

Issue:	Aviemore H1, H2 and H3		
Objector(s):	Badenoch and Strathspey Conservation Group	Objection ref(s):	400i(e)

Reporter	Mrs. Jill Moody
Procedure:	Informal hearing

Rebuttal

- 1.1 This rebuttal statement forms the CNPA’s response to new issues which have been raised in the statement from objector 400i(e).

- 1.2 The points raised by objector 400i(e) in respect of the proposed allocation of sites AV/H2 and AV/H3 for housing have already been responded to in detail in the CNPA’s hearing statement. That statement has also highlighted that the lands, together with the adjacent allocation at AV/Env, have an extant planning permission for the development of “up to 104 dwelling units” (CNPA planning reference no. 05/101/CP and Scottish Executive Development Department Inquiry Reporters Units, Appeal decision – ref. no. P\PPA\001\8 refer). In addition to the concerns raised originally in relation to proposal sites AV/H2 and AV/H3, the hearing statement from objector 400i(e) now includes an objection to the proposed allocation of AV/H1 for housing.

- 1.3 400i(e) objects to the proposed allocation of AV/H1 on the basis that it conflicts with the 1st, 3rd and 4th aims of the National Park. It is also stated that it is valuable for biodiversity and that it supports at least 1 red listed plant as well as natural birch woodland. 400i(e) also describes it as being readily accessible and an important walking area, as well as being used for biking and playing in, and that it is close to visitor accommodation at the Scandinavian Village and Aviemore Highland Resort. Objector 400i(e) requests that AV/H1 be largely omitted from the Local Plan, suggesting that a small area of the proposed allocation near the AHR road “could be developed without impacting badly on the rest of the site.”

- 1.4 In response to the new concerns raised in relation to proposal site AV/H1, the CNPA wish to highlight the fact that the lands allocated have extant planning permissions. Full planning permission was granted for the erection of 21 houses, associated infrastructure and landscaping (CNPA planning reference no. 05/304/CP refers, date of issue of decision notice - 4th March 2008). The planning permission pertains to the south eastern area of the proposed AV/H1 allocation. This appears to correlate to the location suggested by objector 400i(e) as having development potential without impacting on the rest of the site. The remainder of the proposed allocation site also has an extant planning permission, as approval of reserved matters was granted for the erection of 140 dwellings, and the construction of roads, services and landscaping (CNPA planning reference no. 05/306/CP refers, date of issue of decision notice - 4th March 2008).

- 1.5 The approved site layout plan for planning reference number 05/306/CP demonstrates that the area of the site in which development is permitted avoids interference with the extensive birch woodland in the eastern area of the site. In addition, provision has also been made within the approved scheme for the retention and improvement of existing pathways around the site, as well as the provision of dedicated play areas and other larger areas of open space. The permitted layout demonstrates that development can be accommodated on the lands, whilst

protecting and retaining the integrity of the birch woodland, and also making provision for continued recreational use of the land.

2.0 Conclusion

- 2.1 Objector 400i(e) recommends that proposal sites AV/H2 and AV/H3 are omitted entirely from the Local Plan, on the basis that the allocations conflict with the 1st, 3rd and 4th aims of the National Park. The CNPA are satisfied that the allocation of the lands does not conflict with the aims of the National Park and sufficient evidence has been advanced in the CNPA's hearing statement to demonstrate that the allocation of the lands accord with the aims of the National Park. The CNPA also recognise that the lands have an extant outline planning permission for the development of "up to 104 dwelling units."
- 2.2 Objector 400i(e) also recommends that a large area of proposal site AV/H1 be omitted from the Local Plan, as similar to AV/H2 and AV/H3, the allocation is considered by the objector to conflict with the 1st, 3rd and 4th aims of the National Park. The CNPA are satisfied that the allocation does not conflict with the aims of the National Park. The compatibility of a housing development with the aims of the National Park has already been considered in the context of planning applications on the land. Planning permissions have been granted on the land identified as proposal site AV/H1, for the collective development of 161 dwelling units (CNPA planning reference no's 05/304/CP and 05/306/CP refer), with those planning permissions remaining extant.

3.0 CNPA Commendation to Reporter

- 3.1 The CNPA commend to the Reporter that objection 400i(e) is rejected and that the allocation of proposal sites AV/H1, AV/H2 and AV/H3 is accepted.