage them to set up in a readily accessible area where accommodation would be available.

We don't want a ghost town in the centre of Royal Deeside but a settlement which will attract new blood and become a project in rejuvenation. The new walkway extending now from Aboyne is well on the way, why not extend the housing area as well and for good measure install toilet accommodation off the car park. The proposed housing development would appear to be ideally situated – unobtrusive and something to put Dinnet on the map again.

Modifications needed to resolve this representation – as in para 4 – no need to repeat my comments, although I would like an explanation of why Dinnet has been disregarded as a settlement.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Dinnet has been included as a settlement. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Dinnet is the main eastern gateway to the CNP with the omission of any residential development site. This policy for Dinnet will stifle any possibility of economic development and invigoration of the village. The first sight visitors to the Park will see is that of a village suffering neglect, which none of the promises a visit to the Park should offer.

Steps to resolve this objection – an allocation of land south of the Deeside Way for housing – mixed, affordable to bring new families to the Village which will help invigorate the area, and would help provide local staff for local businesses.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Dinnet has been included as a settlement. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector
375

Name Mr T Ross
63 Bellwood Drive
Aboyne
Aberdeenshire

Agent

Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Having lived in Dinnet and hopefully returning there, very disappointed to see it dropped from local planning as it desperately needs to be reinvigorated to support already existing businesses.

Modifications to resolve this objection - affordable housing, shop reopened, garage reinstated.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector
362

Name Mrs Isobel Crichton
Floradale
Dinnet

Agent

Company

Policy/site Settlements - Dinnet

Representation to Deposit Plan

Dinnet requires all the help it can have. Not writing us off or the village will cease to exist any longer.

CNPA analysis of objection to Deposit Plan

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.

Response to 1st modifications

We wish to maintain our objections

CNPA analysis of response to 1st modifications

Dinnet has been included as a rural settlement in line with the objection. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Seafield Estate
455b Seafield Estate Office
 Cullen
 Buckie
 Banffshire

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

Company Seafield Estate

Policy/site Settlements - Dulnain Bridge

Representation to Deposit Plan

There are additional opportunities for housing at Dulnain Bridge as shown on the attached plan. These sites offer a logical extension to the village. Additional residential development will help to sustain existing rural services and providing new housing opportunities within existing settlements. It is our view that some or all of these sites be identified for residential.

Proposed modifications - Amend the settlement to include allocations for residential as shown on the attached plan.

CNPA analysis of objection to Deposit Plan

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

HEARING

Objector
485

Name Speyburn Homes Ltd

Agent Mark Myles

Company

Policy/site Settlements - Grantown on Spey ED2

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

The area as shown on the attached plan includes West Station House ie residential use. The site forms a pinch point between the business uses to the north and south. The site is segregated from adjacent business land and has direct road frontage/access opportunities along Woodlands Terrace. The site offers the opportunity to provide residential use complimentary to West Station House without detriment to adjacent land uses or occupiers.

Proposed amendment - Removal of the site from GS/ED2 designation on the proposals map. The site should be retained as white area on plan so that the general residential use infill policy criteria would be applicable. Alternatively the site could be specifically identified as site GS/H3 in the proposals section for Grantown on Spey as a specific housing opportunity site.

CNPA analysis of response to 1st modifications

The proposed amendment to the map, to return the land identified to 'white' is considered an appropriate change as a further modification. A second modification in line with the objection is therefore proposed.

response to 2nd modifications

WRITTEN

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

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

Company Reidhaven Estate

Policy/site Settlements - Grantown on Spey Env

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

We wish to object to the designation of sites as ENV outwith the settlement boundary for Grantown on Spey, in particular the sites to the north east of the settlement. These sites are open fields and have no particular designations (eg natural heritage or formal recreation) which would warrant their inclusion. There appears to be no sound basis for their allocation. Other policies within the Plan exist to ensure that these are protected therefore this designation is not required.

CNPA analysis of response to 1st modifications

The land was included to give some recognition to the role it plays in the setting of Grantown. However as fields this may indeed not be appropriate and the land will once again be removed as part of the second modifications to the plan.

response to 2nd modifications

WRITTEN

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

Company HIE Inverness and East Highland

Policy/site Settlements - Grantown on Spey general

Representation to Deposit Plan

Comments that we have received from the business community suggest consideration should be given to providing additional capacity for commercial and business use in Grantown-on-Spey. We suggest either, that the possibility of adjacent to Achnagonalin should be investigated, or other areas nearby be considered

CNPA analysis of objection to Deposit Plan

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. Further work will therefore be undertaken to ensure an appropriate level of guidance is included, and where appropriate sites will be identified on the proposals maps to meet the growth aspirations of the community.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Grantown on Spey general

Representation to Deposit Plan

GS/H1 – Object Contrary to the first aim of the Park.

GS/H2 – Object 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. Confirm application will now be determined under the Highland Council Plan. Confirm in future developments will have to comply with the relevant policies of the plan and the aims of the Park to gain consent.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

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

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

Company Reidhaven Estate

Policy/site Settlements - Grantown on Spey general

Representation to Deposit Plan

Grantown On Spey - Additional Residential Site

The area to the west is currently used for forestry however is not protected and could be considered a suitable site for residential use. It offers scope in both the short and long term

Modifications: Amend proposals map and text to include site to the west of Grantown on Spey for residential as per the attached plan.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the amount of land included for housing development has not changed. No modifications or additions are therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
358a	BMS Dunlop Ben A'an Lynemacgregor Grantown-on-Spey PH26 3PR	

Company

Policy/site Settlements - Grantown on Spey general

Representation to Deposit Plan

The map shows an existing path through the Highland Council Yard and Lorry Park at the industrial estate, and to the track bed of the disused railway line heading south. To the north of the line is path is incorrectly depicted meandering up the banks and through the fence of the dismantled railway.

Modifications being sought - the path should be deleted as there is not and never was a path here – the lorry park gates were locked and the track bed blocked by dumped rubbish and overgrown. Planning approval granted to relay railway in near future. To the north the path should be accurately located in the centre of the former track bed.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Regarding 1), you mention the core paths were indicative only, and their routes are being dealt with through consultation on the Core Paths Plan. However the map on page 67 of the Deposit Local Plan quite clearly showed the former railway as an existing path, not a potential new path under the core path consultation. This is wrong - it has never been a path, and as the reconstruction of the railway on the former trackbed already has planning consent, it is unlikely it ever will be. As such it should be removed both from the Local Plan and the Core Paths Plan or it will cause confusion and might jeopardise the restoration of the railway, which the CNPA supports. However I am pleased to note that the modified plan you enclosed, although it does not have a key, contains extra land zonation, and does not show any existing or potential new core paths. In this respect my representation appears to have been upheld, though you do not acknowledge this.

Further to my Email of 27 May, I have spoken to Cllr Jaci Douglas regarding the continuing depiction of two areas at the Mossie as brown development land. These are:-

- 1) the shelterbelt alongside the lane on the Northeast side of the Seafield Court houses (planted as a planning condition to screen the houses), and the corner of the Birchwood
- 2) The small area against the woodland fence at the former shooting range on the North side.

I understand that Cllr Douglas spoke to you or Mary about this, and that it was considered that as these areas were part of the Muir application yet to go before the planning committee, they should be left in the plan. I understand the reasoning behind this, however must point out that if for any reason the Muir application is withdrawn, refused or amended, continued depiction in the Local Plan would give prospective developers some grounds for expecting approval if applying for permission to develop these sites. This is despite the view of some CNPA officers that these two sites should be protected.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land for housing in Grantown on Spey has not changed. The detail of landscaping and areas to be left free from development is not included in the allocation map, and would be considered through the application stage where proposals are assessed against policies within the Plan and additional scottish Government guidance through documents such as 'Designing Places', PAN 44 and PAN 67. No further modifications are therefore proposed.

response to 2nd modifications**WRITTEN**

Objector **Name** Muir Homes Ltd
038n

Agent Malcolm Smith
TMS Planning and Development Services
Balclune, 32 Clune Road
Gowkhall, Fife
KY12 9NZ

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

Proposal GS/HI states that: "A detailed planning application is with the National Park Authority for the development of this 9.6ha site. The application will now be considered in line with the current adopted local plan (Badenoch and Strathspey Local Plan 1997), but will assist in providing housing for this local plan and its housing needs".

It is considered that this text should be expanded to state the following: -

While support remains for the development of this site as part of the required expansion to the strategic settlement of Grantown-on-Spey, as a result of extensive investigations now carried out by the applicant, it has been established that the approach to development outlined within the adopted local plan would not be the most appropriate for this site. As a result, the proposals map for Grantown-on-Spey now reflects a preferable environmental solution which is more sympathetic to the site and which protects environmentally sensitive areas from development. General compliance with the development area shown on the plan contained within this document will be seen as satisfying the underlying requirements of the adopted local plan. The requirement for a substantial part of the larger site (now forming the planning application to CNPA) to be provided as public open space remains and is being incorporated within the current proposals. This related to proposal GS/Env within this plan.

While there is no requirement within the adopted local plan for affordable housing, the applicant has agreed, in conjunction with a local Housing Association, to provide 25% of the development for such use. This level of provision is considered appropriate in these circumstances.

CNPA analysis of response to 1st modifications

The CNPA position regarding allocations in Grantown on Spey has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

I refer to the letter from Cairngorm National Park Authority dated 5 November, 2008 and the attached "2nd Modifications to the Deposit Local Plan" related to the above. I would confirm at this stage that Muir Homes Limited retains its objections to the plan for those reasons set out within the representation submitted by TMS Planning and Development Services dated July 2008. Muir Homes Limited will wish all of its objections to be considered as part of the Local Plan PLI process and is likely to wish to support some objections in the form of oral evidence at a hearing with the remainder by further written submissions. This position will be clarified in due course.

HEARING

Objector 046	Name Bryan Grozier Camerary By Grantown on Spey PH26 3PR	Agent
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Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

The plans for Grantown alone (200 + houses) make a mockery of the National Park and the continued sprawl of Aviemore is worrying. I think that the main problem is the action of Reidhaven/Seafield Estates who still have an extensive land bank in the area and are continually pushing to develop areas within the park.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

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

Company

Policy/site Settlements - Grantown on Spey H1

Representation to Deposit Plan

I refer to the map of Grantown on Spey which details proposed housing development sites. In particular I refer to area H1 and more specifically to the area between Seafield Court and Grantown Camp Site which I shall now refer to as 'the field'. The field has previously been zoned for housing in Highland Council plans. These plans were shallow and took no account whatsoever of the economic impact that such development would have on the town.

The CNPA and many others recognise that tourism and recreation are vitally important to Grantown which offers a unique base from which to explore the surrounding countryside.

Grantown Campsite is exceptional in that it is close to the town yet still in the country. It offers tranquillity, wildlife and a special ambience that only a rural campsite can. The campers enjoy views of the Cromdale hills and Cairngorms from their own front doors. Tourists go camping to be in the country and not to look at, and be overlooked by, a sprawling housing estate.

Would you go on a camping holiday to a National Park to look into the back gardens of 1 and ½ and 2 storey houses?

This campsite attracts many thousands of visitors to Grantown throughout the year. Without it, many local businesses would fail and the economy of Grantown would nose-dive.

Large scale development of the field would surely see the demise of the camp site which is the largest single attractor of tourists to Grantown. Tourism is part of Grantown's culture. To allow large-scale and inappropriate development of the field would fly in the face of the National Park, (Scotland) Act 2000, which aims to:

- Conserve and enhance the natural and cultural heritage;
- Promote the enjoyment of the special qualities of the area by the public;
- Promote sustainable economic development of the area's communities.

In accordance with current CNPA policy, "this Camp Site should be protected and enhanced". The CNPA also recognises that "a good range of quality accommodation is vital to a healthy tourist industry".

What steps would be needed to resolve this objection – if it were not for the town's campsite, the field may have been more suitable for housing development on a larger scale. Any future small scale development will have to be sympathetic to the tourists and the campsite. It would have to be aesthetic and match the current built environment of Seafield Court where only single story, low density bungalows exist.

There are undulations in the field which rise up to 3 metres. These undulations would need to be levelled before any small scale development took place; otherwise even a bungalow would be as high as a 2 storey house.

There is a need for housing in Grantown but this must be balanced against the destruction of Grantown's fragile tourist industry. There are other areas in Grantown which are zoned for housing which are more suitable for larger scale development.

I regretfully suggest that if development of this field must go ahead then:

- there should be a considerable 'green' border between it and the camp site;
- housing must only be single storey to preserve the views from the camp site;
- the undulations of the field must be levelled to preserve views;
- that any such development must be dispersed and not dense.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Further to our conversation last week and my earlier correspondence in relation to the above matter, I would like to add the following.

My objection to housing on the field between Grantown's Caravan Park and Seafield Court still stands. I am aware of the on-going planning application by Muir Homes which includes this location. I understand that the Muir Homes application is being made with the 1997 Highland Council Local Plan in mind. Upon proper research, it does appear that this plan is flawed, having failed to take account of a number of important matters, including the points below.

If, for any reason this application is unsuccessful, I suggest that a full appraisal be made of the area in question before any other development plans are considered, taking into account-

- Grantown's economy and the impact development beside the Caravan Park would have.
- Potential flooding risk.
- The biodiversity of the field and surrounding water courses.

CNPA analysis of response to 1st modifications

The CNPA position regarding allocations in Grantown on Spey has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

HEARING

Objector
028

Name Janet Eileen Jemmett
1 Rhuarden Court
Grantown on Spey
PH26 3DA

Agent

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

Density and siting of proposed housing in Southern end of GS/HI adjoining the caravan park and Seafield Avenue. The caravan park makes a significant contribution to the local economy and benefits especially from its location close to amenities but in a rural setting. A housing development bordering the caravan site and in-filling the rural space between it and the town would remove these attractions and in turn adversely affect its contribution to the local tourist industry

Density of housing (200units in 9.6 Ha ie 20.8/Ha)is out of character with Northern end of town and neighbouring streets- Mossie Road, Seafield Court, Seafield Avenue & Rhuarden Court. This density is also the highest compared to other proposed developments where the area has been specified- see page 62 Aviemore AV/H3 (12.7/Ha),page 68 Kingussie KG/HI (18.7/Ha), page 70 Newtonmore NM/HI (10.25/Ha), Page 74 Boat of Garten Bg/HI(12.1/Ha). This proposed development density in Grantown on Spey is out of proportion to the other proposed developments in the Park and could adversely impact the character of the town.

Potential egress from this new development onto Seafield Ave, Grantown on Spey will have serious implications for traffic on a road which already suffers from difficulties of congestion at its junction with High Street/The Square. This particular junction is often obstructed by parked lorries delivering to the Co-Op store shoppers' cars and vehicles, including caravans, trying to exit or enter the junction. This creates a real hazard for the many pedestrians crossing at this point and walking to the shops. Further consideration should be given to the fact that during school term time there is a school crossing patrol operating across The High Street at this junction for children making there way to and from the local schools.

Egress from Seafield Avenue is already difficult for the above stated reasons with the added danger that a driver's view to the right when egressing Seafield Ave is often obstructed by cars parked in the High Street.

These current problems inevitably lead to Grant Road and Mossie Road being used as 'rat runs'. Neither road is suitable to take additional traffic as, in places, both of these roads lack pavements on one side.

How to resolve this objection - Move or extend proposed open space (OS1) to border caravan park and at least part of Seafield Avenue. This would create a green space adjacent to the caravan park and preserve a semblance or a rural setting.

A reduction in the density of units in GS/HI to be comparable to those developments proposed in the surrounding villages, particularly in the Southern end of GS/HI adjoining Seafield Avenue.

Should the development go ahead as planned then serious consideration must be given to improve both the junction of Seafield Avenue with High Street/The Square and upgrading the pavements in Grant Road and Mossie Road. In addition consideration should be given to limiting the egress from the proposed development onto

Seafield Avenue

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

All our objections are maintained. Thanks for sending copies of the letters we received but in view of the "falling between 2 stools" of the current Muir Homes development proposal and the Park Local Plan, which is a confusing and frustrating situation, we must maintain our objections to the Local Plan.

In the letters there is a promise to keep us informed of the consultation process; this has not happened!!

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Grantown on Spey has not changed. No modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
014	Mr & Mrs L Evans Redmires Mossie Road Grantown on Spey Moray, PH26 3HW	

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

My first objection is having to prepare a second objection to the proposed development when our first objection has been pigeon holed after we were given the firm understanding that our original objection, sent to the Highland Council has been passed to you and would be considered by your good selves (see your ref 06/320/CP dated 06 Sept 06). I am well aware that the plans have been amended by Deposit Local Plan but the principle to the planned development is still there and therefore our original objections still hold watertight. I have enclosed a copy of the original objection alongside our further objections.

1. The original notice from the developers, Muir Homes, plan for 228 plus 7 dwellings whereas the revised plan show in the Deposit Local Plan (D.L.P) on a reduced area GS/HI "a 9.6ha area, a planned development of around 200 units" which must mean a greater density is being allowed than the Muir Plans. By what standard are such plans being accepted even allowing for the time cycle of 5 years?

2. The term 'protected as open space' (page 66 GS/OS1) what does it mean in relation to the term "protected open space" as defined by 7/11 on page 66? Does that imply that 'protected open space' mean it is protected for ALL time as opposed to the alternative for a five year period only? On what basis have the boundaries between the proposed development and the open space been decided upon and why has the OPEN SPACE not been listed as a CONSERVATION AREA?

3. With the wedge of land lying to the north west (rear of the gardens of existing houses in Mossie Road) shown as the new development being made, it serves no purpose at all other than to isolate town folk from enjoying access to the open space (whatever you designate as its official title).

4. By what criteria does the authority arrive at the conclusion that so much and such dense development is required in Grantown on Spey (or indeed) the whole of the National Park? There is no pressure from the industry or commerce to require such development except for second homes and a downturn in the national economy could soon put a stop to that.

5. Can the existing road widths particularly in the town area cope with even more road usage?

6. No reference is made in the D.L.P. made to the ratio of affordable homes, why not?

7. Land to the north of Church Avenue / on Mossie Road is not shown for development, why not?

8. What provision is being made to protect the lower end of the town (area known as the Silver Bridge) to protect it from flooding in severe rain storms, rapid drainage from the mossie would directly affect this area. An area concreted over means somebody has to suffer the consequences, re the flooding in the Severn, Thames, and York areas of England. Who picks up the bill, certainly not the developers, they have long since gone with their bank balance looking that much healthier.

9. Can anyone guarantee that civic amenities will be provided at the rate required to maintain 21st century standards? Water / sewerage / schools / health including maternity / care of the aged / public transport / etc etc.

Some of the issues raised were also given in our original objections but greater emphasis has been given here. Nevertheless the two documents should be considered together.

(original letter submitted 28th August 06 enclosed with submission)

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Grantown on Spey has not changed. No modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector 062	Name Alistair McLeod Strathkinness Seafield Avenue Grantown on Spey	Agent
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Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

I object strongly to the field opposite Rhuarden between the Caravan site and Seafield Court being zoned for housing.

What modifications are needed to resolve this objection - my objection would be withdrawn if this field was set aside as an amenity area, not for housing. If this field is developed for houses there would be no natural break of housing development, the increase in traffic would be intolerable, the crossings at Ravenscourt and the Bank of Scotland are already extremely dangerous.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

I would like to maintain my objections to the Deposit Plan. Only if the field opposite Rhuarden in Seafield Avenue, Grantown was designated Open Area and not for Housing would my wife and I be happy to withdraw our objection. You cannot seriously allow traffic from another 75 Houses to spill onto Seafield Avenue with the existing traffic congestion that exists daily at the junction to High Street. You would also preserve the Caravan Parks future in a stroke.

CNPA analysis of response to 1st modifications

The CNPA position regarding allocations in Grantown on Spey has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
456o	Reidhaven Estate Seafield Estate Office Cullen Buckie Banffshire	Jill Paterson Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB

Company Reidhaven Estate

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

Support in principle the designation of HI; however object to the extent of GS/HI and GS/OSI as shown on the proposals maps.

The extent of HI should be extended to include part of the area designated as open space. This area of land could be developed without impacting upon the existing fens and mires and protect the wetland area. Subsequently the area identified as OSI should be reduced accordingly. There is an opportunity for the OSI designation to be extended to the west to provide a suitable boundary between the residential development and caravan park.

Modifications: CS/HI and GS/OSI designations should be amended on the proposals map (as per attached).

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained. We note that the proposed representation alters the zoning from OS to ENV. As per our initial representation we object to the extent of area covered by this designation.

Amendments - amend proposals map accordingly.

CNPA analysis of response to 1st modifications

The CNPA position regarding this allocation has not changed. No further modification is therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
101	Miss Margaret Ann Campbell 3f High Street Grantown on Spey PH26 3HB	

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

Very concerned for the infrastructure and character of our town if the 200 units at the above location are built. Our town needs to be protected from sizeable housing estates based on a 'central belt' concept not at all suited to the town which is the headquarters of the Park. The area between the caravan park and Seafield Court in particular should be left open.

Proposed modifications - GS/HI reduced. Development only at Hospital end of town. Number of units reduced by one third.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

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

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

Company Reidhaven Estate

Policy/site Settlements - Grantown on Spey H1

Representation to Deposit Plan

Support the designation of H2, however the extent of the site should be extended to the north (as per the attached plan) and the capacity increased accordingly. The extended site is suitable for development and the aspen trees can be protected from development. The plan makes reference to use of the area by wading birds, however the Strategic Environmental Assessment outlined that existing disturbance from surroundings properties and predation means the loss of the area would be of minor significance.

Modifications: Amend proposals maps to increase the extent of H2 and amend text to increase capacity of site.

CNPA analysis of objection to Deposit Plan

The allocated site H2 will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The site will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed the site, a review will be undertaken of the additional land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm sufficient land has been allocated for housing, but alternatives will be considered in future reviews of the Plan.

Response to 1st modifications

Objection maintained. It is important to ensure that suitable access is maintained to this site and this should be outlined in the settlement statement. Amendment to settlement statement to make reference to ensure that there is provision for access from Seafield Avenue.

CNPA analysis of response to 1st modifications

The CNPA position regarding this allocation has not changed. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

The site is used by waders, includes at least 1 red listed vascular plant, a good variety of waxcap fungi, contributes positively to the landscape setting of Grantown and to public amenity. This proposal conflicts with the 1st and 3rd aims of the NP, and arguably with all 4 aims. The proposal layout apparently requires a long length of road to service small numbers of houses and is therefore inefficient in use of space. The scale of this proposal is excessive.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

This proposal conflicts with all 4 aims of the NP.

The site is an important feeding and breeding area for waders (including snipe, oystercatcher, lapwing, redshank and curlew). Strathspey is recognised as of particular importance for waders, of which this site is a component part.

The site supports a rich assemblage of plants. This includes at least 2 red listed vascular plants, Field Gentian (*Gentianella campestris*) and Heath Dog Violet (*Viola canina*). It supports an exceptionally large and therefore important population of Field gentian. This is the largest population of this highly attractive flower, that has declined dramatically in the UK in recent years, that we have recorded in the strath.

The site supports an important assemblage of waxcap (*Hygrocybe*) fungi and supports other fungi of interest.

The site contributes extremely positively to the landscape setting of Grantown.

It provides an important public amenity. It provides exceptionally attractive and varied walking and other access opportunities and links in well to other walks promoted in the town.

The scale of this proposal is excessive.

Research has demonstrated the health benefits of the sights and sounds of the countryside on patients. This is a significant aspect of the benefit of the location of the hospital. To urbanise the surroundings of the hospital is to reduce the quality of life for patients.

The site is very unusual within the CNP and the wider area in general, owing to the influence of base-rich rock coupled with the local topography. There are several UK priority species of invertebrates and other rare invertebrates recently recorded using the site.

CNPA analysis of response to 1st modifications

The position regarding site allocations in Grantown on Spey has not changed. Therefore no modification is proposed.

response to 2nd modifications

HI Object.

This proposal conflicts with all 4 aims of the NP.

The site is an important feeding and breeding area for waders (including snipe, oystercatcher, lapwing, redshank and curlew). Strathspey is recognised as of particular importance for waders, of which this site is a component part.

The site supports a rich assemblage of plants. This includes at least 2 red listed vascular plants, Field Gentian (*Gentianella campestris*) and Heath Dog Violet (*Viola canina*). It supports an exceptionally large and therefore important population of Field gentian. This is the largest population of this highly attractive flower, that has declined dramatically in the UK in recent years, that we have recorded in the strath.

The site supports an important assemblage of waxcap (*Hygrocybe*) fungi and supports other fungi of interest.

The site contributes extremely positively to the landscape setting of Grantown.

It provides an important public amenity. It provides exceptionally attractive and varied walking and other access opportunities and links in well to other walks promoted in the town.

The scale of this proposal is excessive.

Research has demonstrated the health benefits of the sights and sounds of the countryside on patients. This is a significant aspect of the benefit of the location of the hospital. To urbanise the surroundings of the hospital is to reduce the quality of life for patients.

The site is very unusual within the CNP and the wider area in general, owing to the influence of base-rich rock coupled with the local topography. There are several UK priority species of invertebrates and other rare invertebrates recently recorded using the site.

HEARING

Objector **Name** Goldcrest (Highland) Ltd
445c

Agent Claire Smith
Ryden LLP
25 Albyn Place
Aberdeen
AB10 1YL

Company Goldcrest (Highland) Ltd
Policy/site Settlements - Grantown on Spey H1
Representation to Deposit Plan

Our client, Goldcrest (Highland) Ltd have set out in Objection 1, justification for an increase in the housing land supply in section 5 of the Cairngorms National Park Deposit Local Plan.

If this is not accepted, it is the contention of Goldcrest (Highland) Ltd, that the Local Plan makes an overprovision of housing in Grantown on Spey to the detriment to other settlements in the area. Whilst it is acknowledged that Grantown on Spey is capable of accommodating additional growth, the scale of development is excessive and will do nothing to sustain other, smaller settlements in the area. Site H1 should be reduced in terms of scale and housing allocation and my clients site, as highlighted on the attached plan, should be allocated to a new site in Nethy Bridge, in line with Objection 2. This would help sustain the settlement of Nethy Bridge by providing future residential land in an area that has no such sites identified in the Deposit Local Plan. This site is a logical area for expansion being adjacent to the boundary of Nethy Bridge.

In summary, Goldcrest (Highland) Ltd object to the scale of development proposed in Grantown. This objection seeks to reduce the capacity of site H1 in Grantown on Spey and identify a future housing site in Nethy Bridge.

Modifications:

Capacity in Grantown-on-Spey should be reduced.

An additional site should be identified in Nethy Bridge, as shown on the attached plan, for residential development.

CNPA analysis of objection to Deposit Plan

This site has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised. Confirm that land is allocated across the Park to meet demand and provide choice. It must also meet facilities and ensure sustainable growth.

Response to 1st modifications

I refer to your letter dated 13 June 2008 advising of the publication of the further modifications to the Cairngorms National Park Local Plan which were agreed by the Park board.

In total three representations were previously made on behalf of my client, Goldcrest (Highland) Ltd. These were referenced as 445a in relation to housing land requirement and supply; 445b in relation to Nethy Bridge; and, 445c in relation to Grantown on Spey.

As no modifications have been made in relation to these matters, I would be grateful if these representations were maintained. I trust this is acceptable; however, should you have any queries, please do not hesitate to contact me.

CNPA analysis of response to 1st modifications

The position regarding the housing land allocation at HI has not changed. No modifications are therefore proposed.

response to 2nd modifications

I refer to the above and your letter dated 5 November 2008. I have considered the options available to present the case at the Local Plan Inquiry and would request that this objection is dealt with by means of informal hearing. I trust that this is appropriate, however should you have any further queries, please do not hesitate to contact me.

HEARING

Objector 444	Name Gregor MacKenzie Owl Wood Grantown-on-Spey Morayshire PH26 3HW	Agent
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Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

My objections and comments are confined to the Grantown-on-Spey area of the Cairngorms National Park and are centred on the size, time scale and nature of the housing development which is proposed for this area.

Since the CNPA plan includes the construction of a new settlement at An Camas Mor which is expected to extend to a community of 1,500 homes, the question which one must ask is “why is it necessary to destroy the character and culture of the surrounding villages and towns by allowing excessively large and unnecessarily dense developments which are certainly not required by these communities?” The National Parks (Scotland) Act 2000 section 1(a) states that the Parks’ objective is “to conserve and enhance the natural and cultural heritage of the area”, which is a far cry from the development proposals contained in the Deposit Local Plan for Grantown-on-Spey.

Section 5 of the CNP Deposit Local Plan, entitled “Living and Working in the Park”, emphasises the importance of sustainability with regard to communities, employment, economy, housing, tourism and development and throughout this section it repeatedly stresses that the priority must be for affordable housing in various forms, for those who live and work in the Park. Despite all of these fine words however Table 2 on page 43 indicates an allocation of development land for 475 second homes during the period up to 2016, which represents more than 25% of the total allocation for this period. This is surely not consistent with the stated principles of the CNP.

Turning now to Page 44 and Table 4, the Grantown-on-Spey area is allotted a target of 75 houses for the first 5 year period, 90 houses for the second 5 year period and 85 houses for the medium to longer term period, which equals a total of 250 houses to be built over a period of somewhere presumably in the region of 15 to 20 years. This output could very easily be handled by our local building firms, all of whom use local employees and build houses which blend in with the existing architectural design of the area. This would be a clear example of sustaining local business, local resources and the local economy. However reference to page 66 indicates that some other official or department within the CNPA has decided that the same development area with the same number of houses (assuming that the other 50 houses are those allocated to Cromdale) would require to be phased over at least 5 years. This disparity of some 10 to 15 years suggests that the lines of communication within the CNPA require some improvement. However it is also an unfortunate coincidence that the CNPA planning department has before it, at this time, an application to build some 230 houses on this site and that the applicant, unlike the local builders, is large enough to complete the work in this minimum period, regardless of the fact that Grantown does not require this number of new houses and lacks the infrastructure to cope with such a sudden increase in population.

One of the aims of the National Parks (Scotland) Act 2000, as stated in section 1(d) is “to promote sustainable economic and social development of the area’s communities”, but this laudable objective has clearly been totally disregarded when allocating a time scale for the Grantown development (page 66). In defence of its own credibility the Cairngorms National Park Authority needs to make it abundantly clear to the residents of the Park, that it will not be deflected from its stated

aims and objectives by large developers or land owners, otherwise the it's very purpose must be questioned.

My remaining comments relate to the plan of the development area in Grantown. An enlarged copy of the relevant section of which is enclosed. I am pleased to note that area OSI has been extended in a North Easterly and South Westerly direction to encompass most of the moss, but I am surprised to see that the area which I have outlined in red and labelled "A" and which was previously shown as part of the protected area, is now shown as building land. While this area has one or two dryer high spots, it is essentially very much part of the wetland area and during investigative drilling about eighteen months ago it was shown to be predominantly peat, extending to a depth of three metres in places. Not only is this area far from ideal building land, but any attempt to lower the water table for construction purposes would adversely affect the water level in the moss and this in turn would destroy the very habitat OSI is intended to protect.

Label "B" identifies an area adjacent to the burn which was chosen as a possible crossing point for an access road bridge, but the drilling team found this ground to be so wet that they failed even to move in and erect their drilling rig.

I feel the information in the two previous paragraphs is worthy of serious consideration not least because the proposal shown in Highland Region's plan, to use the small lane off Mossie Road as an access to this area would be completely unworkable due to the narrowness of both the lane and of Mossie Road. This route would be incapable of handling the traffic generated by an additional thirty homes.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

I write to register my objection to the Modified Deposit Local Plan on the grounds that it is fatally flawed in two respects.

1: no account has been taken of the fact that SEPA had lodged an objection to residential building on the flood plain contained within the designated development site at Seafeld Avenue/Castle Road East, Grantown on Spey, because it is in direct conflict with SPP7. Since the precise extent of the flood plain has not been established, this area should no longer be classified as suitable for development and in its present form it should be deleted from the Deposit Local Plan.

2: The modified plan fails to incorporate the essential protection for future expansion of the Ian Charles Hospital and Grant House, as specifically provided by Clause 3.3.9 of the Highland Council 1997 Badenoch and Strathspey Local Plan which is currently in force.

These issues may not have been raised during the consultation period, following the publication of the Deposit Local Plan, but the serious nature of the omissions and the significance of their effect on any proposed development, can only serve to emphasise the relevance of this objection.

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Grantown on Spey has not changed. No modification is therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
090	Frank Jemmett 1 Rhuarden Court Grantown on Spey PH26 3DA	

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

Potential egress from this new development onto Seafield Ave, Grantown on Spey will have serious implications for traffic on a road which already suffers from difficulties of congestion at its junction with High Street/The Square. This particular junction is often obstructed by parked lorries delivering to the Co-Op store, shoppers' cars and vehicles, including caravans, trying to exit or enter the junction. This creates a real hazard for the many pedestrians crossing at this point and walking to the shops. Further consideration should be given to the fact that during school term time there is a school crossing patrol operating across The High Street at this junction for children making their way to and from the local schools. Egress from Seafield Avenue is already difficult for the above stated reasons with the added danger that a driver's view to the right when egressing Seafield Ave is often obstructed by cars parked in the High Street.

These current problems inevitably lead to Grant Road and Mossie Road being used as 'rat runs'. Neither road is suitable to take additional traffic as, in places, both of these roads lack pavements on one side.

What change(s) you are seeking in future modifications to the Local Plan which could resolve your objection: Should the development go ahead as planned then serious consideration must be given to improve both the junction of Seafield Avenue with High Street/The Square and upgrading the pavements in Grant Road and Mossie Road. In addition consideration should be given to limiting the egress from the proposed development onto Seafield Avenue

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

All our objections are maintained. Thanks for sending copies of the letters we received but in view of the "falling between 2 stools" of the current Muir Homes development proposal and the Park Local Plan, which is a confusing and frustrating situation, we must maintain our objections to the Local Plan.

In the letters there is a promise to keep us informed of the consultation process; this has not happened!!

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing allocation in Grantown on Spey has not changed. No modification is therefore proposed.

(File note include this objection with obj 028 as one address for contact etc)

response to 2nd modifications

WRITTEN

Objector	Name	Agent
402	Mrs Beryl MacRae Craig Revack Woodside Avenue Grantown on Spey PH26 3JR	

Company

Policy/site Settlements - Grantown on Spey HI

Representation to Deposit Plan

My letter concerns the Grantown-on-Spey area of the Cairngorms National Park and the apparent contradictions regarding the size and timing of the proposed housing development.

Since the Deposit Plan includes the proposed new settlement at An Camus Mor which is expected to consist of 1,500 homes, I do not understand why it is necessary to destroy the character and culture of Grantown by allowing a large development of houses which are out of character with the rest of houses in the area and which are not required for people living and working in the park. The Deposit Local Plan states that the Parks' objective is to conserve and enhance the natural and cultural heritage of the area and this will certainly not be achieved by building two storey houses in an area which consists of housing of the bungalow style.

The Deposit Local Plan stresses the importance of sustainability of housing development, tourism, economy and particularly development of affordable housing for those who live and work in the Park. However, Table 2 on page 43 shows an allocation of 475 second homes during the period up to 2016, which is surely not consistent with the objectives of the National Park.

On the following page (44), Table 4 shows the Grantown area having a target of 75 houses for the first 5 year period, 90 houses for the second 5 year period and 85 houses for the medium to longer term period, which equals a total of 250 houses to be built over a period of between 10 and 15 years. This rate of development could very easily be carried out by our local building firms, all of whom use local employees and are familiar with the existing architecture of the area and additionally this would guarantee sustainability of local businesses, local resources (human) and the local economy. However page 66 states that a development of around 200 would require to be phased over at least five years, which is in complete contrast to the information in table 4 on page 44.

Since planning decisions are ultimately made by a committee of laymen (and laywomen) it would surely to be helpful if there was a degree of consistency running through the Local Plan.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

I am still maintaining objection to the piece of ground between Grant House and Ian Charles Hospital should be for expansion.

CNPA analysis of response to 1st modifications

The position regarding housing allocations in Grantown on Spey has not changed. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Grantown on Spey H2

Representation to Deposit Plan

Object to H2 on grounds of excessive scale, and that it 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. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Response to 1st modifications

Object on grounds of excessive scale, and that it conflicts with all 4 aims of the Park.

Object that the fields around Revoan are not allocated as Environment, as they were in the draft Local Plan.

CNPA analysis of response to 1st modifications

The position regarding site allocations in Grantown on Spey has not changed. Therefore no modification is proposed.

response to 2nd modifications

H2 Object on grounds of excessive scale, and that it conflicts with all 4 aims of the Park.

Object that the fields around Revoan are not allocated as Environment, as they were in the draft Local Plan.

HEARING

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

Policy/site Settlements - Kincaig

Representation to Deposit Plan

KC/HI Object 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. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Kincaig

Representation to Deposit Plan

Object to H1 and H2 on grounds of excessive scale and conflicts with the 1st and 3rd aims of the Park.

Both sites include native woodland, of which that in H1 appears to be particularly rich. H1 is adjacent to an exceptional site for biodiversity, making the development of and consequent loss of native woodland particularly inappropriate. Both sites support at least one vulnerable or endangered species of vascular plant and make a positive contribution to the landscape. The absence of any indication of the scale of recent development is highly unsatisfactory and impairs the public's ability to provide properly informed comments on the proposals at Kincaig.

CNPA analysis of objection to Deposit Plan

H1 has a current, outstanding application and due to the timescales involved this application will be determined in line with the policies of Highland Council Local Plan. The determination of this site will however be carefully monitored to ensure that the appropriate level of detailed information is included within the future plans for the Local Plan. In the event that the detailed application is refused, the situation will be revised.

H2 will be assessed against the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The review will also look at the need for additional information to ensure there is adequate information on which to make comment. Confirm that to gain permission developments will have to comply with all relevant policies of the plan, and the 4 aims of the Park.

Response to 1st modifications

H1 Object on grounds of excessive scale and conflicts with all 4 aims of the Park.

H1 includes native woodland and grassland that appears to be particularly rich. H1 is adjacent to an exceptional site for biodiversity, making the development of, and consequent loss of native woodland particularly inappropriate. The site has recently supported at least two red listed species of vascular plant and makes a positive contribution to the landscape.

EDI Holding objection.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

Maintain objections

Kincaig

H1 Object on grounds of excessive scale and conflicts with all 4 aims of the Park.

H1 includes native woodland and grassland that appears to be particularly rich. H1 is adjacent to an exceptional site for biodiversity, making the development of, and consequent loss of native woodland particularly inappropriate. The site has recently supported at least two red listed species of vascular plant and makes a positive contribution to the landscape.

Maintain objection

EDI Object on grounds of possible impact on habitat..

HEARING

Objector	Name	Agent
087	Ralph C Wylie 1 Braeriach Road Kincraig Kingussie PH21 1QA	

Company

Policy/site Settlements - Kincraig HI

Representation to Deposit Plan

Wilburn Homes has nearly completed a development which is tagged onto Kincraig. It is a housing estate like any housing estate that you would see in suburban areas throughout Scotland. It is glaringly out of place. As such it does not conserve and enhance the natural and cultural environment found within the CNP, nor does it enhance the landscape quality surrounding the development site. It does not reinforce the pattern and character of the surrounding area and it does not reinforce the local vernacular and local distinctiveness. The development obscures the grandeur of the Cairngorms which epitomises the distinctiveness of the area, the bright roughcast finish detracts from the surrounding area, and the landscaping in terms of planting is of poor quality and lacking any imaginative or innovative design. It follows that the grounds for my objection would be,

that development for site KC/HI must strictly adhere to Policy 18 – Design Standards for New Development. A housing estate like the Wilburn Homes one would fail on, at least, 75% of Policy 18. Also, the idea that housing should be consolidated round the school is invalid. Housing at site KC/H2 would detract from the amenity of the school and such a proposal would not meet with the last sentence of Policy 18.

The changes that I am seeking in future modifications to the local plan which could remove my objection would be:

- No development on site KC/H2
- Development in site KC/HI should be reduced to not more than 30 house units. The landscaping and planting should be imaginative and of good quality so that it reinforces the local vernacular and distinctiveness and agrees with other aspects of Policy 18. The house units should be of different design and different external finish. The external finishes should not 'shout out' and detract from the Cairngorms behind and so they should blend with the environment. They should meet with exacting standards of energy conservation.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

The changes have partially dealt with my objections, i.e., the removal of the field next to the School has dealt with that objection but the density proposed for HI will not deal with my objections to that site. Quality landscaping is vital to maintain the Cairngorms National Park as an area of outstanding natural beauty. High density housing at this site by its very presence destroys the vista which is the Cairngorms and which is the attraction to many. The preservation of this vista is paramount and quality landscaping will go some way to achieving this. The landscaping at the neighbouring Wilburn homes site is an example of what needs to be avoided. As a result of the proposals for HI, I maintain my objections.

CNPA analysis of response to 1st modifications

The issue of design and impact on the landscape remains something which will be considered through the consideration of any application against the relevant policies of the plan. The position regarding the allocation of land at Kinraig has not changed, and as such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
487	R J Morris Taigh Beag West Terrace Kingussie PH21 IHB	

Company

Policy/site Settlements - Kingussie

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

I have noticed that the draft local plan for Kingussie includes the field between two houses at the end of West Terrace - highlighted in the attached plan. I believe that this may be a simple error in drafting as it is inconsistent with the logic which determines the settlement line. It is clear from other parts of the plan that established plots have been used for the determination of the line along West Terrace and this logic falls down in the area I have highlighted.

The error creates a potential problem in that it could be interpreted by developers that this area is acceptable for building.

I would like to point out that West Terrace already suffers from water, drainage and access limitations. The access road is single track with very few passing places and increasing the number of houses would add to the existing problems in the area.

The plan also shows a single pathway in the area behind the settlement line. This is incorrect, as there are several well established pathways and access to the very well used community trails in the area.

I trust you will give this matter your consideration during the consultation process.

CNPA analysis of response to 1st modifications

This is a new issue which should have been raised at the Deposit stage. No amendment is therefore proposed.

response to 2nd modifications

WRITTEN

Objector 460
Name Davall Developments Ltd/Allan Myrtlefield House Grampian Road Aviemore
Agent Gary Johnston Building Consultants Ltd Willow House Stoneyfield Business Park Inverness IV2 7PA

Company Davall Developments Ltd/Allan Munro Construction

Policy/site Settlements - Kingussie

Representation to Deposit Plan

The limited choice of locations for housing development in Kingussie, particularly at a smaller scale and the omission of certain adopted Local Plan land allocations from the Kingussie Statement and Inset Map.

Grounds of objection: The Highland Council's Badenoch and Strathspey Local Plan (Adopted September 1997), in the Kingussie Village Chapter 7, under Housing - Small Sites at paragraph 7. 1.4 identifies the following: -

- (c) 1ha. at West Terrace with a capacity for 4 houses.
- (d) 6.5ha. at Ardvonie Road with a capacity of 12 - 15 houses.
- (e) 2ha at St Vincent's with a capacity for 3 - 4 houses.

In total the potential for development from these allocations is 19 to 23 houses. Davall Developments Ltd. seek to develop part of the West Terrace and a small proportion of the Ardvonie Road site. In addition, Allan Munro Construction Ltd. seek to develop the site at St Vincent's, for which we lodged a planning application on their behalf in June 2007. These sites have been or are in the process of being acquired on the basis they are allocated for housing in the current formally adopted Local Plan, which remains in force.

We also draw attention to land at the north end and east of Ardbroilach Road which was included as part of the expansion area with reference 7. 1.1 in the Kingussie Statement of the Badenoch and Strathspey Local Plan. We note that this is not allocated in the new Draft Plan.

There is a shortage of smaller scale housing development opportunities in the village for which there is local demand. Development reducing the gap between demand and supply is one of the stated goals of the National Park Authority. We also consider that the exclusion of such sites is at odds with the claim that the Draft Local Plan seeks to encourage proactive growth in the main settlement areas, of which Kingussie is one (5.36).

Whilst our clients have no objection to the principle of large scale expansion area to the north east of the village, there is too much reliance on this single allocation meeting future housing requirements. Inclusion of a range of smaller sites would help widen the market choice. The site at St Vincent's was also identified as being suitable for development in the CNPA Landscape Capacity Assessment, which informed the previous draft Plan. While most of this site lies within the Settlement Boundary, we note that it is not a separate allocation in the Kingussie Statement or Inset Map. Either way we hope that housing development proposals will receive favourable consideration under the relevant policies.

It is also felt that the location of affordable housing is more appropriate in the expansion area as it would allow the proposed developments for the smaller sites to be

of a design that is more sympathetic to their surroundings. Furthermore, it is considered that the smaller sites are not suitable for affordable housing given their scale and sloping nature. We also question the viability of providing affordable housing on sites of less than 10 dwellings in the larger communities of the National Park. In view of these concerns we have also made separate objections to the proposed affordable housing policy.

Modifications to resolve this objection

Please refer to attached copy of Kingussie Inset Map on which we have indicated the following: -

1. North of West Terrace and Ardvonie Road, move the settlement boundary to the north and north west of the adopted Local Plan housing allocations.
2. Allocate the following sites for housing: -
 - (a) St Vincent's - 0.76 ha. for 4 houses with vehicular access from the Gynack Road and a remote footpath link south to Ardvonie Road.
 - (b) West of Ardvonie Road — 1 ha. for 4 houses with vehicular and pedestrian access from Ardvonie Road /Middle Terrace.
 - (c) North East of Ardbroilach Road —0.64 ha. for 4 houses.
3. Include land north of Ardchoile, West Terrace within the general Settlement Development area as a gap or infill housing opportunity.
4. Label the additional woodland areas at West Terrace and St Vincent's lying within the relocated settlement boundary as OS3 and add a statement in the text to refer to the area being safeguarded as woodland/open space with the potential for it becoming a Community Woodland with appropriate footpath access.
5. Indicate existing footpaths south of site 2(a) and east of site 2(c).

As you will see from the above our clients only seek the specific allocation for housing of a small portion of the original site at Ardvonie Road, together with the whole of the St Vincent's site and part of the allocated land off Ardbroilach Road. The smaller allocation at Ardvonie Road/West Terrace would significantly reduce environmental impact of the original allocations, particularly with regard to the woodland. There are also opportunities for woodland enhancement which are borne

CNPA analysis of objection to Deposit Plan

out by tree surveys conducted on behalf of the clients at Ardvonie Road and St Vincent's. The proposed houses would be sited with the integrity of the woodland in mind. The allocated sites within Kingussie will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the community should allocations and planning consents be secured. 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

It is also proposed that the 'balance' of houses from the original allocation from the three sites be accommodated within the village expansion area at Pitmain, north of Dunbarry Road. It is also anticipated that this expansion area will provide for a more significant and viable affordable housing development, particularly if the meet housing need and alternatives will be considered in future reviews. Confirm opportunities for other housing developments through housing policies. Confirm proportion of affordable housing is in the range of 25 to 30% of the overall development. This is in line with the quotas set out in the Local Plan where subsidy is not position regarding core paths. guaranteed.

Response to 1st modifications

Kingussie housing land allocations, lack of choice of sites, request inclusion of small sites at West Terrace, Ardvonie Road, St Vincent's and Ardbroilach Road. Objection – the limited choice of locations for housing development in Kingussie, particularly at a smaller scale and the omission of certain adopted Local Plan land allocations from the Kingussie Statement and Inset Map. Grounds – The Highland Council's Badenoch and Strathspey Local Plan adopted September 1997 in the Kingussie Village Chapter 7 under Housing – Small sites at para 7.1.4 identifies the following

- c - 1 ha at West Terrace with a capacity for 4 houses
- d – 6.5ha at Ardvonie Road with a capacity for 12-15 houses
- e – 2ha at St Vincent's with a capacity for 3-4 houses.

In total the potential for development from these allocations is 19-23 houses. Davall Developments Ltd seek to develop part of the West Terrace and a small proportion of the Ardvonie Road site. In addition Allan Munro Construction Ltd seek to develop the site at St Vincent's for which we have lodged a planning application on their behalf in June 2007. These sites have been or are in the process of being acquired on the basis they are allocated for housing in the current formally adopted Local Plan, which remains in force.

We also draw attention to land to the north end and east of Ardbroilach Road which was included as part of the expansion area with reference 7.1.1 in the Kingussie Statement of the Badenoch and Strathspey Local Plan. We note that this is not allocated in the new Draft Plan.

There is a shortage of smaller scale housing development opportunities in the village for which there is local demand. Development reducing the gap between demand and supply is one of the stated goals of the National Park Authority. We also consider that the exclusion of such sites is at odds with the claim that the Draft Local Plan seeks to encourage proactive growth in the main settlement areas, of which Kingussie is one (5.36)

Whilst our clients have no objection to the principles of large scale expansion area to the north east of the village, there is too much reliance on this single allocation meeting future housing requirements. Inclusion of a range of smaller sites would help widen the market choice. The site at St Vincent's was also identified as being suitable for development in the CNPA Landscape Capacity Assessment, which informed the previous draft Plan. While most of this site lies within the settlement boundary, we note that it is not a separate allocation in the Kingussie Statement or Inset map. Either way we hope that housing development proposals will receive favourable consideration under the relevant policies. It is also felt that the location of affordable housing is more appropriate in the expansion area as it would allow the proposed developments for the smaller sites to be of a design that is more sympathetic to their surroundings. Furthermore, it is considered that the smaller sites are not suitable for affordable housing given their scale and sloping nature. We also question the viability of providing affordable housing on sites of less than 10 dwellings in the larger communities of the National Park. In view of these concerns we also made separate objections to the proposed affordable housing policy.

Proposed changes –

Please refer to attached copy of Kingussie Inset map on which we have indicated the following:

1. North of West Terrace and Ardvonie Road move the settlement boundary to the north and north west of the adopted Local Plan housing allocations.
2. Allocate the following sites for housing:
 - a: St Vincent's – 0.76ha for 4 houses with vehicular access from the Gynack Road and a remote footpath link south to Ardvonie Road.
 - b: West of Ardvonie Road – 1ha for 4 houses with vehicular and pedestrian access from Ardvonie Road/Middle Terrace.
 - c: North East of Ardbroilach Road – 0.64ha for 4 houses.
3. Include land north of Ardchoile, West Terrace within the general Settlement Development Area as a gap or infill housing opportunity.
4. Label the additional woodland areas at West Terrace and St Vincent's lying within the relocated Settlement Boundary as OS3 and add a statement in the text to refer to the area being safeguarded as woodland/open space with the potential for it becoming a community woodland with appropriate footpath access.
5. Indicate existing footpaths south of site 2(a) and east of site 2(c)

As you will see from the above our clients only seek the specific allocation for housing of a small proportion of the original site at Ardvonie Road, together with the

whole of the St Vincent's site and part of the allocated land off Ardbroilach Road. The smaller allocation at Ardvonie Road/West Terrace would significantly reduce environmental impact of the original allocations, particularly with regard to the woodland. There are also opportunities for woodland enhancement which are borne out by tree surveys conducted on behalf of the clients at Ardvonie Road and St Vincent's. The proposed houses would be sited with the integrity of the woodland in mind. Furthermore the owners are prepared to offer the rest of the woodland to the north of West Terrace and St Vincent's and east of Ardbroilach Road to the community should allocations and planning consents be secured.

It is also proposed that the 'balance' of house from the original allocation from the three sites be accommodated within the village expansion area at Pitmain, north of Dunbarry Road. It is also anticipated that this expansion area will provide for a more significant and viable affordable housing development, particularly if the proportion of affordable housing is in the range of 25 to 30% of the overall development. This is in line with the quotas set out in the local plan where subsidy is not guaranteed.

CNPA analysis of response to 1st modifications

The CNPA position regarding the allocation of housing land has not changed. No further modifications are therefore proposed.

response to 2nd modifications

Kingussie Housing land allocations – lack of choice of sites and the request includes small sites at West Terrace, Ardvonie Road, St Vincent's and Ardbroilach Road.

In respect of the main changes that have been sought as part of this objection we can now confirm as follows:

1. Maintain objection in respect of moving the settlement boundary to the north and north west of the adopted local plan housing allocations at West Terrace and Ardvonie Road.
2. maintain objections in respect of the need to include sites: a) south of St Vincent's Hospital for 4 houses; b) west of Ardvonie Road and north of West Terrace for a site for 4 houses; and c) north east of Ardbroilach Road where a site for a further 4 houses was requested.
3. withdraw in respect of the inclusion of land north of the property known as Ardchoile, West Terrace within the general settlement development area as a gap or infill housing opportunity.
4. withdraw on the assumption that the additional woodland areas at West Terrace and St Vincent's lying within the suggested settlement boundary are now outwith the settlement and protected or maintained by other policies for woodland safeguarding.
5. withdraw in respect of indication of footpaths south of site 2(a) and east of site 2(c).

The restriction of all future house building other than on smaller sites to the expansion land to the north east of the village will mean that the Local Plan as it relates to Kingussie fails to provide an effective land supply of land in the village until at least 2011. This in turn will increase the housing shortage and further exacerbate a situation which is not conducive to attracting business investment and the creation of jobs in the National Park area.

HEARING

Objector **Name** Mr L Aardenburgh
433a c/o Savills
 55 York Place
 Perth
 PH2 8EH

Agent Paul Evans
Andrew McCafferty Associates
The Old Barn, 38 Cupar Road
Auchtermuchty
Fife, KY14 7DJ

Company

Policy/site Settlements - Kingussie

Representation to Deposit Plan

Introduction

These objections are made on behalf of Mr Lucas Aardenburgh who owns approximately 13.76 ha (34 acres) of land on the north east side of Kingussie. Appendix 1 is a plan showing the full extent of this area and distinguishes that part which is rough grazing and the part that has been planted with a mixed plantation of broadleaf trees and Scots Pine. Mr Aardenburgh has owned this area since 1983.

The land subject of these objections is bordered by the A9 along its eastern boundary, the A86 to the south and a detached house and grounds to the west. The land rises away from the A86 towards the north where there is more rough grazing and woodland.

Badenoch and Strathspey Local Plan (adopted September 1997) -

This is the current adopted local plan covering the land subject of these objections. Relevant extracts are contained in Appendix 2 including the proposals map inset for Kingussie.

Kingussie is recognised as a main service and employment centre and the policy objective in this plan is to continue its expansion. The town has a railway station and good accessibility onto the A9. There is a secondary school and a range of commercial, business and community services.

The preferred direction for major growth of the town is on the north east side and this has been facilitated through investment in roads and drainage. Paragraph 7.1.1 sets out Highland Council's aspirations for development of this major growth area. I summarise the main elements as follows:

- Extension of Dunbarry Road to form a new distributor road linking with the B9152, phased from either direction;
- Segregated footpaths and cycleways together with additional play space;
- Major compartments of mixed woodland and adjoining forest edges.

A development brief was to have been prepared by Highland Council to include guidelines about the phased provision of infrastructure and other amenities.

Development on the site is to reinforce the relationship of the town with its landscape setting by ensuring that;

- existing trees, landforms and new structural planting contain the settlement and define its edges; and
- new building, through detailed siting and design, re-emphasises the prevailing "vertical" characteristics which are an integral feature of the community's appearance.

An area of 4.5 ha adjoining Kerrow Farm is allocated for tourist-related commercial use, including accommodation and leisure facilities. This allocation is described as a prestigious but prominent location requiring high design standards and sensitive siting of buildings to integrate development within the landscape. Setback from the A9 and reinforcement of existing woodland will be required.

An area of 2.0 ha of land, known as Kerrow Farm, is allocated for future business needs (para.7.2.6). Landscaping and bunding will be required to separate neighbouring uses and provide screening from the A9.

The Objections

Mr Aardenburg objects to the non-allocation for development of his land on the north and south sides of Kerrow Cottage. Specifically, he requests the following:

- a) The area of land currently allocated in the Badenoch and Strathspey local plan for business/industry should be retained in the Cairngorms National Park local plan and allocated for a broader range of uses such as employment, (Classes 4, 5 and 6) and leisure use including hotel.
- b) That part of the area of land currently allocated commerce/tourism which is within his ownership Park local plan and allocated for residential use. say 10-15 per ha (4-6 per acre). At this density units in the Badenoch and Strathspey local plan for should be retained in the Cairngorms National I envisage low density housing in this location, the capacity of the additional area is 30 — 50

Appendix 3 contains a map which shows the additional allocations that are requested in these objections.

The proposed additional allocations are not excessive and would simply reinstate existing allocations that appear in the current local plan. They also represent added value to help off-set the cost of accessing site I-II from the A86.

Messrs. Fairhurst, transportation consultants, have provided recommendations for access to the site from the A86 and for construction of a new internal distributor road, which will be constructed to a standard sufficient to serve the whole of the Hi allocation. A copy of their technical note on access considerations is enclosed at Appendix 4.

The additional allocations that we are seeking are in a location that integrates well with the proposed Hi allocation. The structural landscaping that has been undertaken by the objector along the boundary with the A9 will ensure that development on the areas subject of these objections will not cause visual harm, particularly from the A9. The addition of 30-50 units to the total of 300 anticipated housing land supply for Kingussie would not harm the Plan's strategy. The figure of 300 units is recognised in the text on page 68 as being approximate.

Inclusion of an economic development site is appropriate, particularly because the plan does not allocate any land in Kingussie for employment/leisure purposes. Both sites integrate well with the settlement shape and are enclosed by the proposed Hi allocation, the A86, the A9 and woodland/new planting to the north and north east.

Both sites can access the A86 and A9 easily and the railway station is also accessible. Drainage of both sites is achievable and there is no risk of flooding. Both sites are developable and effective in terms of Scottish Ministers' advice on employment and residential development.

We request the following changes to the Cairngorms National Park Deposit Local Plan:

- (1) the areas shown on the plan in Appendix 3 of these objections be included within the settlement boundary of Kingussie;
- (2) an area of approximately 2.0 ha at Kerrow Farm is allocated for employment (Classes 4,5 and 6) and leisure uses including hotel;
- (3) an area of approximately 3.24 ha adjoining Kerrow Farm capacity of approximately 30-50 units.

CNPA analysis of objection to Deposit Plan

Draft heads for a planning brief for development of site KG/Hi, as (3), are attached to this objection. The allocated sites within Kingussie will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and

is allocated for residential use with a amended by the above changes (1) - (3) are attached this objection. 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 (Attached supporting information also supplied - qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated in the plan to

- Detailed heading for a potential planning brief for additional site, meet housing need and alternatives will be considered in future reviews.
- Plan of proposed additional site,
- Extract from Badenoch and Strathspey Local Plan, 1997.) **Response to 1st modifications**

I am writing with reference to your letter of 22nd May 2008 and your further letter of 13th June 2008, concerning the objections we had submitted to the Deposit Local Plan on behalf of Mr L Aardenburg, in respect of land he owns on the north east side of Kingussie. Thank you for advising me of the modifications proposed to be made to the Deposit Local Plan in relation to the previously submitted objections.

First of all I should state that I am pleased that you have taken on board our concerns about the necessity of adjusting the settlement boundary to provide the required access into housing site H1 from the A86. I am also very pleased that you have responded favourably to the request for reinstatement of the employment land allocation.

Obviously I am disappointed that you have chosen not allocate the further land for housing on the land adjoining Kerrow Farm, but I take comfort from the discussions held when I met with you about the relatively short lifespan of this particular local plan.

Having given due consideration to the modifications proposed, we have concluded on balance that we will not pursue the objection for allocation of additional land for housing any further at this time. Clearly you have addressed our other objections satisfactorily through the proposed modifications, so on the basis that the modifications are approved and the local plan progresses to adoption without further change to the relevant proposals, we will not be pursuing these objections further either.

There is one area of concern however that I would ask you to take into account. I notice that you have made a change to the wording of proposal KG/H1 (i), when referring to the site capacity of 300 units, adding in 'with 75 of these provided during the life of the plan'. I understand the phasing concerns you have, but would seek your reassurance that the figure of 75 units is for indicative purposes only. This aspect is important to developers as until the masterplan is completed for the site, we will not know what housing mix or plot size will be provided, as this changes according to market demand. An indicative figure allows some flexibility for developers to respond effectively to changes in market demand. I would therefore request that the wording is altered to provide the reassurance I am seeking.

I hope you will give favourable consideration to my final point. If you have any queries or wish to discuss any aspect further, please do not hesitate to contact me.

CNPA analysis of response to 1st modifications

The wording is indicative and reflects the need for the plan to deliver an appropriate volume of houses within the Plan period. No further modifications are therefore proposed.

response to 2nd modifications

INQUIRY

Objector **Name** J S Grant Washington **Agent**
413 Cawdor House
 Kingussie
 PH21 IHB

Company

Policy/site Settlements - Kingussie

Representation to Deposit Plan

1) All data submitted by us in response to the draft plan, on file, remain valid

2) KG/OS2 "An area of woodland within Kingussie is (to be?) protected as open space"

Kingussie has several open spaces / parks near the town centre (include Ardvonie) It would appear to be unjustified to create more protected area, given the layout of the town, low density, and the wild surroundings and large gardens (particularly on the west side). Any provision would need to be centred around the area H1 development for 300 Houses (if at all!). We would Response faxed in and rest of words lost in transit....

Changes being sought -

As stated in our objections to the draft plan, the housing policy proposed is questionable and will not bring the desired results. Also, the termination of the "Dual A9" between Perth and Inverness must be top priority after 30 years delay.

Also our comments on the SEA are equally valid for the deposit stage.

CNPA analysis of objection to Deposit Plan

The comments regarding open space are noted. The allocations are aimed at protecting certain areas within the settlement, and ensuring the character of those areas is protected. Within H1 further areas will also be included, and these will form part of the masterplan for the site, prior to the consideration of an application for development. In terms of the allocation of H1 the site contributes to the provision of land for housing to meet local demand. Further information will be provided to explain the calculations for housing demand and land supply to clarify the background. The issue of the A9 is also noted, and an additional policy may be included which looks specifically at the issue of strategic infrastructure within the Park. Confirm open space allocations are to protect the character and amenity of the settlement as well as protect areas of public open space. The new housing proposals are based on housing need and effectiveness of land, and confirm policies regarding design, sustainable development and affordable housing which will apply. Open space will also be included as appropriate for this site.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** R.J Kinnard
480

Agent

Company

Policy/site Settlements - Kingussie

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

It has recently been drawn to my attention that there is a small anomaly in the way the planners have depicted the settlement boundary in Kingussie, in the new local plan.

The revised settlement boundary north of West Terrace in Kingussie has been created by following the individual plot boundaries. This appears to be perfectly logical and appropriate.

For some reason I can only assume an oversight, the planner who drew up the settlement line departs from the logic of following building plot boundaries at the west end of West Terrace and incorporates an additional area (see plan attached marked in red). This makes no logic in terms of consistency in addition; it creates an impression that there is perfectly acceptable infill plots at the far end of the Terrace. This is a concern given the limitations of the road access, waste services and site drainage issues that would suggest a presumption against future in fill development.

If the logic of drawing a line to link the back of site plots had been used further down the Terrace there would be additional in fill sites within the settlement boundary (see dotted lines on the map attached). It is my view that this would not be an appropriate solution given the road, services, and drainage issues stated above.

Can you please consider making this small amendment to the plan in order to ensure a consistent and appropriate approach to the position of the settlement boundary in Kingussie.

CNPA analysis of response to 1st modifications

This is a new issue which should have been raised at the Deposit stage. No amendment is therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
461d	Davall Developments Ltd Myrtlefield House Grampian Road Aviemore	

Company

Policy/site Settlements - Kingussie ED I

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

Objection : Kingussie Statement page 68 and inset map ref KG/ED I Economic Development opportunity.

Grounds : Davall Developments Ltd have an interest in the development of this and the adjoining housing land to the west. We are currently preparing a masterplan for this land and it would be sensible to extend this to cover the economic development allocation. There are benefits in sharing access and other infrastructure provision, together with developing a common landscape framework. Whilst Davall Developments Ltd do not object to the allocation, clarification is sought about the amount of land available for development and more guidance is required on the range of uses that are envisaged.

The land allocation seems somewhat restricted by the existing well established conifer woodland and the young plantation covering more of the rest of the land towards the A9 Trunk Road. We are concerned that the proposed allocation may be in conflict with the aspirations of other parties to retain these landscape features and the conditions of any woodland grant that may have been obtained for the newer planting. As such we seek clarification about how much of this area can actually be built upon, particularly as this will have a bearing upon the feasibility of development.

With regard to potential uses we seek to ask whether these might include the development of A9 services, including a petrol filling station. Kingussie does not presently have fuelling facilities and their provision at this location would have local benefits. The close proximity of the land to the A9 and the provision of other tourist services and related commercial business would make such an operation more viable in view of the passing trade. Such development at this location could also help create more sustainable employment opportunities for local residents.

Proposed changes – in the Kingussie statement page 68 KG/ED I clarify:

- the amount of land for development
- the nature/range of potential uses including tourist/A9 services, fuelling, etc; and
- the proposed access to the land.

Modify the inset map accordingly

CNPA analysis of response to 1st modifications

The text to this site highlights the issue of design on what is a prominent site. Design is therefore considered the key to this site rather than a simple indication of the retention of a landscape belt. The use will also rely heavily on the design of any development. The aims of the Park and policy 1 and 7 will be crucial to the successful development of this site. No further modifications are therefore proposed.

response to 2nd modifications

We refer to your letter of 5 November 2008 regarding the above. We now write to confirm our client's position in respect of each of their objections as follows:

Kingussie ED I - land for economic development.

Our clients are prepared to withdraw this objection subject to:

- a) the assumption that approximately 0.85 hectares or 2.1 acres can be developed for economic development purposes and a further 0.25 hectares for tourist related

uses;

b)that the specific use is not the issue here and the important of good design and siting as well as appropriate landscaping being maintained are the key concerns here;

c)that Transport Scotland withdraw their objection to the proposed access from the A86 trunk road.

HEARING

Objector **Name** Davall Developments Ltd
461a Myrtlefield House
 Grampian Road
 Aviemore

Agent Gary Johnston Building Consultants Ltd
Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Davall Developments Ltd

Policy/site Settlements - Kingussie Env

Representation to Deposit Plan

On the Kingussie Inset Map, OS2, the identification of part of the land south east of Acres Road north west of Campbell Crescent for woodland open space.

The Highland Council's Badenoch and Strathspey Local Plan (Adopted September 1997), on the Kingussie Village Inset Map the land in question is identified mostly for housing development. The new Local Plan seeks to reduce the developable area in the south west corner. It would appear that the inclusion of a woodland/open space designation here may allow for holding back buildings from the existing tall boundary trees and an overhead power line. However, we advise that in addition to the existing woodland not being located on our clients' land, the conifer trees in particular have reached maturity and should be considered for felling and appropriate replanting. This is mainly a safety issue for the relevant owners.

Modifications which would resolve your objection: It is also our clients' intention to underground the power line in the course of developing their land. Buildings would still be set well back from trees but the intervening land used for garden ground, underground services and retention and improvement of the existing remote footpath connection.

Please refer to attached copy of the Kingussie Inset Map. Our clients seek the retention of only a strip of woodland/open space running parallel to the western boundary and the reinstatement of housing land. This would allow for tree holdback, underground services and a remote footpath. Detailed proposals for this land will form part of a Master Plan for the expansion area at Pitmain which we are in the process of preparing on behalf of our clients.

CNPA analysis of objection to Deposit Plan

The comment is noted. The site OS2 will be reviewed to assess the impact it makes to the overall provision of open space within the settlement. The possible inclusion of such detail within the masterplan for the site will also be considered. The appropriate amendments will then be included.

Response to 1st modifications

Objection – on the Kingussie Inset map OS2 the identification of part of the land south east of Acres Road north west of Campbell Crescent for woodland/open space.

Grounds – the Highland Council's Badenoch and Strathspey Local Plan adopted September 1997 on the Kingussie Village Inset map the land in question is identified mostly for housing development. The new Local Plan seeks to reduce the developable area in the south west corner. It would appear that the inclusion of a woodland/open space designation here area may allow for holding back buildings from the existing tall boundary trees and an overhead power line. However, we advise that in addition to the existing woodland not being located on our client's land the conifer trees in particular have reached maturity and should be considered for felling and appropriate replanting. This is mainly a safety issue for the relevant owners.

It is also our client's intention to underground the power line in the course of developing their land. Buildings would still be set well back from trees but the intervening land used for garden ground, underground services and retention and improvement of the existing remote footpath connection.

Proposed changes – please refer to attached copy of the Kingussie Inset map. Our clients seek the retention of only a strip of woodland/open space running parallel to the western boundary and the reinstatement of housing land. This would allow for tree holdback, underground services and a remote footpath. Detailed

proposals for this land will form part of a Master Plan for the expansion area at Pitmain which we are in the process of preparing on behalf of our clients.

CNPA analysis of response to 1st modifications

In light of the objection the land allocated in the modifications as ENV will be removed as an allocation and left as within the settlement boundary. However the CNPA position regarding the need for additional land for housing has not changed and no other modification is therefore proposed.

response to 2nd modifications

KG/OS2 land previously allocated for housing being safeguarded for open space/amenity between Acres Road and Campbell Crescent

We now note the proposed modification which removes any allocations or designations from this area. Our clients are prepared to withdraw on the basis that although the land is not specifically allocated for development that the general policies will allow suitably sited and designed houses to be built on land within the settlement boundary. We can also confirm that we have no objection to the second modification.

HEARING

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Kingussie HI

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. Clarify allocations are based on analysis of housing need etc, and work of consultants, and that all developments must be judged against aims, and also must comply with all relevant policies of the plan.

Response to 1st modifications

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

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

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

Object to settlement boundary. This should follow the road at St Vincents rather than including existing woodland and former grounds of St Vincents.

HEARING

Objector **Name** Mr L Aardenburgh
433b c/o Savills
 55 York Place
 Perth
 PH2 8EH

Agent Paul Evans
Andrew McCafferty Associates
The Old Barn, 38 Cupar Road
Auchtermuchty
Fife, KY14 7DJ

Company

Policy/site Settlements - Kingussie H1

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

I am writing with reference to your letter of 5th November 2008 and our subsequent conversation to submit an objection on behalf of Mr L Aardenburgh to the wording change proposed in the Second Modifications to the Cairngorms National Park Deposit Local Plan on Page 72, Kingussie Proposal KG/H1 paragraph iii. Mr Aardenburgh objects to the wording change proposed in the Second Modifications to the Cairngorms National Park Deposit Local Plan on Page 72, Kingussie Proposals KG/H1 paragraph iii.

The land shown allocated in Figure 1 for residential development (site H1) on the extract from the Proposals map for Kingussie as modified by the Deposit Local Plan Second Modifications is allocated for this use in the current adopted local plan, the Badenoch and Strathspey Local Plan (adopted September 1997). The land area allocated is more extensive in the current local plan than as allocated in the Cairngorms National Park Deposit Local Plan though this still remains a significant development site at up to 300 residential units. Further land is allocated in the current local plan for employment uses and following the consultation process at an earlier stage in the development of the Cairngorms national Park Deposit Local Plan, part of this allocation was re-instated in the Cairngorms National Park Deposit Local Plan.

It is the clear intention in the current local plan that this significant development area is to be accessed from the A86 and this intention has been maintained throughout the development of the Cairngorms National Park Deposit Local Plan, which until the Second Modifications has consistently maintained clear wording to establish this access requirement. We fully support the view of the National Park Authority as expressed prior to the Second modifications.

As site out in the Technical Note produced by Messers Fairhurst, transportation consultants, attached as appendix A, a development of this significance will require construction of an access road of local distributor standard. No additional accesses are proposed onto the A86, the existing access to properties including Kerrow Cottage being incorporated into the upgraded access, which as advised by Messers. Fairhurst is likely to incorporate a ghost island right-turn lane. Full consultation with Transport Scotland will be undertaken through the development appraisal process and a Transport Assessment will be undertaken to ensure development of this site does not create an unacceptable cumulative impact on the A86 or A9.

Discussions have been held with the National Park Authority and Highland Council Roads and Community Works Department on this issue. It is clear from these discussions and the analysis undertaken by Messers. Fairhurst that access to anything other than a small number of residential units or for the provision of emergency access cannot be made to the site via the existing local road network, due in part to the unsuitability of these roads, which are particularly narrow closer to the town centre. Such access would lead to a substantial deterioration in the amenity of the residents in the existing residential areas. It is important therefore that the main access to the site should be from the A86. Full consideration of these matters will be given in the 'masterplan' which will be developed for the site in conjunction with the National Park Authority.

In light of the above, the modification proposed to the wording on page 72, Kingussie Proposal KG/H1 paragraph iii in the Second Modifications to the Cairngorms

National Park Deposit Local Plan, "Access to this site should be taken from the local road network" is not acceptable, not least because it is ambiguous but potentially because it is undeliverable.

It is possible, when considering the nature of the A86 through the town of Kingussie to see it in reality as a 'local road' particularly when examining its relationship to the A9 as a major trunk road. On this basis, the amended wording would seem innocuous. However, as the A86 retains trunk road status the only logical conclusion

INQUIRY

Objector Name Davall Developments Ltd
461b Myrtlefield House
Grampian Road
Aviemore

Agent Gary Johnston Building Consultants Ltd
Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Davall Developments Ltd

Policy/site Settlements - Kingussie HI

Representation to Deposit Plan

Kingussie Statement, page 68, KG/H 1:

- (a) access requirement; and
- (b) timescale for preparing development brief

We have major concerns about the following parts of the Statement: -

- (1) "This 16.05Ha site would provide land/or short- and longer-term housing supply in Kingussie."
- (2) "The site requires a new mo/or access to be taken from the A86 to provide vehicle access to the site"
- (3) "The Park Authority will work with partners to produce a development brief for the site during the lifetime of the Local Plan."

Restricting access to the A86 closes down full and careful consideration of other options including improvements to the existing network and phasing of development. We are aware that the local Highland Council roads engineer is of the opinion that no further development should be served off Dunbarry Terrace. However, this view and the wording of the new Plan is contrary to the outline of the development potential for the area in the current adopted Badenoch and Strathspey Local Plan, which indicates that development can be "phased from either end". Indeed development of the original village expansion area commenced at the Dunbarry Road end. With some further improvements this road network has capacity potential for additional housing in the short to medium term until the connection can be made from the A86 east of the village. In this respect our clients are prepared to complete a loop road within their site and provide for a future link east and south east to the A86. Detailed proposals for this land will form part of a Master Plan for the expansion area at Pitmain which we are in the process of preparing on behalf of our clients.

We are concerned that by imposing a restriction of any further development to a new access via a new link road from the A86 combined with a lack of choice of housing sites in the village and the unspecified timescale for preparation of a development brief, this area will not 'provide land/or short- and longer-term housing supply in Kingussie'. As such, this will not provide an effective land supply both locally and strategically for the southern area of the National Park. Henceforth the delivery of affordable housing will be stifled for the foreseeable future. This will also hinder attraction of business investment and the creation of jobs in the National Park area.

Modifications to resolve this objection

In the settlement Statement:

- (a) indicate that there is potential for additional development here before the link to the A86 has to be commenced or completed, subject to phasing and other local road network improvements;
- (b) indicate the timescale for preparing a development brief or alternatively advise that developers are required to prepare a master plan for the overall layout; and

(c) increase the choice of smaller scale housing opportunities such as at Ardvonie Road, St Vincent's and Ardbroilach Road, as referred to in other objections lodged by us on behalf of the same clients.

CNPA analysis of objection to Deposit Plan

The comments are noted. The text regarding the site will be reviewed in light of the comments. To clarify additional information will be sought from Highland Council Roads Engineers. Further information will also be included to clarify the approach taken to affordable housing and the production of a masterplan on the site. Confirm that sufficient land is allocated in the plan to meet housing need and alternatives will be considered in future reviews.

Response to 1st modifications

Objection – Modification to Kingussie Statement, KG/H1, sub para iii, access requirement.

Grounds – the proposed modification does not clarify whether access can be taken from the current network (Dunbarry Road/Terrace) as per the request made in our original objection (461b). Having read other objections on this issue clearly there are conflicting views between the two Roads Authorities involved (THC and Transport Scotland) which need to be resolved. Transport Scotland seems to adopt an entrenched view that no new access will be permitted off any Trunk road. We therefore welcome the CNPA's stance on this matter.

Transport Scotland has clearly failed to acknowledge there has been a new access to the A86 indicated since the preparation of the B&S Local Plan. As such, we hope that both the CNPA and Highland Council are prepared to argue the case for this access supported by a TIA. We also hope that the CNPA will support additional development being serviced off the current network (Dunbarry Road/Terrace) and a link completed between the two access points. Our clients commissioned an initial TIA in connection with the western section of the expansion land being served by the current network. This assessment did not envisage significant impacts from approximately half the 300 houses being served by Dunbarry Road/Terrace.

Proposed changes – in the settlement statement we request that an indication be given of potential for additional development served by Dunbarry Road/Terrace before the access from and the link to the A86 has to be commenced, subject to phasing and other local road network improvements. In addition we request that the Inset map be modified to indicate the relevant points of access to the housing land together with access to the economic development allocation (KG/EDI).

Objection – Kingussie Statement page 68 KG/H1 sub para i, development rate

Housing land requirement and supply page 41-43 and tables 3 and 4, phased land supply by local authority area, as applied to Kingussie

Grounds – we consider that the development rate of 75 houses to be built within the life of the Plan at Kingussie requires to be revisited. Assuming the availability of subsidies from Communities Scotland we consider that a rate 15 dwellings per year will mainly only cover the affordable housing requirement, leaving little or no allowance for open market housing. Regardless of the current market difficulties we suggest that a development rate of at least 25 and possibly up to 30 per annum would be more appropriate for Kingussie.

As referred to in other maintained objections we also feel that development in Kingussie should not be restricted to the one large expansion area, certainly not until the larger area is serviced and under development. As there will be no development on the expansion land in the period 2006-2008 account should also be taken of our request to develop small sites elsewhere in the village. We therefore suggest that the 75 dwellings could be provided on the expansion land in the period 2009-2011 with a further 10 on small sites elsewhere in the village in that same period. There is a need to modify the figures indicated in Tables 3 and 4.

Imposing restrictions on development rates and access combined with a lack of choice of housing sites in the village and the unspecified timescale for preparation of a master plan development, the expansion area will not provide land for short and longer term housing supply in Kingussie. As such this will not provide an effective land supply both locally and strategically for the southern area of the National Park. Henceforth the delivery of affordable housing will be stifled for the foreseeable future. This will also hinder attraction of business investment and the creation of jobs in the National Park.

Proposed changes –

1. in the Kingussie statement page 68 KG/H1 at sub para i, change the second sentence to read 'it could provide land for around 300 dwellings, with 85 of these provided during the period 2009 to 2011.

2. on pages 41 and 43 under the heading Housing land requirement and supply, and Tables 3 and 4 make the following modifications:

In table 3

- change the new land supply figure for Highland for 2006-2011 from 486 to 496
- change the land supply figure for Highland for 2011 to 2016 from 678 to 728
- change the total land supply figure for Highland from 1569 to 1629
- change the overall totals from 596, 817 and 1850 to 606, 867 and 1910 respectively.

In table 4

- change the 2006-2011 target numbers of units for Kingussie from 75-85
- change the 2011-2016 indicative target for Kingussie from 75-125
- change the capacity for medium to longer term for Kingussie from 150-125
- change the relevant total Highland figures from 891, 678 and 1441 to 901, 728 and 1416 respectively.
- Change the target new land supply for Highland from 916 and 678 to 916 and 728 respectively
- Change the total CNP figures from 1033, 817 and 1517 to 1043, 867 and 1492 respectively, and
- Change the target CNPA figures from 1033. and 817 to 1043 and 867 respectively.

In para 5.40 change the figures 1040 and 817 to 1050 and 867 respectively.

Objection – Kingussie Statement page 68 KG/H1

(a) access requirement, and

(b) timescale for preparing development brief.

Grounds – we have major concerns about the following parts of the statement:

1 – this 16.05ha site would provide land for short and longer term housing supply in Kingussie

2 – the site requires a new major access to be taken from the A86 to provide vehicle access to the site

3 – the Park Authority will work with partners to produce a development brief for the site during the lifetime of the Local Plan.

Restricting access to the A86 closes down full and careful consideration of other options including improvements to the existing network and phasing of development. We are aware that the local Highland Council roads engineer is of the opinion that no further development should be served off Dunbarry Terrace.

However, this view and the wording of the new plan is contrary to the outline of the development potential for the area in the current adopted Badenoch and Strathspey Local Plan, which indicates that development can be phased from either end. Indeed development of the original village expansion area commenced at the

Dunbarry Road end. With some further improvements this road network has capacity potential for additional housing in the short to medium term until the connection can be made from the A86 east of the village. In this respect our clients are prepared to complete a loop road within their site and provide a future link ease and south east to the A86. detailed proposals for this land will form part of a Master Plan for the expansion area at Pitmain which we are in the process of preparing on behalf of our clients.

We are concerned that by imposing a restriction of any further development to a new access via a new link from the A86 combined with a lack of choice of housing sites in the village, and the unspecified timescale for preparation of a development brief this area will not provide land for short and longer term housing supply in Kingussie. As such this will not provide an effective land supply both locally and strategically for the southern area of the National Park. Henceforth the delivery of affordable housing will be stifled for the foreseeable future. This will also hinder attraction of business investment and the creation of jobs in the National Park.

Proposed changes In the Settlement statement

A – indicate that there is potential for additional development here before the link to the A86 has to be commenced or completed, subject to phasing and other local road network improvements;

B – indicate the timescale for preparing a development brief or alternatively advise that developers are required to prepare a master plan for the overall layout; and

C_ increase the choice of smaller scale housing opportunities such as at Ardvonie Road, St Vincent's and Ardbroilach Road as referred to in other objections lodged by us on behalf of the same clients.

CNPA analysis of response to 1st modifications

The issue of road access has received a maintained objection from Transport Scotland. In line with the requirements of SPP17 the wording of the text will be changed to 'Access to this site should be taken from the local road network'. CNPA will also continue discussions with Transport Scotland to ensure the viability of this site. In regard to the masterplan the text requires that a masterplan be produced and that CNPA will assist developers or partners to do this. In regard to additional land for housing within Kingussie, the CNPA position regarding this has not changed and no further modifications are therefore proposed.

response to 2nd modifications

Sub para I - development rate for housing, housing requirement and land supply.

Our clients wish to maintain their objection as they still have concerns especially in relation to the suppression of development until 2011 due to the timescale for investing in upgrading the Kingussie Waste Water Treatment works. Given that no completions will be possible on this land in the period 2006-2011 and the hope that the market will pick up before 2011, the inability to build any houses interim will cause pent up demand including unmet affordable housing needs. As such we seek no restriction on the house building rate. We also consider that restricting this to 15 dwellings per year may limit the ability to make parts of the land available to small builders and affordable housing providers who may wish to commence construction in the same timeframe.

Sub para iii – access requirement

Our clients are prepared to withdraw this issue on the basis that two access points will be permitted to serve the development and that Transport Scotland withdraw their objection. If the eastern most access involves closure of the existing Kerrow Farm access but this be linked into the new access at the trunk road we feel that surely Transport Scotland can see a way to withdraw their objection.

Timescale for masterplan preparation

Our clients are happy to withdraw this objection on the basis of the Park Authority's positive reaction to the preparation of the masterplan and its submission in the form of an outline planning application early in 2009.

HEARING

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

Company HIE Inverness and East Highland

Policy/site Settlements - Kingussie/Newtonmore

Representation to Deposit Plan

Kingussie and Newtonmore - We would welcome additional site designations for business and commercial use in both Kingussie and Newtonmore and believe that both of these communities could benefit from some appropriate business infrastructure, such as a business park.

CNPA analysis of objection to Deposit Plan

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN