

Appendix 1 – 2nd Modifications to the Deposit Local Plan

Page/para reference	Amended wording	Reason for change
Page 5, para 1.16, 3 rd sentence	Partners of the Cairngorms National Park and statutory consultees will be key in the delivery of the Local Plan both through advice during the planning process and through their strategic work involved in areas of work such as cultural and natural heritage, tourism, infrastructure and economic development.	To emphasize the variety of key streams of work which all help to deliver the aims of the Local Plan.
Page 6, additional final para	The plan will be constantly monitored and the effectiveness of its policies and achievements checked. New legislation, National Planning Guidance, new plans and strategies and other forecasts and evidence may influence future development management decisions. Relevant information will be published and if appropriate, policies will be reviewed.	To clarify for the future how the plan will be monitored and how people will be able to access the results of this monitoring.
Page 7, para 2.1, from 2 nd additional third sentence	The National Park Plan, adopted under the National Parks (Scotland) Act 2000, lists the national policy context in which the Park is set. The Local Plan sets out the land use aspirations of the Park Plan within the legal framework provided by the Town and Country Planning (Scotland) Act 1997. It also reflects emerging changes created as a result of the Planning etc. (Scotland) Act 2006. The Local Plan has clear links to National Planning Policy provided through the National Planning Framework, Scottish Planning Policies (SPPs), Planning Advice Notes (PANs) and Circulars. The Local Plan must have due regard to national legislation and guidance and endeavour to reflect any changes which emerge in national thinking during its preparation and delivery.	To add additional clarity on the role of the various pieces of legislation which impact the Local Plan.
Page 8, para 2.7, 2 nd sentence	Under the terms of the Planning etc (Scotland) Act 2006 Structure Plans will be replaced by Strategic Development Plans for the four city regions. Local Development Plans will need to provide both a vision and detailed policy outwith these.	To correct the explanation of the revised structure of plans introduced through the Planning etc (Scotland) Act 2006.

Page 8, para 2.7	The Moray Structure Plan 2007	To update the information and refer to the adopted plan.
Page 8, para 2.10	<ul style="list-style-type: none"> A set of guiding principles to underpin the National Park Plan and guide its implementation; 	To clarify that this refers to the National Park Plan.
Page 9, para 2.15, 2 nd bullet	Social Justice – A National Park for all. Development opportunities will be created which meet the needs of all, locally for people living and working in the Park, regionally to meet its role as a threshold to the Highlands and Royal Deeside, and nationally and internationally, as a destination for visitors.	To emphasis the importance of the National Park not only within Britain, but also internationally.
Page 15, para 3.7	In accordance with the National Parks (Scotland) Act 2000 and as highlighted in para 3.4, Policy 1 and the Local Plan in total will stand as an important delivery tool in achieving collectively the aims of the Park.	Typing correction.
Page 17, para 4.4, 1 st sentence	The policy will apply to all sites designated as being Natura 2000. The policy applies to all proposed or designated Natura 2000 sites.	To correct the text to fall into line with the relevant regulations.
Page 17, para 4.6, 2 nd sentence	Although such developments will not require an appropriate assessment (unless also likely to have a significant effect on a Natura 2000 site) Sufficient information will be required to enable the planning authority to properly consider the likely effects of the proposal on the integrity of the Ramsar site.	The wording is to be removed to avoid confusion and ensure clarity of what is meant.
Page 18, para 4.10, 1 st sentence	Policy 2 applies to development proposals on sites proposed through the Local Plan as well as development proposals on sites not identified in chapter 7 of the Plan.	Typing correction, and additional reference to the proposals section of the plan to clarify the reference.
Page 19, para 4.14, 3 rd para	The Park contains two NSAs covering the Cairngorm Mountains and Deeside and Lochnagar and under the terms of the SDD Circular 20/1980, planning authorities should have special measures to protect National Scenic Areas.	To remove the reference to a part of the legislation which is not as yet in place, and to include the correct reference to the current legislation.
Page 21, policy 5	Development that would have an adverse effect on any European	The amendments to the wording clarify the position

	<p>Protected Species will not be permitted unless:</p> <ul style="list-style-type: none"> a) there are public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; and b) there is no satisfactory alternative; and c) the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. <p>In addition development should avoid any adverse impact on species listed in Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981, as amended annexes II and V of the EC Habitats Directive and annex I of the EC Birds Directive.</p>	regarding protected species.
Page 21, para 4.27, 3rd sentence	If there is reason to believe that a European Protected Species or its breeding site or resting place may be present on a site, any such presence and any likely effects on the species shall be fully ascertained prior to the determination of the planning application.	The amendments to the wording clarify the position regarding protected species.
Page 21, Policy 6, 4 th para	Where there is evidence to indicate that a habitat or species may be present on, or adjacent to, a site, or could be adversely affected by the development,	Typing correction.
Page 22, para 4.30, 2 nd sentence	However, the Cairngorms have many other habitats, networks of habitats and species that are not protected but that are also important to the biodiversity and ecosystems of the Park and developments which enhance or restore such habitats, habitat networks and species will be encouraged.	To add further clarification on what the policy intends to achieve.
Page 23, para 4.43, 1 st sentence	The Planning Authority will use the Cairngorms LCA, landscape framework , and any revisions	The reference gives some additional information to which developers can refer and which will be used in the consideration of development proposals.
Page 29, policy 13 a)	Treat surface water and foul water	Typing correction.

iii)	discharge separately and in line with SUDs Manual Ciria C697	
Page 29, policy 13 c)	i) it is a small settlement (population equivalent less than 2000) where there is no, or a limited collection system ... ii) it is in a large settlement (population equivalent over 2000) ...	The additional wording brings the text in line with SEPAs methods of assessing the requirements for connections.
Page 29. para 4.74, 5 th sentence	The Act also designated the National Park Authority as a 'responsible authority', introducing legal duties to ensure compliance with the Water Framework Directive aims and objectives, as well as a requirement to promote sustainable use of water resources and sustainable flood management.	The amendment clarifies the duty placed on CNPA by this legislation.
Page 29, para 4.75, 1 st sentence	Sewers for Scotland Manual 2 nd edition (draft)	Amendment brings text up to date with the most recent document.
Page 30, additional para after para 4.80	The submission of a Drainage Impact Assessment will be required where appropriate in line with Drainage Assessment – a Guide for Scotland.	The amendment brings the text in line with SEPA requirements regarding Drainage Impact Assessments, clarifying for developers what is expected.
Page 31, b) Minerals 1 st sentence	There will be a presumption against proposals for new mineral extraction, processing or recycling developments , or extensions to existing mineral developments unless:	The original wording was considered to imply that CNPA are not supportive of recycling, and the deletion of this wording clarifies this position.
Page 33, policy 16, 2 nd para	... and will not have an adverse impact on the amenity of neighbouring properties or any unacceptable impact on the environment.	The change in wording allows for an impact, but ensures that the impact made is not unacceptable.
Page 34, para 4.100, 1 st sentence	In addition there may be opportunities for larger-scale developments such as biomass, waste and hydro which are designed in a sympathetic way to have no adverse landscape , visual or environmental impact.	The amendment clarifies the options for various forms of development, and also highlights the importance of landscape impact in the consideration of proposals.
Page 36, policy 18	Add para after d) to create new criteria: e) enable the storage, segregation and collection of recyclable materials and make provision for composting;	The addition encourages the use of recycling and composting, both activities being supported by CNPA in its aim to make all development sustainable.
Page 36, policy 18, final para	All proposals must be accompanied by a design statement which sets out how the requirements of this policy have been met.	The amendment secures the need for applicants to justify how their proposal has considered the policy, but removes the reference to an

		aspect of supplementary planning guidance which is still in development.
Page 38, table 1	6 th criteria, Transportation: And include any cumulative impacts on the transport network.	The amendment allows for consideration of both road and rail networks.
Page 40, para 5.28	Add to start of para: To investigate the demands on housing within the National Park two pieces of work were commissioned. The first on housing need and building land (Cairngorms Housing System Analysis, School of Built Environment, Heriot Watt University, February 2006) and the second on affordable housing (Planning for affordable housing in the Cairngorms National Park, Research paper 99, Communities Scotland, March 2008).	The additional wording clarifies where the information has been collected from.
Page 41, additional footer	Add footer to page to give references to housing need figures	The addition clarifies the references for the information.
Page 42, Table 4	Amend table to reflect removal of H2, Dalwhinnie. Final figures for Dalwhinnie to read: 23, 12, 11, 0. Final figures for Highland to read: 405, 2603, 891, 677, 1440. Final figures for total to read: 437, 2928, 1033, 816, 1516	To amend Table 4 to reflect the removal of H2, Dalwhinnie.
Page 43, policy 21, 2 nd para	Development solely for affordable housing will be favourably considered. Where public funding is available to help provide affordable housing, between 25% and 40% of all units will be expected to be affordable.	The amendment reflects the current market conditions, and the aspiration to secure a realistic provision of affordable housing from all developments.
Page 43, policy 21, 3 rd para	Where less than one third of the total cost of the development is available through public funding, the developer will be required to provide 25% all of the affordable housing on the site to a target of 25%.	The amendment removes any ambiguity from this part of the policy.
Page 44, para 5.44, 3 rd sentence	In doing so schemes which promote provision of between the 40% benchmark and 100% will be encouraged.	The amendment to the policy necessitates the amendment of this sentence within the supporting text.
Page 44, para 5.45, 3 rd sentence	On this basis, the breakdown within any development site will be based on the local housing strategies existing within the Park area, housing need and demand assessments , and any community needs assessments or other community based information available.	The amendment clarifies the assessments which are used in assessing proposals.

Page 44, para 5.46, 1 st sentence	Within this context, and as long as the overall percentage of affordable units remains 40%, or 25% where insufficient public subsidy exists, any mix of tenures will be supported by the Planning Authority where evidence can demonstrate the need for the proposal.	The amendment to the policy necessitates the amendment of this sentence within the supporting text.
Page 45, Policy 22, 1 st sentence	Settlement boundaries have been identified which indicate the extent to which these settlements may expand	The amendment clarifies that settlements may, rather than should expand, removing any implication that this is a requirement of the policy.
Page 45, Policy 22, b)	is compatible with existing and adjacent land uses, and comprises infilling, conversion....	The addition ensures that new development considers the impact on neighbouring land uses.
Page 45, para 5.55, 3 rd sentence	Such development should be well designed, and should not have any adverse impact on the landscape setting of the settlement or features of natural and cultural heritage importance within the settlement boundary.	The addition highlights the importance of natural and cultural heritage within settlement boundaries.
Page 46, para 5.58, 2 nd sentence	Where no such information exists a benchmark of 75% two and three bed units will be used as a guide, to reflect the findings of 'Planning for affordable housing in the Cairngorms National Park' Communities Scotland, March 2008.	The addition clarifies the reference for the approach.
Page 47, Policy 24, 1 st para	Developments for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements, where the development does not detract from the landscape setting, and/or they meet a demonstrable local need in the rural location	The addition highlights the importance of considering landscape setting in all proposals affected by this policy.
Page 47, Policy 24, c)	c) the development is sited on brownfield land.	The amendment clarifies that the policy can refer to more than one dwelling.
Page 47, para 5.68, 1 st sentence	In demonstrating local need for affordable housing in particular, the use of community needs assessments, local housing need and demand assessments and other information should be used in the justification of proposed developments.	The amendment ensures the appropriate wording for the assessments which are referred to.
Page 48, Policy 25, 1 st para	a) the existing house is demonstrated to be structurally unsound or incapable of rehabilitation, and has been	The previous reference to ten years is considered to be unreasonable and a more

	occupied at some stage in the previous twenty five years;	appropriate timescale is therefore included.
Page 48, Policy 25, 2 nd para, 2 nd sentence	The proposal should not normally increase the number of dwellings on the site. The replacement development must also reflect the siting and scale of the original and should salvage materials from the original to incorporate into the new development where appropriate .	The amendment clarifies that whilst the policy will normally apply to one house replacing another, options may exist to increase the number of new dwellings.
Page 48, para 5.72, 2 nd sentence	The policy only applies to houses that are in existence and have been permanently lived in at some stage during the past twenty five years.	The previous reference to ten years is considered to be unreasonable and a more appropriate timescale is therefore included.
Page 48, para 5.73, 2 nd sentence	Evidence will be required to demonstrate that the property has been occupied in the previous twenty five years.	The previous reference to ten years is considered to be unreasonable and a more appropriate timescale is therefore included.
Page 49, para 5.79, 1 st sentence	In considering the strategy for economic development and growth , the local plan takes its impetus from the National Park Plan.	The wording to be removed is considered superfluous.
Page 49, Policy 27, 1 st para	Development Proposals which support economic prosperity development will be considered favourably where the proposal is compatible with existing business uses in the area , supports or extends an existing business, is located within an allocated site identified on the proposals maps, or where the proposed development.	The amended wording brings the policy in line with the section reference, ensuring consistency of wording. The additional wording clarifies the need to consider neighbouring businesses when developing new proposals.
Page 49, Policy 27, 5 th para	Development proposals which would result in a loss of business use on the proposal site will be resisted unless it can be demonstrated that the retention of the business on the existing site is not viable .	The addition allows for the closure of a business where there is no viable way of retaining it.
Page 50, Policy 28, c) Sites outwith settlements	outwith town/village centres and settlements, where there is no town/village centre site, edge of town/village site or other more sequentially appropriate site available; or the proposal is associated with a rural business. Such development should not undermine the commercial vitality and viability of town/village centres .	The amendment brings paras b) and c) in line.
Page 52, Policy 30, 1 st sentence	Development proposals, where appropriate , should make a positive contribution towards the improvement	The addition clarifies how the policy is to be used.

	of the sustainable transport network	
Page 52, para 5.93	Add additional para: 'There is a requirement to carry out an appraisal in accordance with Scottish Transport Appraisal Guidance (STAG) to find transport solutions to transport problems and potential opportunities for development where Scottish Ministers/Transport Scotland consent and/or funding is required and that in all other circumstances STAG could be used as best practice'.	The additional wording clarifies the role of STAG and the input Transport Scotland may have on developments.
Page 52, para 5.94,	In line with national guidance access from new developments should normally be to a secondary road and not directly from a non-restricted trunk road. SPP17 presumes against new trunk road junctions and the use of the existing transport network should be used as a first option. Where this is not in place, proposals should make provision to improve access to the development site. Developments which propose a new access must be thoroughly appraised in terms of need, location and access to determine the potential trunk road and rail impact, public transport access and travel plan content. Developments should consider a transport accessibility assessment in the form of a development appraisal, and this should be carried out in accordance with the Scottish Transport Appraisal Guide (STAG). This will enable Transport Scotland to determine if it is appropriate to set aside current policies with regard to trunk road access in a particular instance.	The amended wording clarifies the role of SPP17, and highlights the issues which must be addressed by developments under its requirements.
Page 52, para 5.97	The policy will be implemented in line with the requirements of national guidance, which provides detail on the requirements of transport assessments and what they should contain. New Development should not result in breaches of National Air quality standards.	The additional wording clarifies the importance of the National Air Quality Standards.
New Policy 30 - Provision of Sites for Gypsies/Travellers and Travelling showpeople	Proposals for the development of sites for Gypsies/Travellers and Travelling showpeople will be favourably considered where: a) the need has been identified in the relevant Local Authority	Omission in deposit version

	<p>housing strategy;</p> <p>b) the proposal is compatible with the surrounding land uses;</p> <p>c) the site is well located for access to local road infrastructure; and</p> <p>d) the site is well screened and will make no adverse impact on the special qualities of the National Park.</p> <p>Background and Justification: SPP3 makes it clear that planning authorities should identify suitable locations for sites for Gypsies/Travellers and travelling showpeople, where a need has been identified in the relevant local authority housing strategy. It also states that policies should set out how to deal with planning applications for small privately-owned sites.</p> <p>Implementation and Monitoring: The Policy will be used to allow the development of sites for this use within the National Park, where there is a clear need and appropriate locations are found. The implementation of this policy will fall in line with the ongoing work on the local housing strategies. The effects of the policy will be monitored through the review of new developments within the National Park and their impact on that locality. (revise policy numbers following insertion of this additional policy.)</p>	
<p>Page 53, para 5.100, last sentence</p>	<p>Further guidance is also given in National Planning Policy Guidance 19 'Radio Telecommunications' which highlights the restrictions placed on any permitted development rights for radio telecommunications within a National Park.</p>	<p>The amendment corrects the position in respect of National Parks.</p>
<p>Page 60, Policy 32, 1st para</p>	<p>Developments will be considered favourably where:</p> <ul style="list-style-type: none"> • they are appropriately designed, sited (demonstrating a sequential approach to site selection); • assist businesses to manage their waste; • assist local authorities to meet or surpass their Area Waste Plan targets or which include site waste management plans or create other 	<p>The amendment changes the layout of the policy for clarity. The additional wording ensures that developers taken into account the National and Area strategies applicable in the National Park.</p>

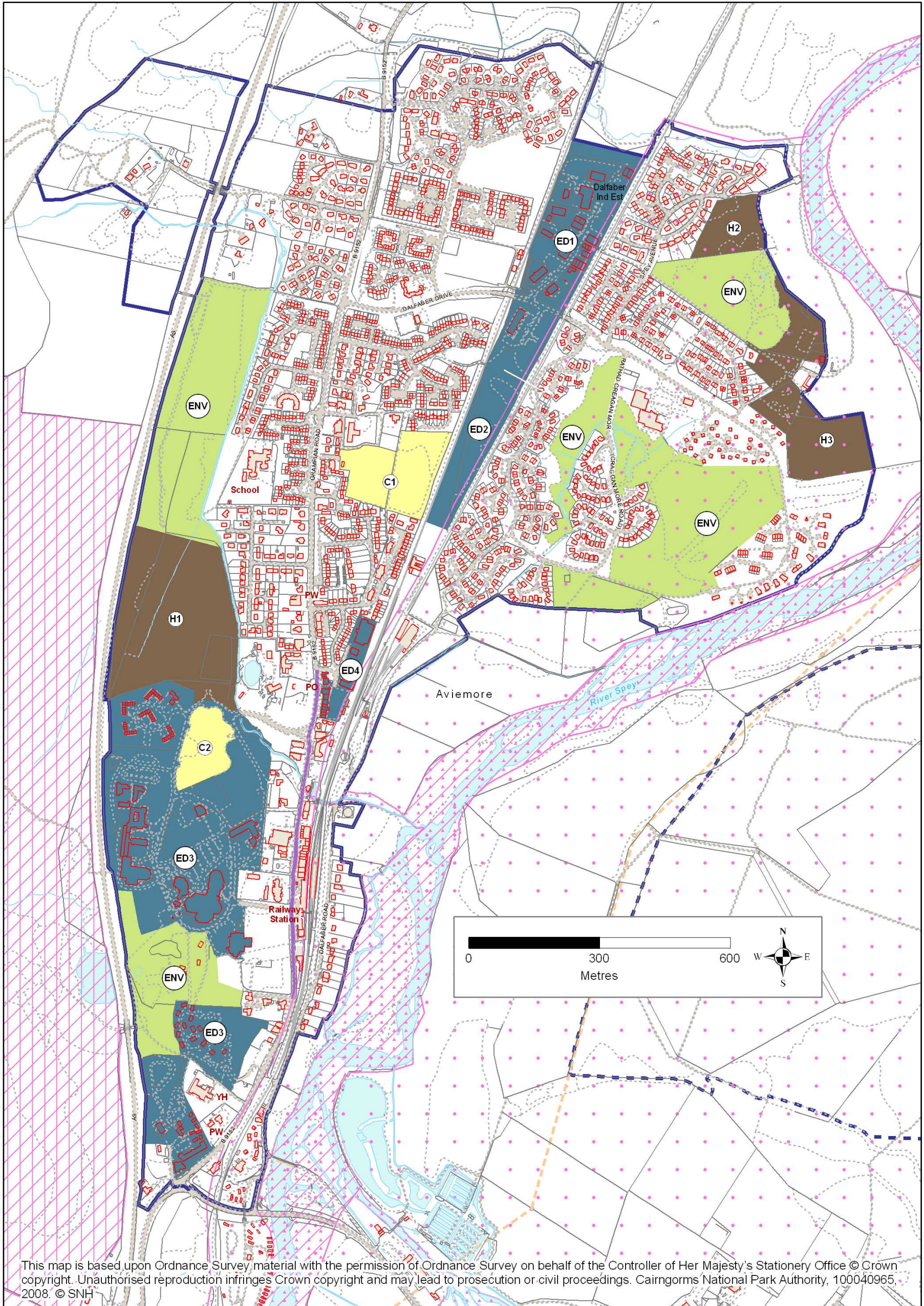
	<p>waste management facilities; (This will include municipal solid waste schemes, and local waste management schemes particularly where they involve the production of compost and/or energy from the waste, and also where there is a direct community benefit including local recycling centres)</p> <ul style="list-style-type: none"> • they demonstrate their consistency with the National Waste Strategy, National Waste Plan and Area Waste Plans. 	
Page 61, para 7.4	<p>Three key proposal types have been identified</p> <ul style="list-style-type: none"> • Housing • Economic Development • Community <p>Within these proposal types, mixed uses which support sustainable developments and communities will also be supported where evidence indicates this to be the most appropriate way to take forward development proposals.</p> <p>In addition, key areas of open space and land which contributes to the setting of settlements is identified as 'Environment'.</p>	The amendment clarifies the position regarding development opportunities within the proposal maps.
Page 68, Ballater BL/H1	This 16.12ha site to the north east	To correct the information provided on the size of the site, bringing it in line with the area marked on the proposals map.
Page 70, Grantown on Spey, GS/ED2	GS/ED2: Opportunities for economic growth to complement the existing Woodlands Industrial Estate exist, and any new developments should complement existing uses, and also seek to enhance the area and its surroundings. Options to develop a terminus within this area, to support the growth of the Strathspey Railway will be supported.	The addition highlights the ongoing work to develop this project in Grantown on Spey.
Page 72, Kingussie, iii	Access to this site should be taken from the local road network. A traffic impact assessment will be required to ensure development of this site and others in neighbouring Newtonmore do not create an unacceptable cumulative impact on the A86 or A9.	The amendment clarifies the position regarding new junctions onto trunk roads.
Page 74,	This visually prominent site will be the	The addition highlights the

Newtonmore i, 3 rd sentence	subject of a development brief, and any development within the site will ensure adequate access is provided to the rest.	need to consider the visual impact of any development on this site.
Page 74, Newtonmore, H2	Add final sentence ' Access for this development should be taken from the local transport network.'	The amendment clarifies the position regarding new junctions onto trunk roads.
Page 74, Newtonmore, iii, 1 st sentence	There also remains within the community an aspiration that the A86 should bypass the village centre. This would be achieved by means of a new road link to the B9150 along the boundary of area H2 and a new road link to the industrial site at ED2 through H1. Development of H1 or H2 may provide opportunities to bring this forward. Further discussions	The addition reflects the community aspirations to review the current road network in the future.
Page 76, Boat of Garten, BG/C1, 1 st sentence	The site to the west of the village and immediately west of the new village hall is to be retained in order to support the community and would be appropriate for a new school, and/or other uses which support the economic development of the settlement and its sustainable community.	The amendment allows for the consideration of proposals which could include a school, as well as other uses which support the economy, the two not being seen as mutually exclusive.
Page 80, Carr-Bridge, C/ED3	Landmark Forest Adventure Park plays a extremely important ...	The amendment updates the text to the current trading name of the company.
Page 82, Cromdale, CD/H1, 2 nd sentence	Access to the site should utilise the existing local road network, and should not have an adverse impact on the trunk road.	The amendment clarifies the position regarding new junctions onto trunk roads.
Page 84, Dalwhinnie DW/H2	DW/H2: An infill site at the west end of School Road suitable for around two dwellings.	Site removed following advice from SEPA
Page 84, Dalwhinnie, DW/H4	A site opposite Ben Alder Cottages suitable for around five dwellings. Development on this site should retain, where possible the existing mature trees.	The addition highlights the importance of the existing trees on the site.
Page 88, Kincaig, KC/ED2	The site of the old station yard provides limited opportunities for economic development which supports the community.	Delete site as further information clarifies constraints regarding access. Any development on site would therefore be considered on its merits.
Page 92, Tomintoul, T/ED2 and ED3	Add additional sentence, 'Both sites will require the inclusion of landscaping to minimise the visual	The addition highlights the need to consider the visual impact of any development

	impact of any development'.	on this site.
Page 94, Inverdrue	Inverdrue The western end of the Glenmore corridor faces considerable pressure for new development, and there are a number of opportunities within Inverdrue to consolidate the existing settlement to support the sustainability of the community. Development in this settlement is particularly sensitive because of its landscape setting and gateway role.	To ensure all small settlements with National Scenic Areas are considered in the same way. Development proposals will therefore be considered under the other policies in the plan.
Page 111, Appendix 2, Affordable Housing, 1 st sentence	For the purposes of the Local Plan, affordable housing is defined as housing of a reasonable quality that is affordable to people on modest incomes. Where houses are for purchase, savings and existing equity may also impact on this.	The additional wording clarifies the need to take into consideration the role of savings and equity in requiring affordable housing.
Page 111, Appendix 2, Affordable Housing, 2 nd para	II. Low cost home ownership properties funded by public subsidy (eg Shared Equity , Rural Home Ownership Grant, Grant for Ownership)	The amendment updates the latest funding terminology.
Page 114, Glossary	Brownfield - land previously used for industrial or commercial uses that has the potential to be reused once any contamination, waste or pollution has been cleaned up. Reuse of abandoned rural dwellings will not be considered as brownfield.	The additions to the glossary are intended to give additional clarity for the reader.
Page 114, Glossary	Housing Market Area – A geographical area which is relatively self-contained in terms of housing demand; ie a large percentage of people moving house or settling in the area will have sought a dwelling only in that area.	The additions to the glossary are intended to give additional clarity for the reader.
Page 114, Glossary	Open Market Housing – Housing which is bought and sold on the open market.	The additions to the glossary are intended to give additional clarity for the reader.
Page 114, Glossary	Population equivalent – A measure of the organic biodegradable load of an effluent prior to treatment. One population equivalent (1pe) has a five-day biochemical oxygen demand (BOD5) of 60 grams of oxygen per day (as defined by SEPA)	The additions to the glossary are intended to give additional clarity for the reader.
Page 114, Glossary	Public Subsidy for Housing – Money from the public purse in the form of subsidy schemes (eg housing	The additions to the glossary are intended to give additional clarity for the

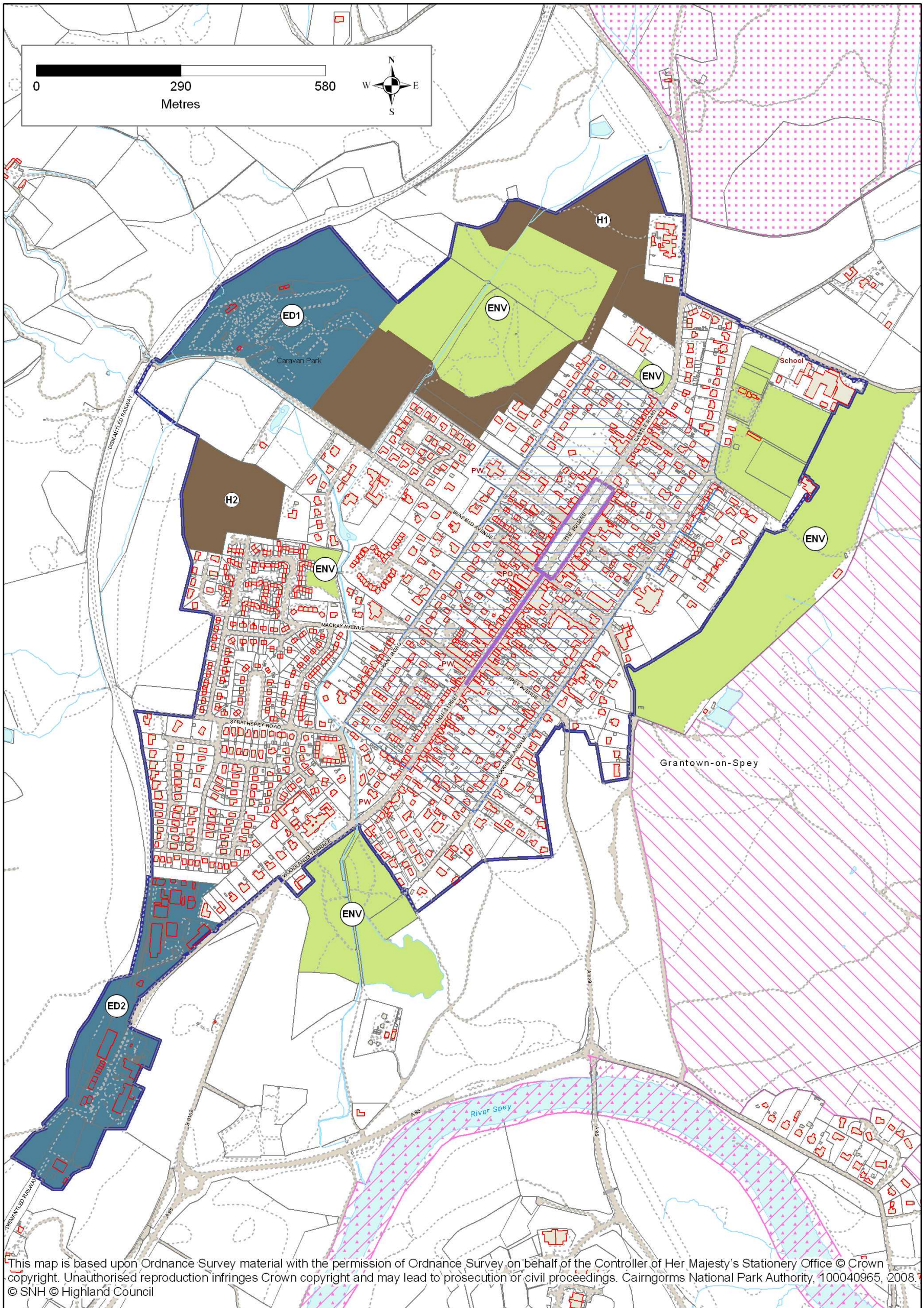
	association grants) which is made available to help provide affordable housing.	reader.
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Settlement reference	Amendment to map	Reason for change
Aviemore H1	Amend boundary	To accurately reflect recent permission granted.
Grantown ENV	Remove sites north of school	To avoid confusion regarding sites outwith settlement boundary.
Grantown ED2	Remove West Station House from boundary	To correct a previous error which included a residential property within the allocation.
Kingussie ENV	Remove site adjacent to H1	To avoid confusion regarding the future options for this land.
Carr-bridge ENV	Amend boundary around Fairwinds	The correct a previous error which divided a single property between 2 allocations.
Dalwhinnie DW/H2	Remove H2	To remove the allocation following advice from SEPA
Dalwhinnie ENV	Include whole field	To correct a previous misunderstanding in the objections made by the community council.
Kincraig ED2	Remove ED2	Delete site as further information clarifies constraints regarding access.
Inverdrue	Remove settlement	To ensure all small settlements with National Scenic Areas are considered in the same way. Development proposals will therefore be considered under the other policies in the plan.

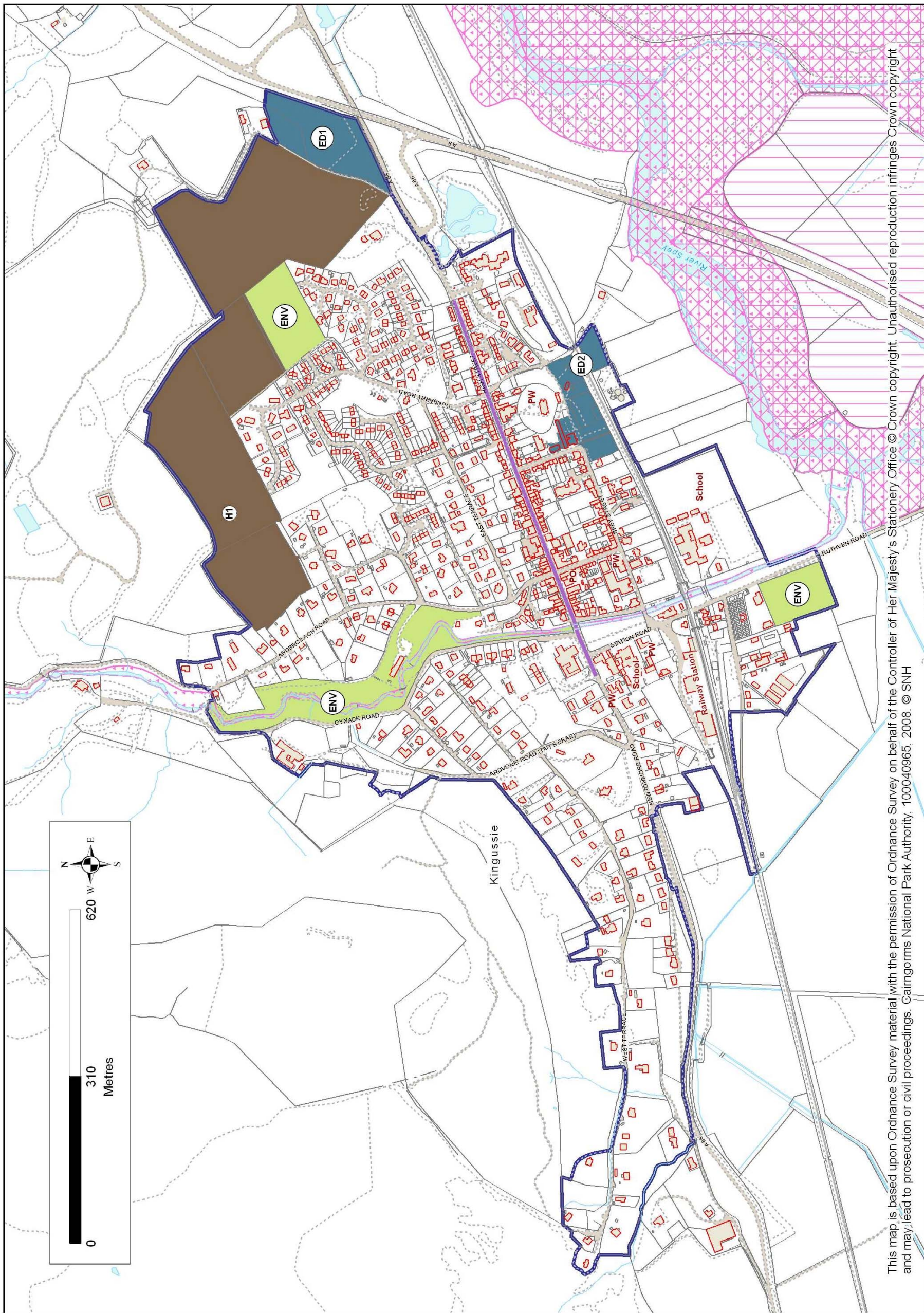


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Aviemore

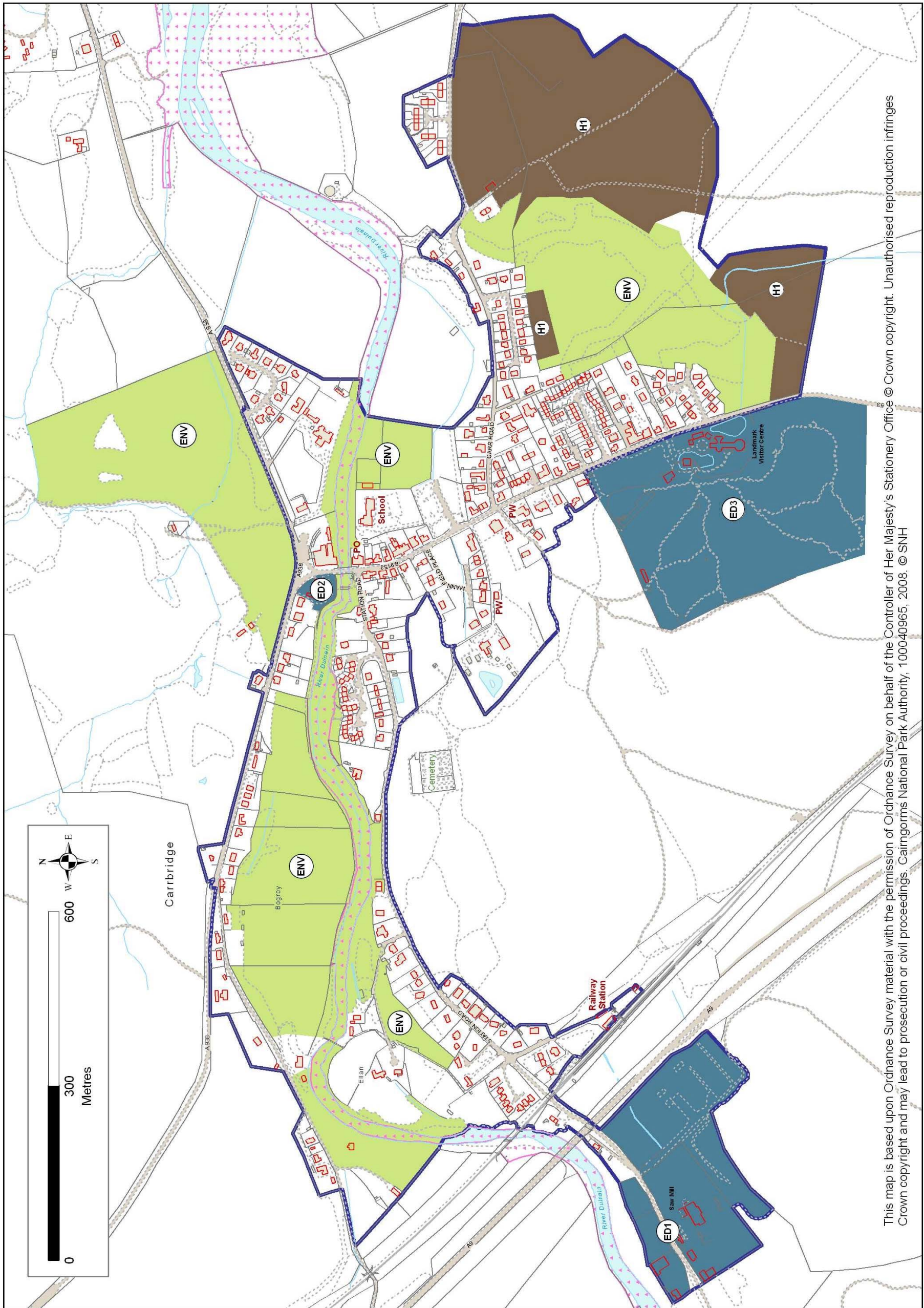


Granttown on Spey



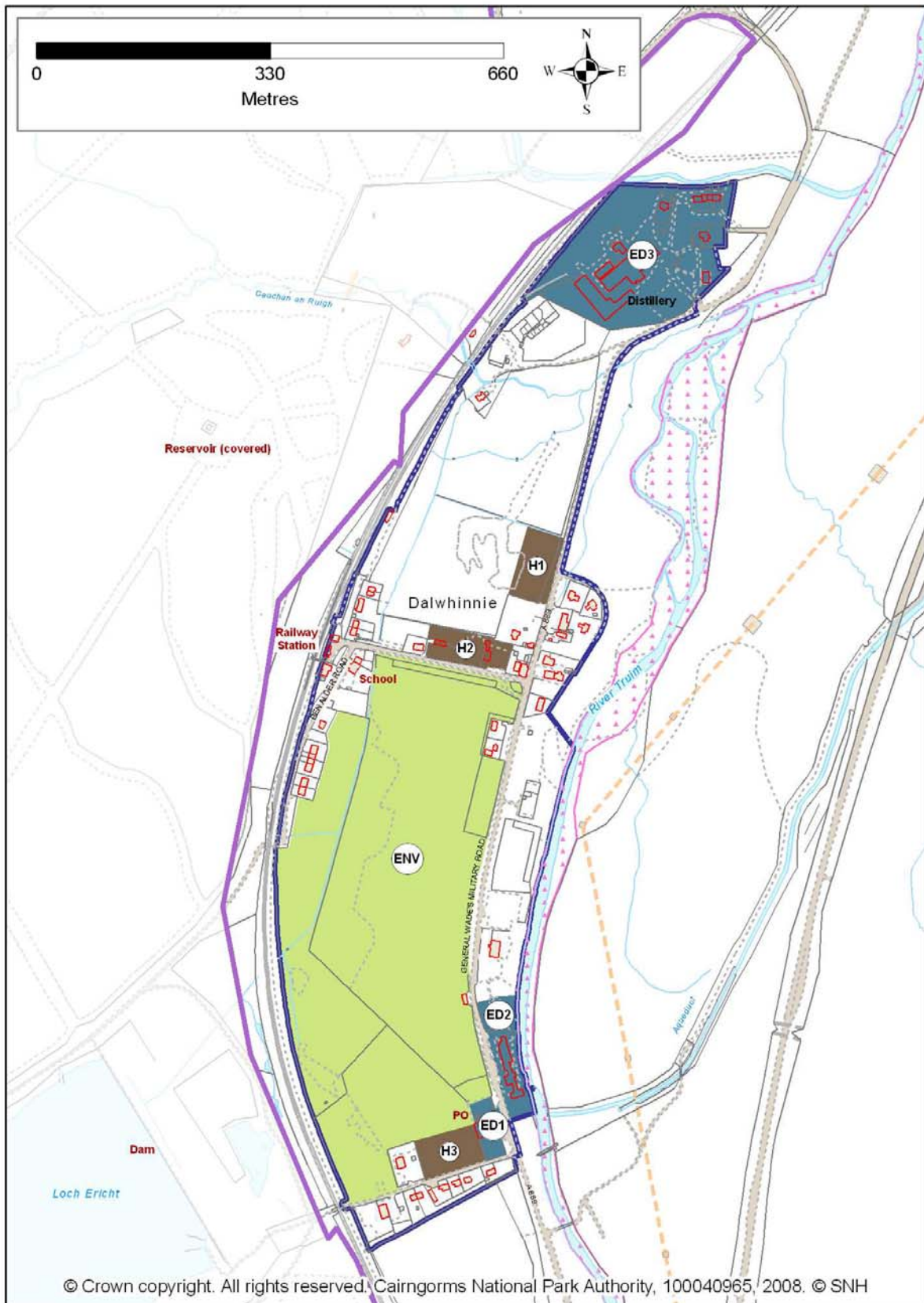
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Kingussie

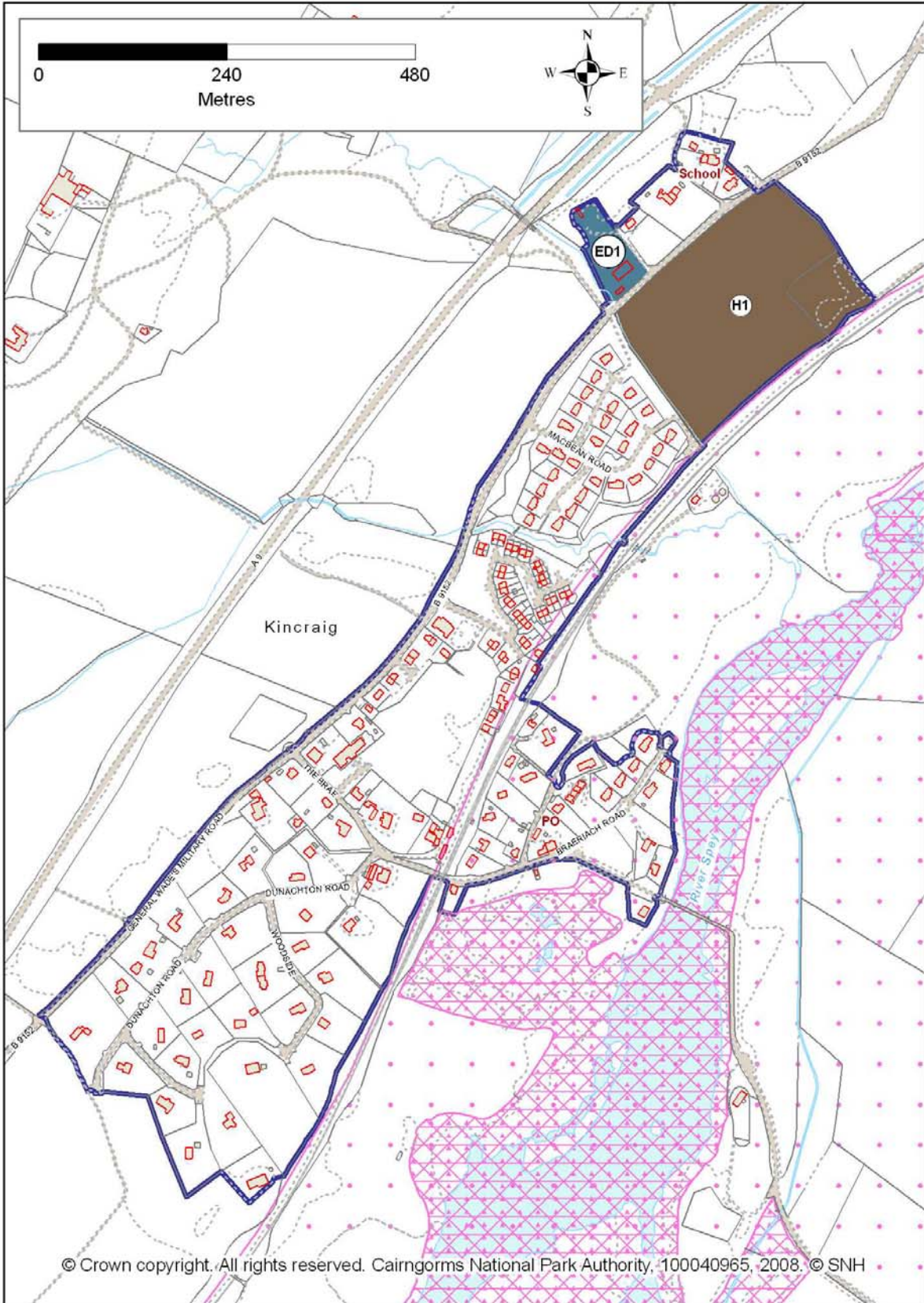


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Carr-bridge



Dalwhinnie



Kincaig