

**Proposed Local Development Plan
Consultation Responses 184 - 218
November 2013**

Objector Ref	Objector Name
184	Colin Gair
185	Nethy Bridge Community Council
186	Elisabeth and Keith Urquhart
187	Am Fasgadh Regeneration Company
189	Mrs R Lovie
190	Jonny Pott
191	Martin Ashdown and Susan Matthews
195	Ramblers Scotland
196	Woodland Trust Scotland
198	Whit Romilly
199	Historic Scotland
200	Susan Broyd
201	Raymond Bainbridge
202	Paul and Beryl Shackelton
203	Louise and Simon Molyneux
204	Bob Robbie
205	Ray and Barbara Cranfield
206	Ann Robbie
207	Eric Foulds
208	Oliver and Morag Sykes
209	Aberdeenshire Council
210	John and Mary Clube
211	Mr and Mrs McGeachie
212	Frank Anderson

**Proposed Local Development Plan
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November 2013**

213	James Bisset
214	Terry Sayer
215	Norman Cattanach
216	Rosemary Cattanach
217	SNH (response to SEA)
218	Kincraig Community Council

Letk 21.6.13 Post

Colin A Gair



Cairngorm National Park Authority,
Station Square,
Ballater.
AB35 5QB

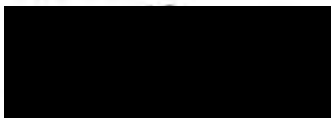
17/06/2013

Dear Sir/Madam,

With reference to your Notification of 15th April regarding proposed development in Aviemore, with reference to the Area ED3 any further development would be strongly opposed as we have lived with the "HORROR" that is Hydrasun for some 25 years now and would just like to let you know what we have to live with.

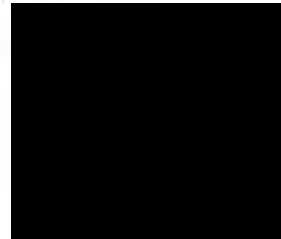
Allowing a engineering factory in a residential area was bad enough but then they were allowed to put on a monstrosity of an extension with its main doors not 20mtrs from our garden fence, this completely blocked our view and caused us all sorts of problems over the years, there is a vibration/rumbling nuisance which rattles our house when their machines are run over a certain speed, this can be any time between 0600hrs and 2200hrs or it can go on the whole day, also with the main doors in such close proximity to our house, when the doors are left open as often happens in the good weather, we are subject to all associated factory noises, again at any time and now it would appear that Hydrasun have outgrown even this as the area outside is being used as a store and a "dump" for "factory waste", whether they have permission for this or not I do not know as an enquiry to Highland Council has gone unanswered. Numerous complaints to Highland Council and Hydrasun over the years have failed to ensure that we should be able to live a peaceful life and make use of our garden, as this is not possible when the above problems are happening, at times we cannot even have our windows open, so as I said at the start any further "development" unless it was to knock the place down would be strongly opposed.

Yours



Colin A Gair

Nethy Bridge and Vicinity Community Council



Cairngorms National Park,
The Square,
Grantown on Spey

Dear Sirs,

We would like to make the following comments on the proposed Local Development Plan.

As far as development land in Nethy Bridge is concerned we are content with the allocated area, we would however like to ask that given the current planning application uses a smaller footprint than that currently shown we would like the area allocated to be shrunk to the current proposals. This would mean that no further development could take place.

We have concerns that while the park are trying to impose design standards on housing developments and individual houses many of these add considerably to the costs for those building their own house. Local people, have, and always will want to build their own home. Many of the criteria being put in place and the conditions applied will add considerably to the cost of these homes. While it is one thing to charge Planning Gain to developers who are building speculative developments it seems to work completely against local people who are trying to build a roof over their heads. As these local people building their own homes are taking steps at their own hand to provide for themselves it flies in the face of 'affordable' housing and makes their homes more expensive. It may be possible to charge Planning Gain to those who are building holiday homes.

By the same token there are many people living within the park who may own land outwith settlements and want to build a home it seems unfair to make these people build within current settlements where they have to buy land at often inflated prices. We would like this looked in to as we are not happy with the policy which seems to want to build bigger and bigger settlements. The Highlands of Scotland have developed to their current form over many centuries and we would like an element of this to remain.

As far as the Core Paths plan is concerned we would like the recent new path and bridge over the Duack Burn taking villagers and those using the Speyside Way off the B970 at a dangerous road bridge to be included on the map. We appreciate that this was not built when the maps were drawn. I am aware that the Tulloch Moor Road in Tulloch, the vast majority of which is within the Nethy Bridge Community Council area has been suggested as a core path. We are against this proposal as it will invite many more people, many walking dogs, to this quiet part of the Abernethy Reserve. It could also be badly affected when the An Camus Mhor development goes ahead. The paths around Loch Garten, which is again within Nethy bridge and should rightly appear on the Nethy Bridge map should remain.

Yours faithfully,

A black rectangular redaction box covering the signature of the Chairman.

Chairman

Charlotte Milburn

From: Charlotte Milburn
Sent: 04 July 2013 14:15
To: Local Plan
Subject: FW: Local Development Plan

From: Keith Urquhart [REDACTED]
Sent: 03 July 2013 15:15
To: Grant Moir
Subject: Local Development Plan

FAO Mr Grant Moir, Chief Executive, CNPA

Dear Mr Moir

As part of the consultation process for the CNPA Local Development Plan we had the opportunity to talk with some of your staff at a small presentation in Carrbridge recently. They were helpful and provided interesting guidance on the Plan and the role of the CNPA.

We would like to take this opportunity to wish you success in the role which we understand you have recently taken up and to comment on two issues in particular which affect the Park in general as well as Carrbridge specifically. These are housing development and wind farms.

As you will see we also make comment on the fourth aim of the National Parks as set down in the Act which set up National Parks in Scotland.

Housing development

We note proposals to continue housing development throughout the Park and one of which affects Carrbridge in particular, and our views relate to both.

We believe that the housing development proposed is more than necessary and is more than the area can sustain. In almost 20 years living in the Park area we have seen huge housing development which has neither been "incremental" nor "organic" in a sensible and "sustainable" way, and this we feel should not be allowed to continue.

It seems though from reading the proposals that growth is intended to continue almost for its own sake, despite that opportunities for work in the area and some infrastructure are limited, and that there is an increasing realisation that travelling long distances for work, or indeed to reach essential facilities, is neither environmentally nor financially wise.

By example the housing development currently proposed in Carrbridge is totally out of proportion to the present housing stock, in a village which has little by way of facilities.

Wind farms

We do not support the present Government policy to develop wind farms, for possibly all the range of reasons for that, including that they will not solve the problems they are claimed to and will create and aggravate other problems.

We are willing to elaborate on this if you wish.

However, on a particular point and as to the effect on the Park and Carrbridge, we were recently disappointed to learn that Scottish Ministers had decided to take the Reporter's recommendations and approve the proposal for a wind farm at Tom nan Clach.

Although not in the Park area, that development, certain of the Reporter's comments on it, and if it goes ahead its other implications, are worthy of note.

We draw your attention to how the Reporter considered this wind farm would interact with the National Park, as follows, by reference to the recommendations of his formal Report.

The visual impact of Tom nan Clach on the National Park and approach to it is considered in items 4.65 to 4.70 of his Report.

At item 4.65 the Reporter accepts that a wind farm at Tom nan Clach will be visible from the National Park.

Shockingly, at items 4.65 to 4.70 the Reporter accepts that viewing wind farms from within the National Park will be the norm due to the increasing number of wind farms being developed.

The Reporter here and at 4.70 in particular creates the concept of a wider highland landscape which is **"a wind farm landscape beyond the park"**.

This is claimed by the Reporter to **"highlight the importance of the park rather than detracting from it"**.

Although these are said to be **"findings of fact"** the Reporter provides no evidence to justify his conclusions on the acceptability of this, and in not so doing has erred in his conclusion in this respect.

Again certain of the statements made within 4.65 to 4.70 are most definitely not **"findings of fact."**

Reference is also made by the Reporter on page 45 item 4.7 to the cumulative visual impacts of Tom nan Clach with other wind farms and he suggests that significant gaps should remain between wind farms and **"...the compact design of the wind farm would avoid the perception of a ring of turbines around the park boundary ..."**

From those we have had contact with who use the National Park there is already the perception of a ring of turbines forming around the park, and in terms of development close by we are aware of the scoping application for further wind turbines above Streens gorge, with the proposed developer aiming to use the access tracks for Tom nan Clach to approach the Streens development.

There is further scoping applied for at Cairn Duhie, which will again reduce the **"gaps"** between windfarms on the Dava Moor, if development is allowed to proceed.

You will be aware of the many further wind farm developments proposed which will be visible from the park if they are allowed to proceed.

In our opinion his conclusions as to the acceptability of wind farm developments beyond the park and that they somehow highlight the experience of the National Park will overwhelmingly not be shared by visitors to the park, nor ourselves.

Other current proposals include very many wind turbines proposed in the Monaliadh which are presently in the planning and approval process. **We have no means of knowing what other developments will be pursued elsewhere surrounding the Park area but present Government policy leads us to fear that effectively there will be no restriction on substantial development around the Park.**

We also note with concern that SPP and NPF3 nor the SNH proposals regarding wild land offer any serious brake on these developments, and **you will be aware that SPP Section 141 even allows development within the Park should government determine that is necessary.**

In summary

We had hoped that when the National Park was created the emphasis would be on preservation of the landscape and character of the Park which led to the formation of the Park. What we see however is that it is not that simple and that the rules which apply to the CNP do provide for its development which seems to be summarised in the fourth aim of the Act namely that national parks are ***“to promote sustainable economic and social development of the area’s communities.”***

We can only ask that you do what you can to ensure that this is not used to excuse unnecessary development, including in particular housing and wind farms, and that you do what you can to preserve the natural heritage of the area including its landscape by resisting wind farm developments which will do nothing other than damage to the fundamental rationale behind the park.

As to the fourth aim of the National Parks (Scotland) Act 2000, we do not believe that is appropriate to the concept of a National Park in the way that it could be and is being interpreted. At the least this fourth aim should lose the equivalent status which it seems it presently has with the other aims.

Although we have taken this opportunity to write directly to yourself, and would welcome your views, we ask that this letter be considered to be as part of our formal comment on the CNP Local Development Plan.

Yours sincerely

Elisabeth and Keith Urquhart

[Redacted signature line]

[Redacted signature line]

|

Official Use Only

Reference:

Objection No:

Form for representations on the Cairngorms National Park Proposed Local Development Plan

Please read the explanatory notes inside the front cover of the proposed Local Development Plan before completing this form. The deadline for returning completed forms is 5pm, Friday 5 July 2013. The forms can also be completed online at www.cairngorms.co.uk. You can photocopy this form, or further copies are available from the Cairngorms National Park Authority offices or can be printed from our website.

Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name Neil Sutherland
Address MAKAR Ltd (incorporating Neil Sutherland Architects).

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

2. If you are representing a third party, please give their details.

Name Mairi Brown, Am Fasgadh Regeneration Company (Kingussie) Ltd
Address [REDACTED]

[REDACTED]
[REDACTED] [REDACTED]

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification. Our representation relates to Kingussie Economy Policy ED1 (p. 165 of the Plan and the map on p. 167).

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

Introduction

Our client – An Fasgadh Regeneration Company (Kingussie) Ltd (ARC) has an interest in the area shown within the red boundary line (shown on the attached map) and known as the Am Fasgadh site.

4. Continued

Cairngorms National Park Local Plan 2010

The current Cairngorms National Park Local Plan 2010 shows that the Am Fasgadh Site (including the car park to the west) and an adjacent area on the other side of the railway line is identified as an area (ED2) with economic development potential.

The Local Plan describes ED2 as follows:

“A small area of land to the west of Spey Street (***in fact the area lies at the eastern end of Spey Street***) and adjacent to the railway line could also provide some opportunity to support the economic development of the settlement. Part of this site lies within SEPA’s indicative I in 200 year flood risk area. A detailed flood risk assessment will therefore be required to accompany any development proposals for this site.”

This area is one of only two in Kingussie identified in the Local Plan as having economic development potential.

It is important to note that the part of the site which lies within SEPA’s indicative flood risk area is not the Am Fasgadh site. Inspection of SEPA’s Indicative River and Coastal Flood Map (www.sepa.org.uk/flooding/flood_extent_maps) shows that the area at risk of flooding lies on the other side of the railway line to Am Fasgadh.

Cairngorms National Park Proposed Local Development Plan 2013

The Plan shows 3 areas in Kingussie marked as having economic development potential. ED1 relates to the Am Fasgadh site. There are a number of changes to the area compared with ED2 as noted in the current Local Plan:

- ED1 excludes the area occupied by all of the buildings on the Am Fasgadh site (with the exception of the Open Barn) and an area between Pitmain Lodge and the railway line;
- ED1 excludes the car park (C2) which is now designated as a community car park development.

The text for ED1 is identical to that of ED2 in the Local Plan. No explanation is given as to why the area of ED1 has been reduced compared with that of ED2.

Objection

We object to the reduction in the area of ED1 (compared with ED2 in the current Local Plan). This reduction in area will:

- Reduce the overall economic development potential of the Am Fasgadh site;
- Undermine the physical integrity of the site as an economic area;

4. Continued

- Reduce the locational flexibility of different economic activities within the Am Fasgadh site;
- Introduce the possibility of land uses adjacent to ED1, which could conflict with economic and community activities developed by ARC within ED1;
- Limit the potential to refurbish and redevelop the existing buildings (Pitmain Lodge, MacRobert House, and the Farming Museum Building, which are excluded from ED1 (but were included in ED2 in the Local Plan).

To sum-up, the proposed reduced area of ED1 could have significant negative impacts on the economic development proposals currently being developed for the Am Fasgadh site.

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

We seek a reversion to the area shown in ED2 of the Local Plan, and its extension to include the Museum Store building – and surrounding area, ie the whole Am Fasgadh site as shown in the attached maps should be designated for economic development.

Such a designation covering the whole Am Fasgadh site would provide the scale and flexibility required for ARC to maximize the economic and community development potential of the site for the benefit of both local residents and visitors to the area.

Continued on separate sheet.

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

Forms should be returned no later than 5pm, Friday 5 July 2013.

After that date, you will be contacted by a representative of the Cairngorms National Park Authority with regard to your objections.

If you have any queries regarding completion of the comments form, or require further assistance, please contact the Development Plan team at the CNPA Ballater office: Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

Details provided will only be used for purposes associated with the Local Development Plan. You may request to see personal information held by the CNPA at any time. Information will be shared with the Scottish Government Department of Planning and Environmental Appeals and may be published on our website. We will not publish address details but may publish the name of the person who has completed the form. By completing and submitting the form, you are consenting to the above.



5. Continued

ARC is committed to sustainable planning and design, and would incorporate into their proposals the General Design Guidance (paragraph 36.4 on page 162). The development proposed by ARC would address all of these points. ARC is committed to, for example, using approaches which raise architectural and design quality, and using energy strategies for its proposed development ideas that promote energy efficiency and sustainability.

Am Fasgadh : Site and Economic Development Designations



Source : Cairngorms National Park - Local Plan 2010.



Source : Cairngorms National Park Proposed Local Development Plan 2013.
Note : In both maps the Am Fasgadh site boundary is superimposed in red.

Tel. 013397 55353

CNPA

Station Sq.

Ballater AB35 5QB

Cairngorms National
Park Authority

01 JUL 2013

RECEIVED

28.6.13

Dear Sirs

Re CNPA - Local Development Plan Consultation.

I have been advised to once again submit in writing an objection to the building of houses on site BL/H1.

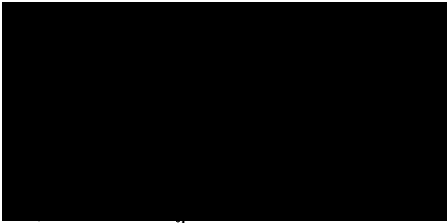
The local people have repeatedly & distinctly made known their objection to the development of housing in this area, yet the CNPA persists in continuing to follow this course.

The CNPA prides itself on "accepting" the views of the local community, but apparently pays no regard to its wishes to keep the village & the approaches to it as an attractive rural environment, which visitors expect to find.

The CNPA is well aware of the already

large amount of housing which lies unoccupied for most of the year.

Enough money has been spent on consultation & fact finding over the years. It is time to put a stop to this matter which has caused harassment & agitation to the residents of Ballata.




Official Use Or
Reference:
Objection No:



Form for representations on the Cairngorms National Park Proposed Local Develop

Please read the explanatory notes inside the front cover of the proposed Local Development Plan before completing this form. The deadline for returning completed forms is 4pm, Friday 10th October 2014. Forms can also be completed online at www.cairngorms.co.uk. You can photocopy forms if necessary. Forms are available from the Cairngorms National Park Authority offices or can be purchased from the Authority's website.

Please use this form to state clearly the modification/s you would like to see made to the Local Development Plan. You should include the proposal/policy or paragraph reference where appropriate. You should complete a separate form for each representation.

1. Name *MRS R LOVIE*
 Address 
 Postcode
 Telephone Email

2. If you are representing a third party, please give their details.

Name
 Address
 Postcode
 Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan which you wish to seek a modification.

4. Continued

5. Please state clearly what change/s you wish to see made to the Plan, which would address your objection.

STOP DEVELOPMENT, NOT
IN FUTURE.

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

Charlotte Milburn

From: Jonny Pott [REDACTED]
Sent: 04 July 2013 14:47
To: Local Plan
Subject: School Wood, Nethybridge

Dear Sir/Madam

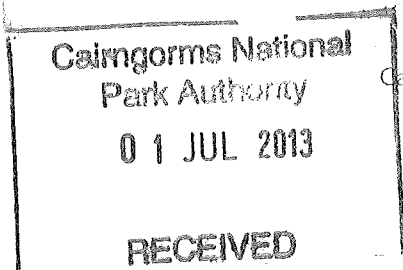
I am writing to once again register my opposition to the proposed housing development in School Wood outside Nethybridge. Capercaillie can occasionally be seen in these woods, including other plant and insect species, whose habitats continue to be frittered away around the outskirts of our villages.

School Wood acts as a corridor to the other woodlands within and around the village, which will help to spread and increase wildlife. This is an extremely valuable piece of ancient woodland. The deep burn that runs through it also has newts and other water fauna.

Please delete School Wood from any future development.

Yours sincerely,

Jonny Pott



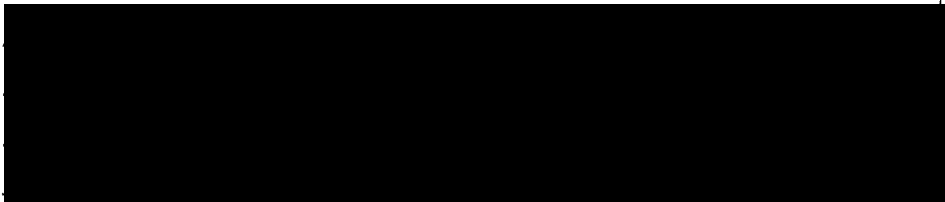
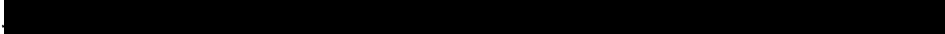
Cairngorms National Park Proposed Local Development Plan

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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name MARTIN ASHDOWN & SUSAN MATTHEWS
 Address 
 Telephone 

2. If you are representing a third party, please give their details.
 Name
 Address

 Postcode
 Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
SECTION 1 VISION

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
PLEASE SEE ATTACHED

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary.

Vision section, clause 1.16 quotes "an outstanding national park, enjoyed and valued by everyone, where nature and people thrive together."

The Park Authority needs to better understand that it has been shown in numerous situations that in general where nature and people are involved then human needs override those of nature.

Human activities as apparently harmless as walking/mountain bicycling have a clearly visible impact be it from party size (more tha two), worn paths, litter, disturbance to wildlife and damage to flora and fauna.

The impact of unleashed dogs should not be understated. The disturbance to wildlife through all seasons is only too obvious to see, for example be it birds being flushed, squirrels and roedeer being chased and in admittedly exceptional cases savaged.

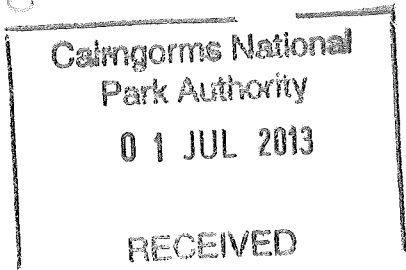
5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

We recommend the following;

- Emphasis needs to placed on creating places where humans are not encouraged to access
- In accessible areas dogs are to be kept on leashes at all times (not just breeding season)
- Mountain bicycling is banned on footpaths and from hill tops (other countries have this ban and enforce it)
- Serious consideration should be given to the closure of sensitive natural areas to human activities
- Serious consideration should be given to encouraging limitations in party size

MGA / SHM 01/07/13

Highland Search



Cairngorms National Park Proposed Local Development Plan

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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name MARTIN ASHDOWN & SUSAN MATTHEWS
Address [Redacted]
Telephone [Redacted]

2. If you are representing a third party, please give their details.
Name
Address
Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own [checked] Agent []

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
SECTION 14 AN CAMUS MOR

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
PLEASE SEE ATTACHED

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary.

We object to the development of this settlement for the following reasons;

- It conflicts with the aim of the park, "to conserve and enhance the natural heritage of the area." Where there is a conflict between the above aim and the other aims then "the act requires that greater weight is given to conserving and enhancing the natural and cultural heritage." Clearly such a development will conflict with the above aim.
- No credible evidence has been provided to the public which in any way substantiates the need for such a development.
- Such a development is not sustainable. Definitions of sustainable; "Designating of, or characterised by a practice that sustains a given condition, as economic growth or a human population, without destroying or depleting natural resources." (Extract Websters New World Dictionary Fourth Edition) and/or "Involving the long term use of resources that do not damage the environment." (Extract Chambers Dictionary)

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

We recommend the following changes;

- Delete the development of An Camus Mor from the plan
- Apply the definitions of "sustainable" as described above to any development no matter what size

MGA / SHM 01/07/13

4th July 2013

Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater AB35 5QB

Dear Sirs

Comments on Proposed Cairngorms Local Development Plan

Ramblers Scotland welcomes the opportunity to submit comments on the proposed Local Development Plan for the Cairngorms National Park. There is much within this document which we support, but we will restrict our comments to those aspects of the consultation which are relevant to our interests and where we have additional points to make.

Central purpose of the Local Development Plan

Para 1.3 states:

The Scottish Government believes that the planning system is essential to achieving its central purpose of *sustainable economic growth* (our italics). This involves promoting and facilitating development in the best places for it while protecting and enhancing the natural and built environment. The Local Development Plan is the main tool to deliver that.

In fact, the Scottish Government's stated central purpose is "*to make Scotland a more successful country, with opportunities for all to flourish through increasing sustainable economic growth.*" We are concerned that by shortening this statement, undue emphasis is being given to economic growth, above environmental and social elements, all of which are essential to sustainable development.

In addition, Section 4, Supporting Economic Growth, continues to use the terminology of 'sustainable economic growth' and yet this is not a term which is widely understood, or is interpreted in different ways by different people. We would prefer to see 'Sustainable Development' used as a term which is already used in legislation at a Scottish and an international level.

It is of particular concern to ensure that within a National Park any potential economic benefits of development do not take precedence over the protection of the National Park's special qualities. We recognise that there will always be a tension between change and development within the National Park and the need for conservation of the very special qualities for which the area has been designated, and this is a difficult balance for the National Park Authority (NPA) to achieve. However, we believe these special qualities and the subsequent different management of any development which ensues are not always made clear in the Plan, and should be given more weight in this document.

For example, in para 1.20, bullet point 6 states that this Local Plan will ensure:

The special qualities of the Park are enhanced by new development where possible and protected from new development that would significantly erode or harm them.

President: Dr Andrew Murray
Convener: David Thomson
Director: Dave Morris

It is not clear from this whether the NPA would actually reject development which would 'significantly erode or harm' the special qualities of the Park. In addition, we query whether a development which would erode or harm the special qualities in a way which may not be significant, but which would nevertheless have an impact on these qualities, would be stopped.

Housing

We objected to the establishment of An Camas Mor as a new settlement within the Park and our view has not changed subsequently. However, we do welcome the majority of the Housing policy in terms of new housing developments being contained within settlement boundaries, etc. Nevertheless there is a need to recognise that too concentrated a level of housing development within settlements can lead to a loss of green space and opportunities for public enjoyment of the outdoors and we hope this can be reflected in the Local Plan.

Landscape

We welcome this policy and the direction in which it will be applied. However, we remain extremely concerned about the issue of certain permitted development rights which mean that landowners can continue to construct new hilltracks or erect deer fencing (often with an accompanying track infrastructure) over large tracts of land without the need for planning permission. While planning permission is required within National Scenic Areas, the remaining areas of the National Park are without this protection, and this policy will not have any influence over these permitted developments. While we recognise that the NPA is not able to amend national planning policy, we would welcome a statement in the Local Plan policy which discourages landowners from using their permitted development rights and encourages them to consult the NPA in advance of any proposed development, recognizing that they are within a National Park and therefore should act accordingly when they may be creating a significant impact on the Park's landscape.

Renewable Energy

We fully support this policy, in particular the statement that only single turbines less than 30m in height would be appropriate within the Park, or outside it where development would affect its landscape setting.

Sport and Recreation

This policy does not appear to include fieldsports, such as stalking and shooting, within its scope. We believe such recreation activities should be included as the land management practices which support such sports can have significant impacts, such as grouse moor management, deer fencing and the loss of tree and vegetation cover due to grazing pressures.

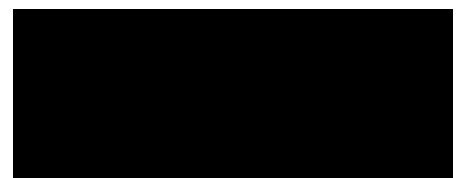
In addition, there is no mention of the role recreation can play in helping the Scottish Government to achieve a lasting physical activity legacy from the 2014 Glasgow Commonwealth Games. One aspect of this legacy is the establishment of Community Sports Hubs which can provide a focal point for sporting activities within communities around the Park.

We trust these comments are helpful and would be happy to discuss any aspect of this response in further detail at your convenience.


Helen Todd
Campaigns & Policy Manager

Ramblers Scotland is the representative body for walkers in Scotland and recognised by **sportscotland** as a governing body of sport. We have 6,400 members across Scotland and 55 local walking groups, including 4 groups which between them cover the area of the Cairngorms National Park. Our aims are to promote walking, secure and facilitate public access to land and to protect the countryside.

President: Dr Andrew Murray
Convener: David Thomson
Director: Dave Morris





Cairngorms National Park Authority Planning Office
Albert Memorial Hall
Station Square
Ballater AB35 5QB

4th July 2013

Dear Sir/Madam

Re: proposed Cairngorms National Park Local Development Plan

The Woodland Trust Scotland (WTS) is pleased to be able to comment on the Plan for the Cairngorms National Park and values the opportunity to have its comments taken into account.

The comments that follow are delivered on behalf of the United Kingdom's leading woodland conservation charity. We achieve our purposes through acquiring woodland and sites for woodland regeneration, and wider advocacy of the importance of protecting ancient woodland, enhancing its biodiversity, expanding native woodland cover and increasing public enjoyment. We own over 1,000 sites across the UK, covering approximately 20,000 hectares (ha). In Scotland we own and manage over 80 sites across 8,750 ha which include the 5,000 ha Glen Finglas estate and significant holdings in Glenrothes and Livingston. We have three main aims:

- To enable the creation of more native woods and places rich in trees
- To protect native woods, trees and their wildlife for the future
- To inspire everyone to enjoy and value woods and trees
-

The Woodland Trust Scotland considers that any woodland included in Scottish Natural Heritage's Ancient Woodland Inventory (or AWI), which is present on historical maps or which exhibits a significant numbers of ancient woodland indicators can be considered as ancient and is therefore high value for conservation and worthy of further study and is likely to pose a constraint on development. We believe that ancient woodland is amongst the most precious and biodiverse habitats in the UK and is a finite resource which should be protected.

Overall impression of the Cairngorms National Park Local Development Plan

We commend the Cairngorms National Park on a concise and well presented plan. We recognise the complexity of the natural environment, biodiversity, and landscape assets that have to be considered in creating a vision for the future of the Cairngorms National Park. However, we are concerned to note that the general focus of the plan is on economic and social development, which does not adequately reflect the duty placed on

public sector bodies to further the conservation of biodiversity as laid out in the Nature Conservation Act 2004.

Nor does it comply with section 9(6) of the National Parks (Scotland) Act 2000 which states "In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a)."

Further, it does not reflect the sentiment of the recently published Cairngorms Nature Action Plan.

We believe that the importance of the natural environment to the sustainable development of the Cairngorms National Park's economy cannot be under-estimated, should be a key overarching principle, and form the basis upon which a development plan is built. The natural environment is intrinsically linked to the future wealth, health, and wellbeing of the Cairngorms National Park. Although there is a Natural Heritage Policy we do not feel that the protection of the natural environment has been placed at the heart of the other policies within the park. A duty to further the conservation of biodiversity was placed on all public sector bodies in Scotland in The Nature Conservation (**Scotland**) Act. For a sustainable Park the natural environment needs to be equally balanced with the economy and society and this is not evident within the plan.

We are concerned to note that within the plan sustainable development is only mentioned within the community section. With regards to sustainable development we understand that this is the definition from the Brundtland report which defines sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs. We are concerned that An Camas Mor is being promoted as a site where sustainable development is to take place however it should be remembered that sustainable development "should help build a growing economy, but at the same time protect our environment for future generations and make sure that communities can enjoy a better quality of life¹." An Camas Mor will cause the direct loss of ancient woodland and therefore the site can not be referred to as sustainable.

We support the Plan's emphasis on reducing the impacts of climate change, but would like to see the relatively important contribution made by trees and woods to this critical issue, laid out in clear and unequivocal language. The National Park is no doubt well aware of the enormous contribution trees can make to just about every issue requiring mitigation or amelioration in our changing world climate, from helping to reduce and prevent flooding, to reducing pollution, to providing a resource for a thriving local economy and adapting to the climate change we already face.

The protection of woods and trees is pertinent to most sections of the Plan including housing, health, employment, attracting business and inward investment, transport, renewable energy and infrastructure.

1A Guide to the Planning System in Scotland - The Scottish Government
www.scotland.gov.uk/Resource/Doc/281542/0084999.pdf

The Inset Maps clearly indicate areas for development, but we would like to see the inclusion of irreplaceable Ancient and semi-natural Woodland on the plans, along with forest network habitats, designated sites, national cycle routes and Core Paths, not just the demarcation of 'green spaces' within settlement boundaries. We recognise that there are a large number of Ancient Woodland assets within the Cairngorms National Park including that which has been planted with exotic conifers and requires restoration, Within the Cairngorms National Park More than one-third of the conifer plantations are on Ancient Woodland Sites; these plantations comprise nearly half the woodland in the Park. (Cairngorms National Park Action Plan). Depicting them on the Spatial Plans or Inset maps in relation to site allocations, allows for a clearer understanding of how green networks can be established as part of the Plan, provides an overview of how site allocations may impact Ancient Woodland in the future, and how further fragmentation can be avoided.

The Woodland Trust Scotland would like to see a clear statement that the loss of Ancient Woodland cannot be mitigated, and therefore warrants protection from development. Development impacts on Ancient Woodland in a number of ways:

- Chemically through acidification, eutrophication and toxic pollution;
- Disturbance by noise, light, trampling, and other human activity;
- Fragmentation as a result of the destruction of adjacent semi-natural habitats;
- Provides a source of non-native plants and aids their colonisation;
- The cumulative effect of development is more damaging to ancient woodland than individual effects, which should not be considered in isolation.

Development which will cause the loss to ancient woodland, an irreplaceable habitat should be removed from the Local Development Plan.

Developments likely to cause disturbance should be located away from ancient woodland, particularly those likely to modify local hydrological function. Where development is located near to ancient woodland, buffer zones should be retained to reduce the distance that disturbance penetrates.

Vision for the Cairngorms Local Development Plan

We are pleased to note that the vision for the Cairngorms National Park is “an outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together.” We welcome the three long term outcomes of the park, specifically “A special place for people and nature with natural and cultural heritage enhanced.”

We are pleased to note that the Local Development Plan will make sure that “the special qualities of the Park are enhanced by new development where possible and protected from new development that would significantly harm or erode them”. However we would suggest that the word significant within this paragraph will mean that one of the challenges faced by the National Park which is “enhancing the landscapes and habitats and species of the Park while also delivering social and economic benefits for business, communities and visitors” will become even more of a challenge.

Policies:

New Housing Development

The New Housing Development policy does not provide any consideration to the impact of housing on the environment, specifically to impacts on native and Ancient Woodlands or any other semi-natural habitat.

Interrogation of the site allocation in the document reveals that many sites contain either entirely or in part, abut or adjoin Ancient Woodlands, Ancient Replanted Woodland, or Ancient Semi-natural Woodland (ASNW).

The Cairngorms National Park has one of the highest covers of ancient woodland in Scotland including half the remaining Caledonian forest, however Scotland as a whole only has 2% of its land under Ancient Woodland cover. Any loss to Ancient Woodland is unacceptable.

Development in proximity causes edge effects that result in the eventual die back of woodland edges. Edge effects have been shown to penetrate woodlands up to three times the canopy height, and increase with the intensity of adjacent land use. Where development in proximity to Ancient Woodland is necessary, additional native planting in buffer zones is required, with a minimum buffer of 50m.

Development impacts on ancient woodland in a number of ways:

- Chemically through acidification, eutrophication and toxic pollution;
- Disturbance by noise, light, trampling and other human activity;
- Fragmentation as a result of the destruction of adjacent semi-natural habitats,
- Provides a source of non-native plants and aids their colonisation;
- Cumulatively – The cumulative effect of development is more damaging to ancient woodland than individual effects which should not be considered in isolation.

Creation of new areas of woodland or buffer zones around semi-natural habitats, and more particularly ancient woodland, will help to reduce and ameliorate the impact of damaging 'edge effects', serving to improve their sustainability. The size of the buffer is dependent on the intensity of land use in the intervening matrix between ancient woods. A buffer zone of at least 50 metres of semi-natural vegetation would be required to protect the woodland from the change in land use on the site.

Details of each site that affects ancient woodland which is included in the Local Development Plan can be found in appendix A.

Supporting Economic Growth

WTS agrees with the Scottish Government purpose To focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish. However, we do not agree that the only delivery mechanism is sustainable economic growth.

We welcome the inclusion of the statement within the Tourism and leisure development section of this policy:

“a) It has no adverse environmental impacts on the site or neighbouring areas.”

However we would also recommend that it is included within the other economic development section of this policy.

Sustainable Design

We welcome the inclusion within the policy that the proposals have to demonstrate how they have been designed to:

“a) Minimise the effect of the development on climate change in terms of siting, construction and once complete; and

g) Improve or add to existing public and amenity open space; and

h) Maintain and maximise all opportunities for outdoor access, including links into existing path network. All development will be consistent with the Core Paths Plan; and

k) Create opportunities to further biodiversity and promote ecological interest.”

Woodland Trust Scotland would like to see the National Park Authority encourage the inclusion of trees and woodland in open spaces in new developments. Trees can play an important role in a development such as by helping reduce heating bills by keeping the wind away, and tackle noise pollution by absorbing and deflecting sound.

The Scottish Forestry Strategy² contains a commitment to expanding and improving the quality of woodlands around settlements to provide an improved landscape setting and widen recreational opportunities.

Natural Heritage

The Woodland Trust Scotland considers that any woodland included in Scottish Natural Heritage’s Ancient Woodland Inventory (or AWI), which is present on historical maps or which exhibits a significant numbers of ancient woodland indicators can be considered as ancient and is therefore worthy of further study and is likely to pose a constraint on development. We believe that ancient woodland is amongst the most precious and biodiverse habitat and is a finite resource which should be protected. Therefore within the policy we would expect all woodland included on the ancient woodland inventory to be included.

Scottish Natural Heritage’s **Ancient Woodland Inventory** (AWI) shows most woodland which is present on historical maps or which exhibits significant numbers of ancient woodland indicators can be considered as ancient and is therefore worthy of further study and is likely to pose a constraint to development. **However, it is worth noting that the AWI is not comprehensive, so other woodland, not listed on it, may be important too as a result of their high ecological value.**

Ancient woodland sites are irreplaceable. The interactions between plants, animals, soils, climate and people are unique and have developed over hundreds, and often thousands of years. These ecosystems cannot be recreated and as Scotland only has 2% of its land area covered by ancient woodland we cannot afford to lose any more of

The Scottish Forestry Strategy [http://www.forestry.gov.uk/pdf/SFS2006fcfc101.pdf/\\$FILE/SFS2006fcfc101.pdf](http://www.forestry.gov.uk/pdf/SFS2006fcfc101.pdf/$FILE/SFS2006fcfc101.pdf).

it. It is therefore essential that this habitat be protected from development. Therefore we object to the inclusion that ancient woodland can be lost or damaged if:

- “a) The objectives of the identified site and overall integrity of the identified area would not be compromised; or
- b) Any significant adverse effects on the qualities for which the area or site has been identified are mitigated by provision of features of commensurate or great importance to those that are lost.”

The loss of ancient woodland can not be mitigated against, at best this is classed as compensation.

A key feature of ancient woodland is its undisturbed nature, continuity and species that exist do not adapt well to change. Even small changes in adjacent land use can result in disproportionately large changes to the environmental conditions within the woodland. External impacts increase with the intensity of land use.

Landscape

Woodland Trust Scotland believes action for woodland biodiversity should be carried out at a **landscape-scale**. This means taking an holistic approach, looking not only at biodiversity issues and site designations, but also issues such as local economies and agriculture, eco-tourism, geo-diversity and the health and social benefits of the environment.

One of the difficulties in trying to define landscape-scale activity is that it means different things to different people. Rather than try to provide a single line definition, the following characteristics are intended to give a sense of how it differs from a “traditional” site based approach to conservation.

- Area-based as opposed to individual site based.
- Managed to develop the capacity to adapt to change – i.e. resilience – as opposed to managed to maintain equilibrium.
- Management should be directed towards learning and problem solving rather than using prescriptive management techniques.
- Run with biodiversity, social and economic objectives rather than simply nature conservation.
- Success judged through the functioning of the eco-system rather than simple metrics such as the frequency of a certain species.
- Run with, for, and often by, local people rather than experts.
- Planned as part of a wider strategy rather than in isolation.
- Multi-agency landowners

In this way landscapes can be created that are more resilient and able to absorb and respond to change, especially climate change. This includes conserving all semi-natural habitats, restoring those that have been planted with non-native conifers, and creating new native woodland, especially in areas where it can extend and buffer existing semi-natural habitats.

Renewable Energy

The Woodland Trust Scotland welcomes the inclusion that “communities must adapt and build resilience to the changing climate.”

Woodland Trust Scotland supports an increase in local timber and wood fuel production as a sustainable resource linked to credible certification such as FSC, reducing the negative environmental impacts of long distance transport. Local wood production provides a way of reconnecting people with woodland helps them value woods and trees and contributes to regional and local economies. We support local heat and power biomass which use locally sourced timber.

Sports and Recreation

Woodland Trust Scotland believes everyone should be able to access woodland within easy reach of their home. “Space for People”, Woodland Trust Scotland’s analysis of access to woodland in the UK, shows that in order for this to happen we urgently need to begin creating more woodland close to where people live.

The Woodland Trust Scotland believes that no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.

There should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people’s homes.

Resources

Water Resources:

Increasing native tree cover strategically could substantially improve water quality. Trees maintain lower water temperatures by casting shade and reduce levels of sediment, pesticides, nitrates, phosphates and other chemicals by stabilising soils, reducing surface run-off and taking up nutrients and some pollutants. Currently 37 per cent of water bodies in Scotland do not meet good ecological and chemical status³.

Flooding:

Trees and woods have a particular role to play in reducing the risk of flooding. Trees can decrease the rate at which rainfall reaches the ground and runs off into streams, rivers and drains. In both urban and rural areas, this allows more time for the natural and man-made drainage system to take the water away reducing the likelihood or severity of rivers flooding or surface water inundating homes.

Developer Contribution

As stated previously the loss of ancient woodland can not be mitigated for, at best it is compensation and this should be suitably high.

³ Trees and water quality, Woodland Trust internal briefing note, 2010

As previously stated please see appendix one for a full list of the sites that will affect ancient woodland.

Within the local proposals there are a number of sections which we would like to generally comment on, these are below:

Climate Change

The Woodland Trust Scotland welcomes the inclusion of climate change proposals within the proposed developments.

In introducing the Climate Change (Scotland) Act 2009, the Scottish Government demonstrated a world-leading level of ambition to reduce greenhouse gas emissions. The Act also established the legislative framework to pursue the Scottish Government's aim to promote climate change adaptation. Local authorities are required to help deliver the Scottish Government's programme.

The Local Development Plan should consider measures which contribute to both the mitigation of, and adaptation to climate change. Mitigation is the action that can be taken to reduce greenhouse gas emissions, for example by ensuring people need to travel less to get to work or local amenities and increasing the proportion of energy being generated by renewable sources. Adaptation is the action needed to minimise the adverse impacts of climate change, for example by planting native woodlands.

Green Space

Woodland Trust Scotland would like to see increasing recognition of woodland and individual trees as an especially valuable kind of green space in green infrastructure strategies. Green Infrastructure means the network of natural environmental components and green spaces that lie within and between cities, towns and villages. It includes trees, hedges, copses, shelter belts, open spaces, parks, playing fields, gardens, avenues, allotments, and so on. Such green networks serve many purposes, economic, social and environmental.

Green networks

Developing a green network might involve the provision of paths or the creation of areas of open space, so that people have more opportunity to get out and about, which can improve their health and well being. It can also include the establishment of areas of land which act as sustainable urban drainage systems (SUDS), helping to reduce flood risk. Many of these actions will also help to improve the economic status of an area, by making it a more attractive place to live and work.

Some of the activities involved in developing a green network will also reduce habitat fragmentation, so a green network is likely to be delivering a broader range of benefits for both people and wildlife.

Habitat networks

The Nature Conservation (Scotland) Act 2004 places a specific duty on all public bodies to further the conservation of biodiversity and to have regard to the Scottish Biodiversity Strategy 2004. By 2030, the Strategy aims to produce landscapes where

"Organisms can move, feed, reproduce and disperse effectively, and are better able to adapt to changing circumstances of land use and climate change".

We welcome the inclusion within the Supplementary Guidance that "Development should maintain existing connects and seek to create more wherever possible. Fragmentation of existing habitats and habitat networks must be avoided."

Site allocations

A number of sites included in the Cairngorms National Park spatial strategy for proposed development concern us as they either contain or are adjacent to ancient woodland and others contain, or are in proximity to other woodland/wooded sites. These are listed below / these are listed in the attached table with reasons for our concern.

We OBJECT to the following sites being identified for further development since this will lead to the loss of ancient woodland and damage to ancient woodland.

We consider that these site allocations should not be taken forward unless the protection of the adjacent woodland can be guaranteed and therefore request that where the allocations are taken forward, sufficient buffering between the proposed development and woodland should be identified in planning policy at the appropriate stage.

We recommend that if any protected species are present on the development site or adjacent to the development site that the appropriate survey work is carried out to determine the impacts that the development may have on the populations.

The Woodland Trust Scotland would like to commend the Cairngorms National Park on its presentation of this Local Development Plan. We apologise for the length of this document, but feel that since we will not automatically have another opportunity to expand on our representations; it is justified on this occasion. We are grateful for the opportunity to have our comments considered in this context.

We would appreciate being kept abreast of any developments with regard to this plan, and would appreciate being noted as a stakeholder in future consultations. Please do not hesitate to contact us if you require any further explanation of our comments or further information.

Yours sincerely

Katharine Rist
Campaigner- Ancient Woodland

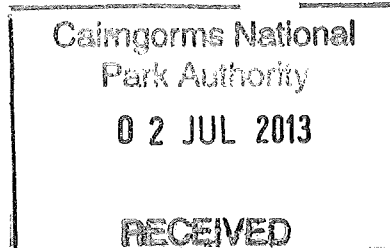
Appendix One- Site allocations

Site reference number	Name of site	Development description	Woodland adjacent or within?	Type of woodland affected? E.g. ancient semi natural, PAWS, non-ancient
N/A	An Camas Mor	A new sustainable community	Ancient woodland within the site	2b long established (of plantation origin) Grid ref: NH910117 To be lost in the third phase of the development
ED1 (Aviemore vicinity)	Aviemore vicinity	Economy- future expansion of the industrial estate	Ancient woodland adjacent to the site	1a Ancient (of semi natural origin) Grid ref: NH905144
C1	Blair Atholl	Existing tourism site, but may include affordable housing	Within the ancient woodland	2b long established (of plantation origin) grid ref: NN875657
ED1	Blair Atholl	Economy- existing site that has room for expansion	Adjacent to ancient woodland	2b long established (of plantation origin) Grid ref: NN868654
T1	Blair Atholl	Tourism- already a tourism site, estate seeking to enhance and diversify	Ancient woodland within the site	1b long established (of plantation origin) Grid ref: NN874662 2b long established (of plantation origin) Grid ref: NN871658
T1	Braemar	Tourism- existing site which may be enhanced	Ancient woodland adjacent to the site	2a Ancient (of semi natural origin) Grid ref: NO152911
ED1	Carr-Bridge	Economy- land associated with the	Ancient woodland adjacent to the	2a Ancient (of semi natural origin)

		railway station, link the railway to the rest of the village	site	Grid Ref: NH901225
T1	Carr-Bridge	Tourism-Adventure park in ancient woodland-enhancement of facilities	Ancient woodland within the site	2a Ancient (of semi natural origin) Grid ref: NH901165
H1	Dalnain Bridge	Housing	Ancient woodland adjacent to the site	2a Ancient (of semi natural origin) Grid Ref: NH997247
ED1	Grantown-On-Spey	Further expansion of site for woodland industrial estate	Ancient woodland adjacent to site	2a Ancient (of semi natural origin) Grid ref: NJ025269 2b long established (of plantation origin) Grid Ref: NJ022270
I1	Grantown-on-Spey	Tourism-Existing site to be enhanced	Ancient woodland within the site	2b Long established (of plantation origin) Grid Ref: NJ033287
T1	Inverdrue	Tourism-existing caravan site, possible enhancement	Ancient woodland adjacent to the site	1a Ancient (of semi natural origin) Grid Ref: NH895100
H1	Killiecrankie	Housing	Ancient woodland adjacent to site	3, Other (on Roy map)
ED1	Kincraig	Economic growth	Adjacent to ancient woodland	2a Ancient (of semi natural origin) Grid ref: NH834066
T1	Kingussie	Tourism-caravan site may be suitable for enhancement	Ancient woodland adjacent to site	2b Long established (of plantation origin) Grid Ref: NH752014

H1	Nethy Bridge	Housing	Site within ancient woodland	2a Ancient (of semi natural origin) Grid Ref: NJ012209
H2	Nethy Bridge	Housing	Site within ancient woodland	2a Ancient (of semi natural origin) Grid Ref: NJ012209

LDL Development Plan Officer
CNPA
Albert Memorial Hall
Station Square
Ballater
AB35 5QB



2 July 2013

Dear Sir/Madam

Subject : Proposed Local Development Plan - April – July 2013

I write with regard to the above subject with specific reference to the Proposal as outlined in your document (Page74) concerning Ballater.

I object to your proposal that Monaltrie Park (H1) gives the opportunity for 'housing and mixed use with an initial capacity of some 50 units”.

I view this conclusion as being flawed as it runs contrary to many of your Policies and aims as set out in the Development Plan itself. I would refer you to the following, as just a few of the examples:

- Reference Page 9 The National Park and its Aims. Item 1.10 “To conserve and enhance the natural and cultural heritage of the area”. There is no way whereby a housing development in the H1 location would enhance the entrance to Ballater. It would desecrate the unique view that one has when coming in to Ballater from Tullich, indeed Ballater is quite special within the villages of the National Park of having an attractive and distinctive entrance, nestling within the hills. This will be spoilt by ANY development within the H1 site.
- Reference Page 10 Vision. I would argue that planning to allow a development of Houses on H1 does nothing to help promote a “sustainable economy supporting thriving business and communities”. Most of the new houses, as we all know, will be taken up as holiday homes or for even more retired people who will contribute nothing towards a thriving and vibrant Ballater. What we need is provision for up to date office accommodation which would allow business people to start up a new business within Ballater, and employ staff locally. I should add that any new employer doesn't necessarily have to live in Ballater in some new Executive style development on the site of H1, they may even be quite happy to commute from as faraway as Aboyne!

I know that in the case of my specialised business there is no extra office space available, should I require it in the future. So I would like to see the LDP have positive proposals to achieve a more diverse mix e.g. hi-tech business units. The CNPA should not just limit their horizon to the tourism sector - as set out under your Economic Growth Item 4.2. Any future housing development should only follow on from an expansion of the small business sector within the village.

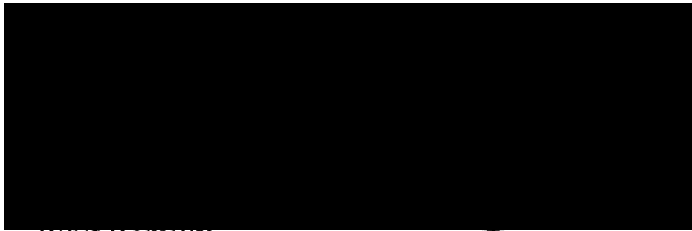
- Reference Housing Development (page 16) 3.2&3.3 . You state “that this is required to meet the community needs”. But this is clearly NOT the case in Ballater where there is an excess of private housing already on the market and is more than sufficient to meet the “local

demand” that you mention in the last paragraph of 3.3. What I agree is required is provision for more affordable housing, which has already been suggested by many people in the village and could largely be met by building on a number of the 'brown field' sites which have already been identified.

Finally it would seem that this latest LDP is yet another attempt by CNPA to include the development of housing on HI and ignore the previous objections of the local residents to this proposal in the past.

I therefore confirm that I would ask that this proposal for some 50 units on the HI site should be deleted from the LDL plan.

Yours faithfully



Whit Komily

Karen Major
Development Plan Officer
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
BALLATER
Aberdeenshire
AB35 5QB



our ref: LDP/NP/1
CMS ref: 201300303

3 July 2013

Dear Ms Major

**The Environmental Assessment (Scotland) Act 2005
The Cairngorms National Park Authority
Local Development Plan Proposed Plan Revised Environmental Report**

Thank you for consulting Historic Scotland on the revised Environmental Report (ER) prepared for the environmental assessment of the Cairngorms National Park Authority's Local Development Plan (LDP). It was received in the Scottish Government's SEA Gateway on 16 April 2013. I have reviewed the revised Environmental Report on behalf of Historic Scotland and should make clear that this response is in the context of the SEA Act and our role as a Consultation Authority. It therefore focuses on the environmental assessment, rather than the contents of the plan.

General comments

I note and welcome the a number of our comments on the ER that accompanied the Main Issues Report (MIR) have been taken into account. However, as noted in that response, whilst I found the introduction on building the ecosystems approach into the SEA interesting, it was not clear how this approach has influenced the assessment. While this approach can provide benefit in high-level assessment it is not clear from the ER how this approach was used to assess the spatial allocations.

Following on from this, I did not get a clear understanding from the ER of how the different ecosystems services, particularly the cultural services, were likely to be affected by the plan. I also have some concerns over the extent to which the SEA has considered the potential to effect the historic environment.

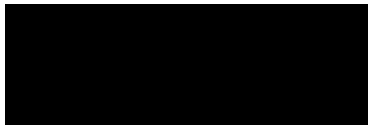
Finally, I note that Inventory battlefields are not included within the Environmental Baseline chapter. I have provided some detailed comments on these issues in the attached annex.



Please note that none of the comments contained in this letter should be construed as constituting a legal interpretation of the requirements of the Act. Instead they are intended as helpful advice, as part of our commitment to capacity building in Strategic Environmental Assessment (SEA).

I hope this letter has been helpful to you.

Yours sincerely



Adele Shaw
Environmental Impact Assessment Team Leader



Annex

Detailed comments on the Environmental Report

For ease of reference, the comments contained in this letter follow the same order as the Environmental Report.

Environmental baseline

Building the ecosystems approach into the SEA

Although I note that the description of the six significant habitats within the National Park do not discuss cultural services, I welcome that the detailed description of the habitat types within Annex 3 does discuss the contribution of cultural services.

Conventional summary description of Environmental Baseline

I note that Inventory battlefields remain absent from Table 6 under the conventional summary heading. It was highlighted that these assets should be included in the table in our comments on the ER which accompanied the MIR.

Assessment recording forms

The omission of battlefields from the description of the environmental baseline may explain the lack of assessment of potential impact of proposal H1 at Killiecrankie on the Inventory battlefield. This allocation is within the designated battlefield site and archaeological mitigation may be required in advance of development. This is a significant omission from the ER and from the Proposed Plan itself and we recommend that this is addressed.

Historic Scotland

3 July 2013

From: Mrs Susan Broyd

[REDACTED]

[REDACTED]

[REDACTED]

For the attention of Karen Major

Development Planning Manager, Cairngorms National Park Authority

Publication of proposed local development plan / Proposal for development at Nethy Bridge

Thank you for your letter of 11th April offering the opportunity to comment on the draft section of the proposed local plan covering Nethy Bridge and in particular the proposals for housing development at School Wood.

I wish to object to the inclusion of both housing allocations (shown as H1 and H2 on the map attached to your letter). Please see my detailed comments below in support of my objection.

Many thanks for the opportunity to comment.

Yours sincerely,

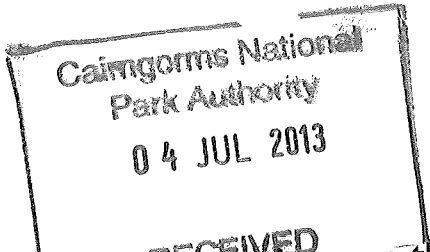
Susan Broyd

Publication of proposed local development plan / Proposal for development at Nethy Bridge

Comments prepared by S N Broyd

<u>Issue</u>	<u>Comments</u>
<u>General</u>	<p>The need for large scale affordable housing in Nethy Bridge is not at all clear. There are currently several reasonably priced houses on the market in the village (one of which has been on the market for some time). A housing association could purchase these houses and thereby provide ongoing accommodation for villagers who need it. There is also scope for a housing association to purchase plots of land with planning permission and build on a small scale as the need arises. There is no need to have a large scale development to house people who most likely will be moved in from outside the area and who will almost certainly work outside of the village thereby adding to the carbon footprint.</p> <p>Given the plans for such large scale building nearby in the Park, the need in Nethy Bridge is questionable</p> <p>The two housing allocations are directly in opposition to the following stated objectives of the local plan:</p> <ul style="list-style-type: none"> • <i>To ensure that development contributes to a clear definition between settlement and countryside (the allocations would blur the boundaries)</i> • <i>To protect those parts of the village that are important to its character and setting</i> <p>The allocations are also contrary to the aims for landscape priorities and opportunities:</p> <ul style="list-style-type: none"> • <i>Maintaining and enhancing the sense of a ‘forest village’ (how can destruction of large tracts of forest on the edge of the village fulfil this aim?)</i> • <i>To reflect the organic and spacious pattern of the settlement in the scale and form of new development</i> <p>Since the current Local Plan was developed, Scottish Planning policy has changed. The following reference is relevant:</p> <p><i>“Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. The Scottish Forestry Strategy identifies the protection of woodlands of high biodiversity value as an important consideration in the development management process. Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement.”</i></p> <p>School Wood is recognised as ancient woodland of high biodiversity value – as such it should be protected, not cut down!</p>
<u>Wildlife</u>	<p>There are squirrel drays located both within and just outside of the proposed development area. A lot are concentrated just beyond the gardens of Dirdhu Court. Because the corridor between these gardens and the development only appears to be 50 – 60 metres at best, the disruption caused during building and afterwards (when houses are occupied) is likely to seriously disturb this habitat.</p>

	<p>The likely increase in dogs and cats that will result when the houses are occupied, will also mean a drastic reduction in wildlife (birds, insects and mammals) as will the dramatic increase in traffic (see below) using the road.</p> <p>The number of Pine Martens has increased during the past two years; therefore it is quite likely that there are now dens in the wood where previously none were found.</p> <p>The wood is also an important corridor for otters.</p> <p>The Cairngorms plan states as an objective, the need for reforestation and an increase in wildlife corridors. The School Wood development is directly in opposition to these objectives.</p> <p>Even if appropriate replanting takes place, it would take many years for the trees to become established. This would mean wildlife destruction. Given the disruption that will be experienced for some years, it is likely that the wood would become a sterile place – deserted by most of the species that the Park Authority wishes to protect and no longer providing a safe corridor for the iconic species such as otter, wild cat, capercaillie, pine marten etc. to use.</p> <p>A last point on birds such as the Crested Tit. I am aware that the developers would not be allowed to fell trees used during the breeding season – but what about the following years? Extreme disruption, greater noise levels and over use of the wood will mean that these birds may never return.</p>
<p><u>Number of Houses</u></p>	<p>The real need in Nethy should be reassessed. Even if there is a need for local affordable housing, the developments at Aviemore and Grantown will satisfy this. These areas already have most of the infrastructure needed – school places, services such as doctors, dentists etc.</p> <p>I gather that one definition of “affordable” is that houses are sold at reasonable prices to first time buyers and the like. At a public consultation last year, one of the developers’ representatives referred to a housing development elsewhere where prices started at about £130,000. See my comments above about using some of the existing housing stock.</p>
<p><u>Traffic</u></p>	<p>The additional traffic on School Road and elsewhere will pose a threat to the environment and to people. I would imagine that each of the new houses would have at least one car and some may have two. An additional 40 – 80 cars using School Road during peak hours would lead to many wildlife deaths; would be extremely dangerous for children going and coming from school and would increase carbon emissions unacceptably.</p>
<p><u>Tourism</u></p>	<p>The area is a haven for tourists and the main reason they choose to stay here is the peace and tranquillity of the area, the beautiful ancient forest and woodland and the general culture and feel of the village. The plans for School Wood threaten this.</p>



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Reference:
Objection No:

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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name RAYMOND BAINBRIDGE
 Address [REDACTED]
 Telephone [REDACTED]

2. If you are representing a third party, please give their details.

Name
 Address
 Postcode
 Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

outline Plan for Cambridge Housing Development

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

① IF current Development goes ahead there should be a condition that the Developer creates an access path from Development to Village - by-passing Carr. Road. This is a Road safety consideration for pedestrians/cyclists on Carr Road.

② The grey area on the plan zoned for Housing should be removed. Development over and above The

4. Continued 96 houses currently proposed is going to destroy the nature of Conkridge as a village. There is no local demand and the facilities and infrastructure are not in place. The CNP is being systematically destroyed by over development.

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

- ① Access to and from village which avoids Car Road. This access to be at developer cost and cater for pedestrians and cyclists. Lighting to be provided.
- ② Removal of further permission for additional development in area zoned for Housing (grey area on map as displayed in Conkridge Village Hall 28th July 2013)

Please return all completed forms to:

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Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

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Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

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Charlotte Milburn

From: Beryl Shackleton [REDACTED]
Sent: 02 July 2013 12:43
To: Local Plan
Subject: School Wood, Nethybridge

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

We continue to object to the proposed building in School Wood for the various reasons we have stated before.
Paul & Beryl Shackleton

Charlotte Milburn

From: Louise Molyneux [REDACTED]
Sent: 02 July 2013 13:43
To: Local Plan
Cc: Bob Robbie; Simon Molyneux
Subject: Objection to development of School Wood, Nethy Bridge

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

To whom it may concern,

Please treat this email as our objection to the allocation of any housing (or other development) in School Wood, Nethy Bridge in the Local Development Plan.

School Wood is an ancient woodland with high biodiversity value. If development is allowed it will be lost forever. In accordance with the Scottish Planning Policy of February 2010 we believe it must be protected.

Yours faithfully,
Louise and Simon Molyneux
[REDACTED]

Charlotte Milburn

From: Bob Robbie [REDACTED]
Sent: 02 July 2013 12:13
To: Local Plan
Subject: Nethy Bridge School Wood

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Hello,

I OBJECT to the allocation in the LDP of any housing or other development in School Wood, Nethy Bridge.

Kind regards,

Yours Sincerely,

[REDACTED]

 **"Nethy's going greener - recycle paper"**

Mr Robert Robbie
"Dunedin"
18 Dirdhu Court
Nethy Bridge
Inverness-shire
PH25 3EG

Charlotte Milburn

From: Ray Cranfield [REDACTED]
Sent: 02 July 2013 15:04
To: Local Plan
Subject: Housing in School Wood, Nethy Bridge

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Re: Local Development Plan (LDP)

We object to the allocation in the LDP of any housing or other development in School Wood, Nethy Bridge.

School Wood is recognised as an ancient woodland of high biodiversity value, and we understand that the current Scottish Planning Policy states:-

“Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. The Scottish Forestry Strategy identifies the protection of woodlands of high biodiversity value as an important consideration in the development management process. Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement.”

Also School Wood has a large and increasing population of Red Squirrel which is a protected species that would be adversely affected by any development.

Ray & Barbara Cranfield.

[REDACTED]

02/07/2013

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www.monadh.com

Charlotte Milburn

From: Ann Robbie [REDACTED]
Sent: 02 July 2013 15:46
To: Local Plan
Subject: Objection to the LDP - School Wood, Nethy Bridge

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir

I object to the allocation in the Local Development Plan of any housing or other development in School Wood, Nethy Bridge. This is an area of ancient woodland that should be protected as it has high biodiversity value. We are losing too much of our natural woodland to the detriment of the flora and fauna to be found therein, some of which feature endangered species.

Yours faithfully

Mrs E Ann Robbie

Charlotte Milburn

From: ERIC FOULDS [REDACTED]
Sent: 02 July 2013 16:44
To: Local Plan
Subject: School wood, Nethy Bridge

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

I have initially made an objection to the above proposed development within the current local plan consultation, on the grounds as to the number of houses. It has also come to my attention that School Wood is also considered a woodland with high biodiversity value. I would like to add this in support of my initial objection.
Thanks

Eric Foulds

Charlotte Milburn

From: MORAG SYKES [REDACTED]
Sent: 03 July 2013 15:03
To: Local Plan
Subject: Local Development Plan at School Wood

We are writing to object to the proposed LDP at School wood and Craigmore Road. The number of houses would be appear to be excessive for the area and will completely alter the "feel" of the village and would surely contradict the aims of the Scottish National Park - "To conserve and enhance the national and cultural heritage of the area".

There is a wide variety of wildlife in these woods which would be be affected by such a development.

[REDACTED]

Our Ref: 2013/0055291
Your Ref:

Karen Major
Cairngorm National Park Authority
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

Please ask for: Piers Blaxter
Direct Dial: [REDACTED]
Email: piers.blaxter@aberdeenshire.gov.uk

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Aberdeen – LP3

26 July 2013

If you have difficulty reading this document please contact the admin team on 01224 664221

Dear Karen

Thank you for providing us with the opportunity to comment on the Cairngorms National Park Proposed Local Development Plan and Supplementary Guidance. I am writing to advise you that it was agreed by the Infrastructure Services Committee on 20 June 2013 that Aberdeenshire Council does not wish to make representation to the proposed Plan. In addition, they commended you on the creation of a clear, progressive, well thought out, and balanced Proposed Plan.

There are only two minor issues the committee asked us to bring to your attention:

- The approach to housing development in existing rural groups provides greater opportunity and flexibility for rural housing than the comparative policy within Aberdeenshire. It allows addition of new houses to any group of three buildings. This brings with it the risk of more development along the boundaries of the National Park to serve the needs of Aberdeenshire. However, taking into account the remoteness of much of the national park and potential demand; it is not considered that this will be a significant issue for you.
- The summary paragraph at the start of 10.8 in Cultural Heritage contains the statement 'We will improve records of assets which are important but which have not been formally recognised.' My committee would ask the Park Authority to note that the opportunities for partnership working with Aberdeenshire Council's Archaeology Service should be explored whenever possible, and with particular reference to our Historic Environment Record databases.

Yours sincerely



Robert Gray
Head of Planning & Building Standards

Charlotte Milburn

From: John Clube [REDACTED]
Sent: 03 July 2013 13:08
To: Local Plan
Subject: OBJECTION to the allocation in the LDP of any housing or other development in School Wood, Nethy Bridge

We wish to object to the allocation of any housing or other development in School Wood, Nethy Bridge.

From the standpoint of the Cairngorms National Park, the character of Nethy Bridge and other villages is an important factor in the attractiveness of the area. Nethy Bridge is the forest village, and destroying this area of forest would have little commensurate benefit.

There is a need for housing, particularly affordable housing, but vast amounts of housing are planned within fifteen miles.

Turning to Nethy Bridge in particular, in addition to detracting from its character, development in this wood would cause housing sprawl, and would need the road to be widened, for the safety of the schoolchildren if nothing else, causing consequential disruption and further tree loss.

The area is too far from the village centre to be attractive to the very old.

From the point of view of enhancing Nethy Bridge and improving housing and amenities for local people, a development that consolidated the core of the village would seem wiser.

Regards

John and Mary Clube

Charlotte Milburn

From: G MCGEACHIE [REDACTED]
Sent: 03 July 2013 08:43
To: Local Plan
Subject: School Wood & Craigmore Wood Developments, Nethy Bridge

Dear Sir/Madam,

Further to our previous objections we wish to register an additional objection to the above development proposals .

Since the Local Development Plans were drawn up, the Scottish Government advice has changed. The Scottish Planning Policy, February 2010 p.29, para 146 makes it clear that ancient & semi-natural woodland is an important & irreplaceable nation resource that should not only be protected but enhanced.

Craigmore Wood & School Wood fall into this category & therefore this proposal should not be permitted to proceed.

Your faithfully,

Mr. G. and Mrs. A.S. McGeachie

Charlotte Milburn

From: FRANK ANDERSON [REDACTED]
Sent: 02 July 2013 17:31
To: Local Plan
Subject: Registering an objection

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I would like to make sure that my objection to development in School Wood, Nethybridge, is registered. As School Wood is a recognised Ancient Woodland of High Biodiversity Value, I think it should be protected by ensuring that the Draft Local Development Plan(LDP) states that there should be no development in School Wood.

Can you tell me should my wife, who also objects to any development, register her objections separately to mine??

Thank you for your assistance
Yours
Frank Anderson

Charlotte Milburn

From: James Bisset [REDACTED]
Sent: 02 July 2013 21:05
To: Local Plan
Subject: LDP - School Wood, Nethy Bridge

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

I am writing in regard to the forthcoming draft of the new local development plan, and in particular to the School Wood in Nethy Bridge, which adjoins my property.

I wish to record my objection to the woods being zoned for housing or other development in the LDP, in order to preserve the woodland character of this part of the village, and the wildlife habitats supported by it.

Yours

[REDACTED]

Charlotte Milburn

From: Terry Sayer [REDACTED]
Sent: 02 July 2013 23:14
To: Local Plan
Subject: School Wood and the new Local Development Plan

Follow Up Flag: Follow up
Flag Status: Completed

CNPA

Sirs

I OBJECT to the allocation in the LDP of any housing or other development in School Wood, Nethy Bridge.

"Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. The Scottish Forestry Strategy identifies the protection of woodlands of high biodiversity value as an important consideration in the development management process. Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement."

School Wood is recognised as an ancient woodland of high biodiversity value. This stronger statement within the updated SPP provides a reason for the Reporter to delete the School Wood allocation that was not available previously: i.e. Scottish Government advice has changed.

Yours sincerely

Terry

Terry Sayer
[REDACTED]

03 JUL 2013

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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name NORMAN CATTANACH
Address 
Telephone 

2. If you are representing a third party, please give their details.
Name
Address
.....
..... Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
PROPOSED AFFORDABLE HOUSING POLICY FOR BALLATIER.

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
I OBJECT STRONGLY TO LARGE-SCALE PRIVATE DEVELOPMENT OF OPEN MARKET HOUSING IN BALLATIER. THE VILLAGE IS ALREADY 'LOP-SIDED' IN THAT THE OLDER PART OF THE VILLAGE HAS THE HIDEOUS CARBUNCLE OF NEW-BUILD HOUSING TACKED ON TO THE EAST SIDE.

4. Continued THIS SHOULD BE SUFFICIENT WARNING OF THE CRASSNESS IN CARRYING OUT THE PROPOSED PLAN. THE WORD FOR 'AFFORDABLE' HOUSING NEED SPECIFIC IDENTIFICATION, NOT GUESTIMATES. WHAT SORT OF AFFORDABLE HOUSING? FOR WORKING FAMILIES OR THOSE ON WELFARE PAYMENTS? A HEALTHY VILLAGE NEEDS A YOUNG, VIGOROUS INPUT OF LOCAL PEOPLE WITH EMPLOYMENT IN THE IMMEDIATE AREA AND NOT AN INFLUX OF NON-CONTRIBUTORS.

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection. THE CNPA PLAN NEEDS A COMPLETE RE-THINK AS REGARDS THE HOUSING PLANS FOR BALLATER. IT IS UNBALANCED AND OUT OF ALL PROPORTION FOR THE SIZE AND IDENTITY OF THE VILLAGE. THE ONLY PEOPLE TO PROFIT FROM THE CNPA SCHEME WOULD BE SPECULATIVE BUILDERS. IS THIS WHAT CNPA WANTS?

Please return all completed forms to:

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Ballater
AB35 5QB

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03 JUL 2013

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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name ROSEMARY CATTANACH

Address [REDACTED]

Telephone [REDACTED]

2. If you are representing a third party, please give their details.

Name

Address

Postcode

Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

PROPOSED AFFORDABLE HOUSING POLICY FOR BALLATER

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

ANY LARGE SCALE DEVELOPMENT OF PRIVATE HOUSING, AFFORDABLE OR NOT, IS QUITE INAPPROPRIATE FOR THE VILLAGE. THE NEW HOUSES TO THE EAST OF BALLATER ILLUSTRATE MY POINT, AS THEY ARE AN EYESORE.

AFFORDABLE HOUSING FOR THOSE ALREADY IN THE AREA WOULD BE FAIRLY SMALL-SCALE

4. Continued

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

NO LARGER - SCALE DEVELOPMENT

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Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Karen Major
Development Planning Manager
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
BALLATER
Aberdeenshire
AB35 5QB

Via Scottish Government SEA Gateway – [REDACTED]

01 July 2013
Our ref: SEA-00619

Dear Karen

Environmental Assessment (Scotland) Act 2005
Cairngorms National Park Proposed Local Development Plan
Updated Environmental Report

Thank you for the opportunity to provide further comments on the Strategic Environmental Assessment (SEA) of the Local Development Plan, with the production of an updated Environmental Report.

Our comments are set out in the Annex to this letter. In general we welcome and commend you for the clarity and succinctness of this document, being well laid out and easy to follow. The section on summary of effects is very helpful, including the explanation that policies as a whole in the plan have been taken into account when assessing whether individual policies or proposals would have a likely significant effect on the environment. Similarly the tables for relationships with other PPS, key environmental baseline data, threats/problems/opportunities, SEA Objectives, assessment criteria and indicators are all very clear.

We have made comments previously regarding the use of an ecosystems approach and how this fits with the 'smaller scale' and urban nature of sites allocated for development in settlements and their likely environmental effects. Overall however the SEA questions do provide a compatible framework for assessment, picking up for example on whether development encourages active travel/public transport use, and links to open spaces and paths. One exception however we feel remains the objective/question in regard to timber and woodfuel production. Perhaps for future SEAs you might consider amending this to relate more to the environmental qualities of woodland.

In relation to the coverage of the Core Paths Plan within this SEA, this has been assessed in a generic composite way. However we wonder if there would have been merit in individually assessing those proposed core paths which will entail construction or significant upgrading. Also we are rather uncertain about the 'neutral' assessment for likely environmental effects on the basis that any negative effects would be mitigated at the 'project' (consent) stage. On the face of it this seems to 'bypass' the pro-active role of SEA. It also relies on all future significant path work (construction and more particularly improvements) requiring express planning permissions.

[REDACTED]

[REDACTED]



INVESTOR IN PEOPLE

In terms of the assessment of allocations within settlements for development, we note that all have been scored as having a positive effect for biodiversity, with the comment that biodiversity will be enhanced. We welcome this positive commitment that all development should enhance biodiversity, but would slightly query the scope for this for Economic Development allocations of existing business and industrial sites.

I trust you will find these comments together with our more detailed comments in the annex of assistance. If you have any queries, please do not hesitate to contact Andrew Brown, Planning Adviser [REDACTED] or Debbie Greene, Operations Manager [REDACTED] in the first instance.

Yours sincerely

[REDACTED]

George Hogg
Unit Manager, South Highland Area
[REDACTED]

cc

[REDACTED]

CAIRNGORMS NATIONAL PARK PROPOSED LOCAL DEVELOPMENT PLAN STRATEGIC ENVIRONMENTAL ASSESSMENT REVISED ENVIRONMENTAL REPORT

Detailed comments

Table 6: Environmental Baseline

Landscape – the % extent of National Scenic Areas within the Park could perhaps be added here

Table 7: Summary of Main Environmental Issues

Enclosed Farmlands – wild species should be added as an existing benefit (wild species are referred to under the columns for ‘threats/problems’ and key environmental objectives’)

Mountains – suggest add wildness experience as a benefit (wildness is referred to under the columns for ‘threats/problems’, ‘opportunities’ and key environmental objectives’)

Moor – suggest add wild species and habitats as existing benefits (wild species and habitats are referred to under the columns for ‘threats/problems’ and key environmental objectives’)

Para 2.23 – this would appear to need updating to reflect the movement in time from Main Issues Report to Proposed Plan

Table 8: SEA Objectives/Questions

Question 2 - we welcome the reference to ‘sustainable’ production of timber and woodfuel, but continue to wonder whether this is an appropriate environmental objective for SEA. It remains more economic and social in its nature. We would be more comfortable if this SEA objective related more to sustainable management of woodland for multiple benefits, including habitats, species, landscape and recreation. So the question might for example be re-phrased as: **“Will the Plan maintain or improve the ability of woodland in the park to be managed for multiple benefits, including timber/woodfuel production and environmental objectives?”** The ‘Environmental objective’ column could then include factors relating to habitats, species, recreation and climate change (carbon storage).

Question 7 – we suggest the scope for this question re human health/recreation should be expanded to include provision of open space and linkages to the core path network

Table 10: Assessment criteria

Question 2 – it follows from the above comments on Q2 that we still feel the assessment criteria in regard to timber and woodfuel supply and production are more economic and social than environmental in nature. Thus we suggest another criterion could be added along the lines of **“What effect will the plan have on woodland that provides multiple benefits, including in terms of area, diversity and cohesiveness?”**

Table 11: Sample assessment recording form

We are uncertain why assessment has been undertaken at the ‘Scotland’ level as well as at the Park level. We wonder if it is likely that any effects of the LDP would be at the national as against the regional or local level. In any case we note that Appendix 2 records all national effects as ‘no effect’, so there would appear to be little value added.

Table 12: Summary matrix of potential effects

For Policy 9 Resources there appears to be an error in that the positive effects in Appendix 2 are noted for Objectives 3 and 5, whereas they are shown for Objectives 3 and 4 here. Also in para 3.7 the positive effects of this policy are noted for Objectives 3 and 6 instead of 3 and 5.

Para 3.10 Mitigation – you might wish to add here that another reason for no negative effects being identified in the SEA is that all the policies must be considered as a whole in considering if a proposal is in accordance with the plan.

Table 13: SEA monitoring indicators

We suggest indicators for Objective 4 re biodiversity could include –

- conservation status of features of designated sites (% in favourable condition)
- number of species licences necessary for development to proceed

We suggest an additional indicator for Objective 5 re carbon storage could be –

- area of development on carbon rich soils

We suggest an additional indicator for Objective 8 re landscape could be –

- extent of wildness (High and Medium value)

Appendix 1: Other PPSs and Environmental Objectives

International Directives – for the Habitats Directive, this is relevant for the protection of European Protected Species as well as Natura sites

National Legislation – could add Habitats Regulations (Conservation (Natural Habitats, &c.) Regulations 1994 as amended), although overlaps with Birds and Habitats Directives under International; another Act to include is the Protection of Badgers Act 1992 as amended

National Policy – could add –

- Green Infrastructure: Design and Placemaking
- Designing Streets
- Policy on Control of Woodland Removal
- Scotland's Landscape Charter

Appendix 2: Assessment recording forms

Core Paths Plan – impacts on biodiversity have been assessed as 'neutral' on the grounds that any path creation works will require consents before construction and therefore any negative effects will be mitigated at that time. This appears to miss the role of SEA to identify any likely significant negative effects of proposals and to incorporate mitigation into the plan. While the HRA will address this in relation to possible negative effects of path creation on European sites, it will not consider any other negative biodiversity effects. In addition there is no reference here to core paths to be substantially improved or promoted, and their likely significant environmental effects. Rather than this one composite assessment for the Core Paths Plan, perhaps the SEA could have considered individual paths which are to be created, or which are to be substantially improved, and assess these individually. Mitigation at the consents stage clearly requires express consent to be given, but we are unclear if this will

always be the case (e.g. Class 27 of the General Permitted Development Order grants permitted development for improvement works to paths within their boundary). Therefore some mitigation might be considered desirable to include in the Core Paths Plan itself to inform such works. References to other policies in the LDP could be considered as mitigation for path creation works which will require consent.

Aviemore – it is unclear how the industrial/business sites ED1, ED2, ED3 and ED4 have been assessed as having a positive effect on biodiversity, and how biodiversity will be enhanced as part of any proposals here (in contrast to the larger greenfield housing sites elsewhere in the plan where greenspaces for biodiversity as part of the proposal can be included).

(This comment also relates to the business and industrial allocations in other settlements)

Grantown-on-Spey – the need specified in the Development Brief for an ecological survey re Site H1 for wading birds, plant species and aspen to inform the detailed design could be mentioned here in respect of Q4 (biodiversity)

Appendix 3: Using the Ecosystems Approach

Table 15 – it would appear that, in line with the last sentence of paragraph 9, 'Urban' should be scored Low rather than High for supporting ecosystem services.

Official Use Only

Reference:

Objection No:

Form for representations on the Cairngorms National Park Proposed Local Development Plan

Please read the explanatory notes inside the front cover of the proposed Local Development Plan before completing this form. The deadline for returning completed forms is 4pm, Friday 5 July 2013. The forms can also be completed online at www.cairngorms.co.uk. You can photocopy this form, or further copies are available from the Cairngorms National Park Authority offices or can be printed from our website.

Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name

DAVID BROWN

Address

KINERAIR & VICINITY COMMUNITY COUNCIL

Telephone

2. If you are representing a third party, please give their details.

Name

Address

Postcode

Telephone

Email

To which address do you wish all correspondence to be directed? (please tick)

Own

Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

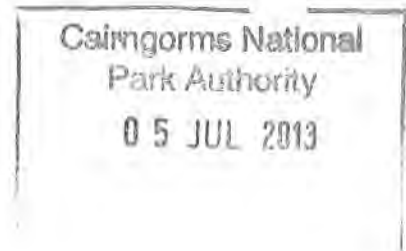
See attached sheets

Kincraig & Vicinity Community Council



5th July 2013

Cairngorms National Park Authority
Albert Memorial Hall
Station Square
Ballater
AB35 5QB



Dear Sir/Madam

Cairngorm National Park Proposed Local Development Plan Consultation

Please find enclosed Kincraig's response to the Cairngorms National Park Proposed Local Development Plan.

I look forward to hearing from you in due course

Yours faithfully



Chairman.

Response to the 2013 Cairngorm National Park Proposed Development Plan Consultation by Kincaig & Vicinity Community Council

Kincaig & Vicinity Community Council has the opportunity to respond to the Cairngorm National Park Local Development Plan consultation. We make the following observations in response to Questions 4 & 5 on the 'Form for Representations',

1. Introduction

1.1 The first is to note that we appreciate that the vision for the National Park is set in the already adopted **Park Partnership Plan**. This recognises the need to balance protection of an increasingly fragile environment with the need for sustainable economic development to serve all who live, work or visit the Park.

1.2 This consultation deals with what can be seen as the 'enabling' next step which is the adoption of proposals for the **Local Development Plan**. For the Development Plan to receive the respect it deserves, it needs to be fair to both main elements in the Partnership Plan, be consistent in its application and be no more prescriptive than is absolutely necessary – the latter because nobody can anticipate everything that will emerge over the life of the Plan. A key element to achieving this final objective is for the Policies (effectively the Principles) to guide thinking in the right direction to enable fair and consistent outcomes to result.

2. Comments in relation to the Local Development Plan

2.1 The comprehensive Plan comprises 400 pages from two documents covering a wide range of subjects associated with the four aims of the Cairngorm National Park.

2.2 On reading through both documents it is difficult to see the main objectives of the CNP Development Plan reflected within them. Both documents lack clear guidance or direction of purpose in their current form. The CNP therefore runs the risk of over complicating matters by having such a diverse range of conditions within each of its four aims. The current approach has resulted in many contradictions and conflicts across the various Policies and Supplementary Guidance. These need to be resolved before the Plan can be implemented.

2.3 **Kincaig & Vicinity Community Council** sees its role to be to serve the needs of the community first and foremost, which objective should not be compromised by unrealistic or unnecessary bureaucracy in the proposed legislation which is in danger of ignoring the needs of the Park's communities. It is very clear from the consultation documents that the CNP has prioritised Natural Heritage over Economic Development and that the balance needs to be redressed. The Park Authority must never lose sight of the fact that the CNP provides a place for people to live and work in and this must be supported by providing jobs, houses, businesses, community infrastructure and sustainability, much of which will then enhance the visitor experience.

2.4 With regard to the Kincaig & Vicinity area, the document states quite rightly in **Section 35, 35.1** that "*Working the land is still a major way of life and source of employment in this part of the National Park and therefore needs to be supported.....*". Yet the document goes on to refer to the three bands of **wildness**

description where 'High Value' and all that it encompasses is deemed to be the mountain ranges, at the same time seemingly attaching 'Low Value' to our in many ways more productive agricultural land, woodlands and forestry – all of which reflects the fact that all our land is an actively managed landscape including the high tops. This is clear evidence of a total contradiction and disregard in the proposed policies where the section entitled '**Living in Kincaig & Vicinity**' is concerned.

2.5 There is further reference to the need for "... *recreational and sporting opportunities (which) are important reasons why people come to visit and stay here...*" (**Section 35.1 - Kincaig**). '**Sport**' includes the traditional activities of deer stalking, grouse shooting and rough shooting which contributes £200 million to the Scottish economy annually. Yet because there is a presumption against hill tracks and fencing within 'High Value' land, this is effectively a further contribution towards cutting off the lifeline to our fragile rural economy and undermining potential business opportunities.

2.6 The CNP has admitted to **agricultural land** contributing to a major way of life in this particular area, yet they have continued to identify a significant **housing** development (**H1, Page 161**) on an existing productive agricultural field rather than choosing a more appropriate area for the development. (The current site for H1 stems from the 1997 HC Local Plan but its location needs to be reconsidered.)

2.7 **Section 35.4 General Design Guidance** refers to the quality of surrounding woodland and sensitive valuable habitats, yet has failed to mention the importance of agricultural land, as identified by the CNP in their own document.

2.8 After reading the two documents there is no denying the fact that considerable emphasis is being placed on the concept of **wildness** and its four key attributes. Who or what determines the value of land? What is perceived as high value for some will not be seen as high value to others; it is purely subjective.

2.9 Note that SNH is leading the review of what constitutes **Wild Land** on behalf of the Scottish Government, with a **consultation** exercise still in progress – closing date 23 July 2013. We contend that it is premature for the CNPA to propose inclusions for adoption within the Development Plan until the SNH review is complete and Ministers accept any recommendations resulting.

2.10 In addition, **Page 38 National Designation (Natura 2000) Site** states that 49% of the National Park is covered by Natura Sites which comprises Special Areas of Conservation (SAC), Special Protection Areas (SPA), SSSI's and Ramsar Sites. The area centred on the village of Kincaig is surrounded by the above designations in addition to Insh Marshes and the River Spey and Feshie designations. The document goes on to refer to any planned development which "... *must address the mitigation measures (as set out in the Natural Heritage Supplementary Guidance)...*" which amongst other conditions must not disturb otters; a further example of limiting potential development.

2.11 Natura Sites are in danger of becoming sites of preservation rather than sites of conservation. Our natural heritage and way of life evolves; if there is greater emphasis on one over the other then the balance between the four aims of the National park needs to be readdressed.

2.12 All **economic development** proposals are subject to review of impacts on the environment and natural heritage, as dictated by the National Park. The authorities must not lose sight of the fact that this area became a National Park because of the

existing natural heritage and beauty created by the custodians of the countryside over the last 500 years, and not just since 2003 when the National Park was established.

2.13 As currently set out the proposals are tending to add confusion rather than enlightenment when considering the need to drive forward our local economy – a clearly stated objective in the consultation documents.

2.14 There is further concern for Kincaig when considering the section on **Flood risk, water and drainage (35.13)** which imposes a condition that all new developments must be connected to a public sewer. This is unnecessary and only adds significantly increased costs to a development which could become prohibitively expensive as a result. Likewise, under the section headed **Economy** (p160) there is reference to land behind Baldow identified for economic development, but there is an insistence for a flood risk assessment to be carried out, once again adding further costs and obstacles, yet there is no evidence of any flooding taking place in the past in this specific area. The requirement to connect to a public sewer or a need to assess flood risk should only be required when the situation merits it.

2.15 With reference to **Supplementary Guidance** in relation to **Core Paths**, we are aware that the route of the extension of the Speyside Way from Aviemore to Newtonmore has been signed off by Ministers. We therefore suggest that the route now be shown with a different symbol on the Core Paths maps (Kincaig & Insh in particular), so as to show which Core Paths will be subsumed and which will not. In displaying the Speyside way route, be sure to include the missing link from the present Badenoch Way at the west end of the Shinty Pitch to Ardgeal (Adam Streeter-Smith will be able to provide the detail agreed with the land owner).

3. Conclusion

3.1 The Kincaig & Vicinity CC view is that the Local Development Plan needs to reflect a more realistic balance between the needs for economic development and the protection of the natural heritage. Neither should be to the detriment of the other. Because of the greater emphasis being placed on the first two aims of the Nation Park within this consultation, the third and fourth aims have little chance of being addressed in a manner that allows the Kincaig & Vicinity CC to implement its own strategies and policies in the interests of the community unless changes are made.

3.2 The future of the park lies in the hands of those who live and work in it. The National Park Authority must take on board the concerns expressed in relation to what can only be described as a negative document in its current form, with only limited consideration given to recognising the fundamental elements which have made this area the attraction it is today.

3.3 In conclusion it is worth remembering that this natural heritage has been crafted by human endeavour and the CNPA should take heed of the words of **John Muir** (the father of national Parks) that *'when we try to pick out anything by itself, we find it hitched to everything else in the universe'*.