

Objector 0201	Name Dr A Watson Clachnaben Crathes, Banchory Kincardineshire AB31 5JE	Agent
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Company

Policy/site Policy 31

Representation to Deposit Plan

Policy 31, para 1, 2nd last sentence. This misuses the terms “ecology” and “archaeology”. Ecology is a science, likewise archaeology. I suggest “impact on affected wildlife species, habitats or archaeological features”.

CNPA analysis of objection to Deposit Plan

The comments regarding use of terminology are noted and the appropriate amendments will be made.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The reference has been changed. No further modification therefore proposed.

response to 2nd modifications

Thank you for your letter of 5 November. I am content for the written representations that I made earlier to be used for the public inquiry.

WRITTEN

Objector 425r
Name Rona Main
Scottish Enterprise Grampian
27 Albyn Place
Aberdeen
AB10 IDB

Agent Steve Crawford
Halliday Fraser Munro
8 Victoria Street
Aberdeen
AB10 IXB

Company Scottish Enterprise Grampian

Policy/site Policy 31

Representation to Deposit Plan

The development of high quality telecommunications is an essential element of modern business. This policy attempts to protect the environment from visual intrusion by such equipment. We support the recognition that telecommunications equipment is required but suggest that, in demonstrating an established need that the business need is seen as being valid.

CNPA analysis of objection to Deposit Plan

The policy has been worded to ensure that new developments occur in the most appropriate locations, and are designed to minimise the visual and landscape impact.

Any business case outside that normally considered in line with national guidance should not be seen to override this requirement. No modification considered necessary as a result of this representation. Confirm all aspects of the policy should be complied with and one does not take precedence over another.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The policy requires demonstration of a business need as well as a number of other criteria listed in the policy. No other demonstration of need is required. No further modifications are therefore required.

response to 2nd modifications

HEARING

Objector	Name	Agent
434k	Robert Maund Scottish Council for National Parks The Barony 2 Glebe Road Kilbirnie, Ayrshire	

Company Scottish Council for National Parks

Policy/site Policy 32

Representation to Deposit Plan

The consultative draft plan drew attention to the fact that the three waste management authorities have three different sets of targets. Waste management in Scotland has lagged behind the rest of the UK and the UK has lagged behind much of Europe. To bring a consistent, effective approach across the Park will require the Park Authority to take a positive lead in bringing the waste authorities together and setting out clearly what is required to meet the Park's needs.

CNPA analysis of objection to Deposit Plan

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to be reached across the Park. The wording of the policy will be reviewed to ensure this is achieved through the local plan where possible.

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

The policy has been largely amended to reflect the importance of waste management. The CNPA will also continue to work closely with the waste authorities to ensure a consistent approach across the park. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

Objector **Name** The Crown Estate
419q

Agent Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Policy/site Policy 32

Representation to Deposit Plan

This policy makes reference to “a presumption against the development of new landfill sites within the CNP”.

If however existing landfill sites cannot be extended, it is unreasonable to expect other local authority areas to find space for waste from the Park Area. Transporting waste long distances to external landfill sites will add significantly to the carbon footprint of waste management.

Modifications to resolve this objection -

The policy should state that, if existing landfill sites cannot be extended, it may be necessary to explore scope for new landfill sites within the park to avoid waste travelling long distances.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. The proposed wording will be considered along with this review.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The 2nd para of the policy has been redrafted to clarify the position regarding landfill sites. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Policy 32

Representation to Deposit Plan

Policy 32 and 5.80, 5.81, 5.82 - Object to inclusion of energy from waste plants on grounds of being premature, not rigorously justified, likely to discourage waste minimisation, likely to impact negatively on future recycling rates, likely to impact negatively on investment in recycling, and possible health and pollution issues. There has been no recent and informed public debate on this issue, which is a matter of far reaching significance as to how our waste is managed. It is not adequate for the CNPA to promote the inclusion of energy from waste plants in the DLP simply because they are included in the Area Waste Plan. We note that at the time of public consultation prior to the writing of the Area Waste Plan there was substantial concern expressed about EfW plants from respondents within Badenoch & Strathspey. The level of response from B&S was amongst the highest in Highland.

We draw to the attention of the CNPA, that whereas there is much that is unacceptable about present waste management, with waste being transported long distances by road and being landfilled, it can reasonably be argued that there is far more that is unacceptable about an EW plant (e.g. requiring a guaranteed minimum amount of waste to burn, and potentially being run by a private, profit-driven organisation).

CNPA analysis of objection to Deposit Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved. Confirm that we are working closely with SEPA on issues of waste and the inclusion of energy from waste is in line with their requirements.

Response to 1st modifications

Object to lack of reference to waste as a valuable resource.

Object. Insert in final sentence of first para 're-use and' between 'local' and 'recycling'; and in d) insert 're-use' between 'site' and 'recycling'.

Object to unqualified favourable approach to energy from waste plants. EfW has the potential to impact negatively on reduction/re-use/recycling initiatives, targets etc, and this should be safeguarded against in the mDLP.

In the final para explicit support for community initiatives contributing to Area Waste Plans would be desirable

CNPA analysis of response to 1st modifications

The issue of waste is considered under the final sentence of the 1st para of the policy. The issue of reuse is considered to be included within the term recycle and the term for such centres in 'recycling centres' rather than the suggested wording. The reference to waste plants is also in line with area waste strategies. No modifications are therefore proposed.

response to 2nd modifications

Maintain objection

Policy 32.

Object to lack of reference to waste as a valuable resource.

Object to unqualified favourable approach to energy from waste plants. EfW has the potential to impact negatively on reduction/re-use/recycling initiatives, targets etc, and this should be safeguarded against in the mDLP.

In the final para explicit support for community initiatives contributing to Area Waste Plans would be desirable

HEARING

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

Company

Policy/site Policy 32

Representation to Deposit Plan

5.8/5.85 (Policy 32) We believe that waste management which comes under the control of the four local authorities needs to be changed. A consistent and uniform policy and method of waste collection should be implemented throughout the Park. Local authorities should be encouraged to implement this.

CNPA analysis of objection to Deposit Plan

The CNPA will continue to work closely with its local authority partners to ensure a consistent approach to be reached across the Park. The wording of the policy will be reviewed to ensure this is achieved through the local plan where possible.

Response to 1st modifications

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

CNPA analysis of response to 1st modifications

It is entirely appropriate that a local plan should have a policy relating to waste management and this has been drawn up with assistance from SEPA. No further amendment is therefore proposed.

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan.

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

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

HEARING

Objector	Name	Agent
399m	Nicola Abrams SEPA Leading Light Building 142 Sinclair Road Aberdeen, AB11 9PR	

Company SEPA

Policy/site Policy 32

Representation to Deposit Plan

SEPA welcomes the inclusion of a policy in the Local Plan to address waste management issues. However, SEPA objects to the policy as it stands as it does not set the policy context for non municipal waste proposals nor does it require waste management proposals to comply with the principles of the National Waste Strategy. While SEPA welcomes the reference to the Area Waste Plans, at present they only deal with landfill diversion targets for municipal waste.

Reason for Objection - The policy as it stands does not set the context for non municipal waste which accounts for the majority (approximately 75%) of waste arisings in Scotland. It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote the principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPP10 (paragraph) 1 which states that planning authorities assist in helping to further the National Waste Plan objectives in relation to sustainable waste management.

Suggested Modification - A clear reference is made in the policy or supporting text that the Area Waste Plan only deals with municipal waste and that waste management facilities can extend beyond the requirements of the Area Waste Plans whereby direction is required for a//waste management proposals. Within Policy 32 it should be clearly stated that all new waste management developments require to comply with the objectives of the National Waste Strategy and National Waste Plan.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be reviewed to ensure that it is in line with national guidance on the topic, as well as striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park. The wording of the policy will be reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. Any amendments will be made as appropriate to ensure the underlying aim of the policy is achieved.

Response to 1st modifications

SEPA welcomes the inclusion of a policy in the local plan to address waste management issues. SEPA considers that modifications address some of SEPA's concerns. However SEPA considers that the policy wording is now confusing and recommends that it is improved for greater clarity.

Reason for objection - The policy as it stands does not set the context for non municipal waste which accounts for the majority (approximately 75%) of waste arising in Scotland. It also fails to require new development to comply with the objectives of the National Waste Strategy and National Waste Plan which promote

CNPA analysis of response to 1st modifications

An additional sentence will be added at the end of the 1st para 'Developments will also demonstrate their compliance with the National Waste Strategy, National Waste Plan and Area Waste Plans.' This will be included as a second modification. The reference to compliance to the objectives of the national waste strategy and plan has already been included in para 5.103.

response to 2nd modifications

SEPA removes its former objection to this policy. However SEPA considers that the policy wording is still confusing and recommends that it is improved for greater clarity to reflect SEPA's thermal treatment guidelines, and SPPI0 both of which promote the production of heat and power.

Suggested modification - SEPA recommends that Policy 32 is reworded for clarity, for example the first paragraph:

'Waste Management facilities will be considered favourably where they demonstrate compliance with the National Waste Strategy, National Waste Plan and Area Waste Plans, are appropriately designed and sited, assist business to manage their waste, and assist local authorities to meet or surpass their targets in relation to recycling and composting, and waste diverted from landfill. This will include municipal solid waste particularly where they involve the production of compost and/or energy from waste, where the energy generated can be used to provide district heating in the local area or where there is a direct community benefit such as local recycling centres.'

the principles of the waste hierarchy, sustainable waste management and the proximity principle. This is a requirement of SPPI0 (para 1) which states that planning authorities assist in helping to further the National Waste Plan objectives in relation to sustainable waste management. SEPA does however note that reference is made in the supporting text (para 5.1.03) to the need for new development to comply with the National Waste Strategy and National Waste Plan.

Additional Comments - SEPA welcomes the upfront commitment to energy from waste in the Policy but SEPA recommends that the policy could be further improved to reflect SEPA's thermal treatment guidelines and SPPI0 both of which promote the production of both heat and power.

Suggested modification - SEPA recommends that Policy 32 is reworded for clarity, for example the first paragraph:-

Waste Management facilities will be considered favourable where they demonstrate compliance with the National Waste Strategy, National Waste Plan and Area Waste Plans, are appropriately designed, and sited, assist business to manage their waste, and assist local authorities to meet or surpass their targets in relation to recycling and composting, and waste diverted from landfill. This will include municipal solid waste particularly where they involve the production of compost and/or energy from waste, where the energy generated can be used to provide district heating in the local area or where there is a direct community benefit such as local recycling centres.

Additional comments - SEPA considers that for clarity the policy itself should make reference to the need to comply with the objectives of the National Waste Strategy and National Waste Plan in order to make clear that landfill should be for residual waste only.

HEARING

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

Company

Policy/site Policy 33

Representation to Deposit Plan

The following comments only pertain to those parts of the Local Plan which affects the Ballater and Crathie district.

The Park should note that I as a member of the Ballater and Crathie Community Council do fully support of the future development outline for Ballater, as proposed by the Prince's Foundation. These proposals have received widespread enthusiasm and support from the local population; I am therefore disappointed that the Park Local Plan does not closely reflect the Prince's Foundation's proposals for the future development of Ballater over the 25/30 year development plan envisaged.

General Comments - We are disappointed that the CNPA have not taken the opportunity in the Local Plan to bring forward policies and proposals for the encouragement and development of industrial and tourist based enterprises to create sustainable full time employment. The Local Plan concentrates more on the methods of producing affordable housing without first proposing methods of encouraging business incentives (i.e. rates relief, tax incentives, etc) to first create the employment that in turn creates the need for the additional housing the Plan proposes. In addition, the Plan makes little comment on the need for sustaining the existing infrastructure as well as necessary new infrastructure such as, schools, shopping, and medical facilities etc to support the needs of the 250 housing units in the five years proposed in the Local Plan. The Park Authority needs to look again at its proposal for a sustainable community. Affordable housing needs are directly linked to the requirement of full time employment in the area.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

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

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

Thank you for your letter dated 5th Nov. 2008 with regard to the arrangements for the Local Plan inquiry and the further modifications to the Local Plan.

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

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

HEARING

Objector **Name** Forest Holidays LLP
397

Agent Steve Hearn
Tweedale
265 Tettenhall Road
Wolverhampton
WV6 0DE

Company Forest Holidays LLP

Policy/site Policy 33

Representation to Deposit Plan

Greater emphasis and recognition should be placed upon supporting the provision of a good quality and a varied range of tourist accommodation. The Local Plan should also recognise the fundamental importance that the appropriate provision of tourist accommodation can have upon the tourism industry as a whole within the National Park. Further the Local Plan should also provide support to allow existing tourist accommodation providers to expand and diversify where appropriate.

Modifications to your objection: Accordingly Policy 33 should be amended or an additional policy should be included within the Plan to provide clear support for the provision of tourist accommodation within the National Park and to recognise its importance within the tourism industry and the economy as a whole. Support should be given to allow existing operators to expand and diversify the range of accommodation provided, to suit any changes in market trends, in instances where such can be accommodated within detriment to the aims and objectives of the National Park.

CNPA analysis of objection to Deposit Plan

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm policy refers to all forms of development, not just new facilities.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** The Crown Estate
419r

Agent Debbie Mackay
Smiths Gore
12 Bernard Street
Edinburgh
EH6 6PY

Company The Crown Estate

Policy/site Policy 33

Representation to Deposit Plan

This policy should be more welcoming towards tourism development as this is an essential part of the economy of this area.

Modifications to resolve this objection - The word “significant” should be inserted before “adverse environmental or landscape impacts”.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The policy has been partly amended to give a more positive steer to tourism developments. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
457	Reidhaven Estate Seafield Estate Office Cullen Buckie AB56 4UW	Roy Stirrat Stirrat Planning Consultancy 39 Dalraddy Park Alvie, Aviemore PH22 1QB

Company Reidhaven Estate

Policy/site Policy 33

Representation to Deposit Plan

Background Policy Information

Badenoch and Strathspey Local Plan 1997

1. The section dealing with Tourism Promotion — A9 recognises the benefit of key gateway information sites promoting bypassed communities, alternative tourist routes, visitor facilities and attractions at the strategic points of Ralia and Blackmount adjoining the A9. It notes that while Ratio has been established for some time, facilities at Blackmount may be provided by the Local Tourist Board and District Council and will supplement area information offices and TIPs in the main and outlying communities respectively.

2. Blackmount is within General Policy 1 area which states “Development will be permitted if it is unlikely to have a significant adverse effect on the aims of the National Park or any of its special qualities. Where it is concluded that there would be adverse effects on the aims of the National Park, any of its special qualities, or public health or amenity from a development it will only be permitted where it is considered that these would be outweighed by social or economic benefits of national importance or of importance to the aims of the National Park and where appropriate measures are taken to minimise and mitigate the adverse effects of the development.”

3. Other Local Plan policies are also relevant:

Policy 22 : Integrated Transport Network recognises the importance of signage to Blackmount and that new sensitively sited signs will require to be integrated with others encouraging people to stop within the Park and visit the neighbouring towns and attractions that are by-passed by the A9.

Policy 23 : Roadside facilities on the A9 supports suitably designed and sited roadside information and picnic facilities, to enable travellers to stop and get details of the Park’s attractions and services available in local communities, where it can be demonstrated that there will be no adverse impacts on the services and businesses of nearby towns and villages.

4. Carrbridge is the closest community, located 2 miles to the east on the A938 which takes access to the A9 at the Blackmount junction. The Local Plan notes that it has excellent transport links with the A9, the Perth-Inverness railway, as well as the A938 and B9153 (to Aviemore etc), and that the local economy is largely founded on land-based business and the tourist sector. It further notes that proposals to enhance and diversify the local economy will be supported in principle. Consultative Draft Cairngorms National Park Local Plan -

5. Reidhaven Estate submitted comment on 24 February 2006 and noted the following with respect to the adopted Badenoch and Strathspey Local Plan (1977) as it related to Policy 23, Roadside Facilities on A9:

The existing Badenoch and Strathspey Local Plan identifies the site at Blackmount north of the Carrbridge junction as being a key gateway information site for promoting bypassed communities and alternative tourist routes etc (para 2.2.11).

Highland Council has since agreed that the A9 be opened up for commercial development in the interests of road safety, road users and tourism. SPP 17 now allows planning authorities through their development plans the option to approve roadside facilities subject to design issues. CNPA recommended that a commercial development be approved at the Dalwhinnie Junction in July 2005 (reference 05/201/CP) and the application was only refused on design concerns.

The site at Blackmount offers an ideal opportunity to combine a commercial development in the interests of road safety with a facility to direct visitors into the bypassed communities and the wider park area.

The draft policy should be extended to refer specifically to Blackmount and to include provision for commercial refreshment facilities there rather than just information and picnicking.’

Cairngorms National Park Plan -

6. The Cairngorms National Park Plan places emphasis on enjoying and understanding the Park (5.3)

7. The Introduction (5.3.1) - Creating a World-Class Experience — notes the requirement for a significantly enhanced awareness and understanding of the National Park, its special qualities and management needs. It further notes that part of the integration required in managing the Park is to promote the enjoyment of the area in ways that are not only consistent with the special qualities, but actively develop understanding about the Park and contribute to its conservation and enhancement.

8. There is a need to understand more about what makes the National Park so special and how it functions is relevant not only to visitors, but to residents, businesses, specialist interest groups and people in Scotland and beyond.

9. The section on Sustainable Tourism (5.3.2) notes that the National Park is already a popular tourism area, attracting about 1.4 million visits from around the UK and overseas each year. Tourism accounts directly and indirectly for a significant part of the area’s economy.

10. A Strategic Objective (g) is to ensure that visitors to the Cairngorms are aware of the range of opportunities, places to visit and things to do throughout the Park and appreciate its special qualities. The transfer of information to visitors about the Park, its special qualities and ways in which they can be experienced is key to developing an appreciation and understanding of the area and what it offers. It is therefore an important process for managing tourism and encouraging greater exploration, longer stays, increased spending, responsible behaviour and repeat visits.

11. Strategic Objective (i) is to ensure that visitor information is targeted at specific audiences and encourages resource protection, responsible access, visitor safety and the health benefits of regular outdoor exercise.

12. Sections 5.3.4 Learning and Understanding 6.7 Raising Awareness and Understanding of the Park expand on the importance of these requirements. The Action Programme 2007 - 2012

highlights the need (Ref. 2) for Key Places for Information Transfer and Interpretation, and in particular the need to Install Visitor Information and Park-wide interpretation at key entry points to Park.

BLACKMOUNT PROPOSED VISITOR ATTRACTION FEASIBILITY STUDY

13. In response to the longstanding specific planning policy support for a tourist information and National Park interpretive facility at Blackmount, as well as broad National Park policy support. Reidhaven Estate recently commissioned an architectural, economic and planning feasibility study.

14. The proposed A9 trunk road access and development proposal to dual the A9 adjoining the Carrbridge junction was taken into account as well as assumptions on visitor numbers, spend per head and a consequent outline brief for commercial support facilities. Other development proposals on the A9 were considered as well as importantly the need for an architectural vision of a ‘northern gateway to the National Park.

15. It is proposed that it will be a commercially generated facility providing as its primary function a unique visitor attraction currently assumed as based around a high quality multi-interpretive and exhibition proposal. There will also be a café/restaurant and retail outlet, related facilities and appropriate parking.

16. Further economic, tourist and traffic statistics, and architectural feasibility consideration is presently underway including identification of a possible operator and partnerships with local organisations.

CAIRNGORMS NATIONAL PARK DEPOSIT LOCAL PLAN - OBJECTION and COMMENT

17. In light of the adopted development plan policies supporting development at Blackmount, and National Park policies promoting the need for strategically sited

information and interpretation facilities at key entry points to the Park, it is apparent that the site at Blackmount is significant.

18. The Deposit Local Plan notes (1.10) that comments on the Consultative Draft helped refine the policies, proposals and strategy. It further notes that the structure of the Deposit Plan provides a set of policies to manage development and a set of specific proposals for development requirements and opportunities, as well as linking the Plan to the aims of the Cairngorms National Park. However, neither an A9 policy nor Blackmount are specifically noted.

19. The future development of Blackmount will therefore depend on the thinking in Section 6. Enjoying and Understanding the Park and on Policy 33 — Tourism Development, which notes that: **CNPA analysis of objection to Deposit Plan**

“Proposals for new or enhanced tourism-related facilities/attractions will be favourably considered, where they enhance the range and quality of tourism attractions. Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the area and facilities on offer, and/or lengthen the tourist season, with a beneficial impact on the local economy and without adverse environmental or landscape impacts. All special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available. Proposals should protect the current quality of the environment and amenity enjoyed by local communities, maintain and enhance the quality of the visitor’s experience for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international experience and ensure the long-term visibility of the local tourism industry”. obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included.

20. It is noteworthy that reference is made (6.6) to Scottish Executive guidance in PAN 73 to tourism being of vital importance to the social, economic, and cultural wellbeing of rural Scotland, as a result planning authorities are requested to devise policies regarding the siting and design of such developments, and be aware that this sector is a key market growth area linking business and cultural tourism. The Plan does not wish to hamper the selection of a site for any such development. The wording of the policy is therefore considered suitably supportive to assist in the development of the project if it comes forward.

21. However, site specific proposals are only provided on a settlement by settlement basis and Carr-Bridge does not include comment on Blackmount. Section 7. Settlement Proposals notes that only settlements with specific proposals are described in this section and that proposals for development in other small settlements

Response to 1st modifications

within the Park will be assessed against the policies of the Local Plan. Badenoch and Strathspey local plan 1997 –

22. Blackmount is located 2.5km west of Carr-Bridge on the A938, outwith the settlement boundary. However, as the site is close to Carr-bridge and development in the estate’s initial objection of 26 September 2008 it was noted that the site at Blackmount was specifically identified as a key tourist information site: will impact beneficially on the village as well as the National Park, it is suggested that the Blackmount site should also be specifically cited as a Proposal. Badenoch and Strathspey local plan 1997 page 12: Tourism Promotion – A9(2)T

23. It is further suggested that the importance of the A9 as key tourist artery, and of Blackmount as the northern gateway to the National Park warrants specific mention in Section 6. Enjoying and Understanding the Park. The Council recognises the benefit of key gateway information sites promoting bypassed communities, alternative tourist routes, visitor facilities and attractions, at the following strategic points adjoining the A9; 2 Blackmount ... facilities at the latter may be provided by the Local Tourist Board and District Council and will supplement area information offices and TIPs in the main and outlying communities respectively.

2 – Blackmount has thus been statutorily designated as a key gateway information site for 11 years since local plan adoption in September 1997. This long period of designation is presumably even longer taking account of the perhaps 2-4 years of the local plan’s adoption procedures. This total period is, indeed, a substantial period of time over which Blackmount has maintained a specific designation as a key tourist information site.

3 – Reidhaven Estate has maintained awareness and valuation consideration of this long standing site designation in their internal property planning considerations. The Estate sees no reason for the site to now be ignored in its role and status, especially as they assume there will not be an enhanced need for visitor information with establishment of the National Park.

4 – Blackmount is one remaining identified site on the A9 within the National Park which remains undeveloped. It also has a special status both in terms of its location close to the northern Park boundary, at the joining of key cross park routes.

5 – Reidhaven Estate thus reaffirm the validity of the Badenoch and Strathspey Local Plan 1997 comments made in our original objection. The Estate therefore reasserts that these comments provide a continuing and valid basis for Blackmount to be maintained as a specifically designated tourist information site.

Cairngorms National Park Literature

6 – The need for tourism information is well recognised:

- Park Plan Quick Guide extract – Priorities for Action 2007-2012 notes in a programme of work (key areas 7) that raising awareness and understanding of the Park is an important aim;
- Cairngorms National Park Plan Summary (12 Page A4 leaflet) Enjoying and Understanding the Park 25 Year Outcomes: There will be a high level of understanding and widespread responsible behaviour in the Cairngorms. Interpretation of the national Park will be of an internationally high standard; the Park will be a significant national learning resource.
- Cairngorms National Park Plan Summary (12 Page A4 leaflet) residents and visitors will appreciate the special qualities of the Park... everyone will know when they have arrived ... and have a positive feeling about arriving in it.
- Local Plan page 5 1.15 'The site specific proposals of the Local Plan are provided on a settlement by settlement basis in chapter 7.' There is also much general advice about proposing and implementing development projects.
- Local Plan page 55 'The policies should encourage tourism developments which relate to the special qualities of the area'.

Deposit Local Plan Enjoying and Understanding the Park

7 – Revised Policy 33, Tourism Development derives from the above and in its revised form continues to be supported in principle by Reidhaven Estate. It is noted that an important additional phrase has been included in the 1st sentence, emphasising the importance of proposals which support the development of tourism-related facilities/attractions.

8 – The whole of revised Section 6 Enjoying and Understanding the Park emphasises the role and importance of key locations, sites and facilities in meeting strategic aims. There can be no doubt that the Blackmount site maintains its location in a key position on the Park's northern boundary and at a joining to two key cross park routes.

9 – para 6.10 provides a sound basis for considering development proposals including Blackmount. However, in view of the site's location and longstanding policy designation, the Estate considers that Policy 33 requires to be amended. It is submitted that it should specifically note Blackmount as a key and unique site offering the potential to fill the gap in tourist information sites at this key northern location.

10 – Reidhaven Estate therefore maintains its objection and submits that Blackmount's historic designation as a key information tourist site should continue to be

specifically recognised in the Cairngorms National Park Local Plan.

CNPA analysis of response to 1st modifications

Additional clarity and information has been included within the Economic Development and Enjoying and Understanding sections of the plan to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording of policy 33 would therefore support appropriately sited and designed development . A proposal for a development such as that mentioned would therefore be considered against all the relevant policies of the Plan. A site has not been specifically identified as the Plan does not wish to hamper the selection of a site for any such development. The wording of the policy is therefore considered suitably supportive to assist in the development of the project if it comes forward. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Scottish Enterprise Grampian

Policy/site Policy 33

Representation to Deposit Plan

Enjoying and Understanding the Park - This section of the plan includes policies that should help develop the Park as a “world class destination”. It recognises tourism as one of the key economic drivers within the National Park and that maintaining and promoting a healthy tourism industry is vital to the area and its communities. It also recognises the need to support tourism developments that maintain and enhance the range of visitor attractions and facilities, attract more visitors to the area, encourage them to stay longer, and meet their needs and aspirations. (paragraph 6.4).

Policy 33 - This policy is welcomed, as it supports new or enhanced tourism related developments as long as they don't have any adverse impact on the environment or landscape. However, this is slightly at odds with Policy I. Policy I allows for development that impacts on the environment and landscape where the economic impacts outweigh the environmental impacts. We believe Policy 33 should have a similar balanced approach to Policy I. In general, however, any policy that supports new or enhanced tourism development is very much supported.

CNPA analysis of objection to Deposit Plan

Throughout the plan further cross referencing will be made to ensure that policies are consistent within themselves and when compared to others. The wording used within policies throughout will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use. Confirm all policies should be read together - and that the amended policy I should be complied with as well as policy 33.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Policy I has been completely redrafted and there is not now considered to be any contradiction between the policies. No further modifications are proposed.

response to 2nd modifications

HEARING

Objector 437r	Name Mrs Jane Angus Darroch Den Hawthorn Place Ballater AB35 5QH	Agent
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Company

Policy/site Policy 33

Representation to Deposit Plan

Policy 33, 6,5-9, p 56. 6.5-8 I agree that everyone should be welcoming and the policies included, but this will require education in 'responsibility' and map-reading, courtesy in driving, reduction in litter, local buying and quietness in enjoyment if others and wild-life are not disturbed. It might be wise to recognize limits of disturbance before too late.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

response received - need to confirm actual position regarding formality of objection

CNPA analysis of response to 1st modifications

response received - need to confirm actual position regarding formality of objection

response to 2nd modifications

WRITTEN

Objector	Name	Agent
4341	Robert Maund Scottish Council for National Parks The Barony 2 Glebe Road Kilbirnie, Ayrshire	

Company Scottish Council for National Parks

Policy/site Policy 33

Representation to Deposit Plan

Tourism - In the event this section deals only with the physical planning aspect of recreation provision, despite its title giving the impression of a wide ranging discourse on types and character of acceptable recreational activities and how understanding of their use will be of direct benefit both to visitors and to maintaining the quality of the national park environment. A statement of intent to develop informally presented educational opportunities which go beyond the physical provision and management of facilities on the ground would be appropriate here.

The Plan promotes very positively the sustainable approach to providing for access and recreational opportunities, including the ever-present element of economic tourist development. The Section is consistent throughout its six Policies in stating that sustainability is the guiding principle on which planning decisions will be made.

CNPA analysis of objection to Deposit Plan

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

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

Greater clarity has been added to the introduction of this section, and additional information in support of the policy. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

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

Policy/site Policy 33

Representation to Deposit Plan

The Local Plan recognises the importance of Tourism, which is welcomed, but we believe this is not fully taken on board in the policies. Indeed, the Plan does not particularly include any real allocations for tourism use. It does not include any specific proposals for tourism development either. It is not unusual for Local Plans to include such proposals that reflect other agencies priority Plans. We feel, therefore, that the Local Plan has more scope to support tourism related development and controlled economic growth in the eastern part of the Park, in particular Royal Deeside and Strathdon.

SE Grampian is currently investigating the potential for a new small-scale luxury resort in the Aberdeenshire part of the Park, or just outwith the boundary , to meet the extant demand for tourism accommodation. The Local Plan should allow for this to be pursued in more detail without falling foul of Local Plan policies.

Glenshee and the Lecht are examples of long-standing tourist and cultural facilities that are falling on hard times and dependent on the weather. The Lecht has tried to diversify their facilities to become a year-round destination. The Local Plan policies should allow for such existing facilities to diversify and expand in order to remain viable.

CNPA analysis of objection to Deposit Plan

Modifications will endeavour to ensure a more appropriate balance is struck between development opportunities for business and tourism and the protection of the special qualities of the area as identified as a National Park. The wording used within this policy will be clarified to ensure the appropriate level of guidance is available for developers, and the Plan is easy to understand and use together with ensuring the appropriate level of protection and compliance with national and international obligations placed on the CNPA. The approach taken in the proposals maps will also be reviewed to ensure appropriate levels of clarity and guidance are included. Confirm support for ongoing work of Scottish Enterprise in promoting development in the area, but confirm that sites have not been specifically shown on local plan maps as the plan does not wish to hamper site selection and wishes to remain open to changes in proposals as they are developed. The policies therefore endeavour to provide sufficient support for developments and give guidance on site selection. In doing so the wording would support things like diversification as mentioned, particularly where they endeavour to extend the tourism season.

Response to 1st modifications

We strongly support the modifications under Section 6 to support Sustainable Tourism however we would wish to see explicit policy statements on the improvement and creation of high quality/world class visitor accommodation.

CNPA analysis of response to 1st modifications

The creation of a world class National Park is key to the vision of the National Park and is stated both in the National Park plan and Local Plan. It runs through everything that both the Park Plan and Local Plan aim to achieve and stating it in any one part of the plan is therefore not considered necessary. No modification proposed.

response to 2nd modifications

HEARING

The paragraph is intended to offer some protection to what is a recognised key employment provider within the National Park. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company

Policy/site Policy 34

Representation to Deposit Plan

6.10/6.11 (Policy 34) The writer is firmly of the belief that a public road should be created between the Braemar (Linn of Dee) through Glen Feshie to Kingussie so as to join the East and West sides of the Park. This would do a great deal to unify the Park which as you must be aware is somewhat divided, it also would provide better access and encourage tourists to visit both sides of the Cairngorms. Two thirds of the required road already exists and only require upgrading and the provision of some bridges.

CNPA analysis of objection to Deposit Plan

The policy is worded to consider applications for development which impact on outdoor access. Should a proposal come forward as mentioned in the representation it would be considered on its merits and judged against this policy and the others of the local plan. No modification considered necessary as a result of this representation. Confirm this would be considered on its merits if a proposal came forward but it would be unlikely to be supported due to the impact it would have on landscape, wildness, etc.

Response to 1st modifications

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

CNPA analysis of response to 1st modifications

The option for such a road has not been raised by any other party and is highly unlikely to go forward without any demand. No further amendment is therefore proposed.

response to 2nd modifications

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

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

HEARING

Objector **Name** Jamie Williamson **Agent**
439z Alvie and Dalraddy Estate
 Alvie Estate Office
 Kincaig, Kingussie
 PH21 INE

Company Alvie and Dalraddy Estate

Policy/site Policy 34

Representation to Deposit Plan

This policy as stated is too prescriptive particularly where there is a need to find other economic activities than tourism.

Proposed Modifications

Development proposals which improve opportunities for responsible outdoor access consistent with the Cairngorms Outdoor Access Strategy will be permitted.

Development proposals which would result in a significant loss to the public of access rights, or loss of linear access (such as core paths, rights of way, or other paths and informal recreation areas, or loss of access to inland water) (delete will only) may be permitted particularly where an appropriate or improved alternative access solution can be secured to the satisfaction of the planning authority and access authority.

CNPA analysis of objection to Deposit Plan

The wording of the policy and the references made to an open space strategy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. Confirm wording secures replacement paths and access in line with access legislation.

Response to 1st modifications

Development proposals which improve opportunities for responsible outdoor access consistent with the Cairngorms Outdoor Access Strategy will be permitted.

Development proposals which would result in a significant loss to the public of access rights, or loss of linear access (such as core paths, rights of way, or other paths and informal recreation areas, or loss of access to inland water) (will only) may be permitted particularly where an appropriate or improved alternative access solution can be secured to the satisfaction of the planning authority and access authority.

This policy as stated is too prescriptive particularly where there is a need to find other economic activities than tourism.

Rights of Way and Core Paths are usually imposed and enforced by government with no compensation to the land occupier. There is a danger that if land on which such access is imposed then becomes sterilised and excluded from future development, this will devalue the land and persuade land occupiers to resist further access and discourage land occupiers from allowing or promoting such access on their land.

CNPA analysis of response to 1st modifications

The wording of the policy aims to give clarity to developers on the expectations of the policy. The wording proposed would undermine this clarity and therefore no modification is proposed.

response to 2nd modifications

WRITTEN

Objector 434m	Name Robert Maund Scottish Council for National Parks The Barony 2 Glebe Road Kilbirnie, Ayrshire	Agent
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Company Scottish Council for National Parks

Policy/site Policy 34

Representation to Deposit Plan

Policy 34, on outdoor access, is specific in only allowing development proposals which would result in significant loss of access right if an adequate or improved access solution is also provided. A policy statement to be watched with interest! Para. 6.17 states that the planning authority will work with the relevant local authorities on an open space audit, from which an overall strategy will be developed to guide the future scale and direction of outdoor recreational activities. This is a further space to be watched, this time for adequate implementation.

CNPA analysis of objection to Deposit Plan

The wording of the policy and the references made to an open space strategy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. Confirm ongoing work on both these issues and approach to be adopted for the implementation of the plan once adopted.

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

The comments are noted and the ongoing work to develop a strategy for open space. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

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

Company Badenoch and Strathspey Conservation Group

Policy/site Policy 34

Representation to Deposit Plan

Policy 34 - Object to "will" be permitted on grounds that this policy appears to bypass the planning process.

Policy 33, 34 and 35 - Object to "proposals will be favourably considered", "will be permitted", "will be supported" and similar statements used in these policies as this pre-empts the planning process. Object to the absence of reference to impact on natural and cultural heritage in these policies.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to protect public access rights, the core path network and wider path network, and other rights of way. The policy should be read in conjunction with the other policies in the plan, in particular those regarding cultural and natural heritage. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development. Confirm the term does not imply permission as all policies of the plan where relevant must be complied with. The impact on natural and cultural heritage would be covered under policies in 'conserving and enhancing' section.

Response to 1st modifications

Object. Built development on greenfield sites outwith a curtilage reduces public access. We object to the general lack of acknowledgement of this within the mDLP.

Referring specifically to this policy, we object to the lack of qualification for encouraging developments in the first para. It should be made clear that development of outdoor access must take account of impacts on natural heritage e.g. biodiversity and disturbance.

Object to second para. We are concerned that as well as loss of public access, the CNPA should take into account reduction in the quality of experience. Should insert words to the effect of 'or reduction in the quality of experience for users' after 'or loss of access to inland water'

6.16 Object to final two sentences.

Every housing development proposed in the mDLP reduces public outdoor access. It is misleading to simply claim that new housing developments will promote improved access.

CNPA analysis of response to 1st modifications

The policy supports improved access. The impact of development on natural heritage will be considered under the policies previously in the plan relating to natural heritage. The suggested wording regarding visitor experience would not be considered to provide adequate clarity to developers in line with government direction

for local plans, as this would be highly subjective. No further modifications are therefore proposed.

response to 2nd modifications

Maintain objections

Policy 34

Object. Built development on greenfield sites outwith a curtilage reduces public access, and this is a significant impact of the proposals in the mDLP. We object to the general lack of acknowledgement of this within the mDLP.

Referring specifically to this policy, we object to the lack of qualification for encouraging developments in the first para. It should be made clear that development of outdoor access must take account of impacts on natural heritage e.g. biodiversity and disturbance.

Object to second para. We are concerned that as well as loss of public access, the CNPA should take into account reduction in the quality of experience. Should insert words to the effect of 'or reduction in the quality of experience for users' after 'or loss of access to inland water'

Maintain objection

6.16 Object to final two sentences.

Every housing development proposed in the mDLP reduces public outdoor access. It is misleading to simply claim that new housing developments will promote improved access.

HEARING

Objector 020n	Name Dr A Watson Clachnaben Crathes, Banchory Kincardineshire AB31 5JE	Agent
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Company

Policy/site Policy 34,35

Representation to Deposit Plan

Policies 34 & 35. Nothing on new paths, bridges, huts etc for walkers or others. These may be acceptable in some areas, but not where they would reduce the “long walk-in” and unnecessarily mar wildness or wilderness. UDAT recently made a new path forming a circular route from Gleann an t-Slugain to Glen Quoich, on ground that had no former footpath, and Bill Marshall and some others in a group at Braemar want a new footbridge across the river Dee north of Braemar, which would reduce the long walk-in to the eastern Cairngorms.

CNPA analysis of objection to Deposit Plan

The policy has been worded to consider all forms of recreational facility and does not therefore refer to specific forms of recreation. The policy should be read in conjunction with the other policies in the plan, in particular those regarding landscape and visual setting, developments impacting on natural heritage etc. Additional information will be included to ensure that users of the local plan are clear that all policies must be taken into account in all applications for development.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Additional paragraphs have been included to policy 34, 35 and 36 for clarity. Other forms of development associated with access and tourism will be considered under the various other policies of the plan. No further modifications therefore proposed.

response to 2nd modifications

Thank you for your letter of 5 November. I am content for the written representations that I made earlier to be used for the public inquiry.

WRITTEN

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

Policy/site Policy 35

Representation to Deposit Plan

There is a requirement for the now demolished Aviemore Ice rink for the benefit of both locals and visitors.

CNPA analysis of objection to Deposit Plan

The comment is noted. The policy has been worded to support the widest range of facilities and ensure that they are located in the most appropriate locations across the Park. Any proposal which would support the range of facilities in a settlement such as Aviemore would therefore be supported under the terms of the policy. The CNPA will continue to work closely with partners and developers to encourage and facilitate the provision of such facilities in key settlements. No modification considered necessary as a result of this representation. Confirm ongoing discussions regarding this and finding an appropriate site.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The policy would support such a development. CNPA continue to work to encourage and support development opportunities which support communities and this is true for this particular project. No further modifications are therefore proposed.

response to 2nd modifications

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

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

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

WRITTEN

Objector	Name	Agent
380c	Campbell Gerrard Sportscotland Caledonia House South Gyle Edinburgh, EH12 9DQ	

Company Sportscotland

Policy/site Policy 35

Representation to Deposit Plan

We find this clause confusing. It is unclear what an 'affected area' is. Does this refer to the area/piece of ground that is to be developed? The remainder of the policy is also difficult to understand. Does clause (5) mean that any extension cannot exceed the footprint of the building that is being extended? And what happens for a stand alone development, there would not be any current footprint to remain the same as.

Modifications needed to resolve this objection – Clarification is required on what is meant by the term 'affected area' and in relation to the application of the policy and how development will relate to the 'currently permitted footprint'.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory, provides users of the plan with an appropriate level of clarity, and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Response to 1st modifications

I am writing with sportscotland's response to the modifications proposed to the Cairngorms Local Plan and how these relate to the representations we made on the deposit Local Plan.

I can confirm that we are content with the modifications made in relation to our representation on Policy 35, Formal Recreation Facilities, clause (b).

We wish however to make further representation on the modified Policy 35 Sport and Recreation Facilities, as follows.

As drafted Policy 35 does not afford sufficient protection to playing fields and sports pitches. sportscotland considers that a new policy should be introduced which provides specifically for playing fields and sports pitches and which is in full compliance with the guidance set out on playing fields in paragraph 46 of SPP 11.

CNPA analysis of response to 1st modifications

Policy 35 ensures that provision such as playing fields will be protected unless they are ancillary to the principal use of the site as a sport and recreation facility, the new use would not affect the use of the playing field, and a compensatory site is created. This is considered to provide considerable protection to the sites referred to and no amendment is therefore proposed.

response to 2nd modifications

WRITEN

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

Policy/site Policy 35

Representation to Deposit Plan

The generalities of this policy i.e. supporting additional or extended formal recreational facilities, is supported. There is little point attracting more visitors and residents if there are no recreational facilities available to them. SE Grampian is concerned that the policy may contradict itself. Section b) requires that the total footprint remains the same but extensions or additional recreational facilities need more of a footprint to be viable. Part c) of the policy presents requirements that are very difficult to quantify. Demand and supply of such facilities is a complex process and developing new facilities e.g. children's play barns, can create the demand. SE Grampian is concerned that this policy could prohibit or restrict new recreational facilities.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be revisited to ensure it is reasonable, is not contradictory and will deliver the aims of the policy, which are to promote the best range of facilities in the most appropriate locations to meet the aspirations of local communities and visitors to the Park.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The policy has been largely redrafted and any previous contradiction removed. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

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

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

Company Reidhaven Estate

Policy/site Policy 36

Representation to Deposit Plan

Reidhaven Estates have concerns about the formulation of this policy and would therefore make representation along the following lines.

- 1) Public and amenity open space are not defined in the glossary. There should be an expectation that 'public and amenity open space' is at least maintained as such by someone - quite likely the local authority.
- 2) There are no specific standards set down within the policy - or any commitment that such standards be established as clear guidance in the near future, for instance as SPG.
- 3) The policy restriction concerning 'loss of existing provision' is very poorly worded in so far as 'existing provision' is both nondescript and subjective. Nowhere in the plan is there advice or guidance which could help one determine whether any given parcel of land was 'existing provision' or not.
- 4) The policy does not adequately cover the issue of maintenance in any respect at all. Within developments it should be clear that where open space provision is to be secured, that the CNP or relevant Local Authority will continue to maintain such open space.

Modifications:

- 1) A clear definition of 'public and amenity open space' should be provided at the very least within the glossary. Clear differentiation should be included with respect to land where access rights under the LRA(S) apply. There should be an expectation that existing 'public and amenity open space' is already maintained as such by a known authority.
- 2) A commitment to providing design standards for new 'public and amenity open space' should be included,
- 3) The policy should cover the maintenance of 'public and amenity open space' as well as protection and provision.

CNPA analysis of objection to Deposit Plan

The comments are noted and the wording of the policy will be revised to ensure that it is clear, deliverable and provides the appropriate level of guidance to developers in line with national guidance. Where the level of detail needed is inappropriate for the policy, a clear commitment to SPG will be included in the supporting text. In regard to issues of maintenance the CNPA will continue to work closely with the 4 local authorities to ensure that policies are appropriate and establish from the outset the expectations of the plan in regard to any particular development. Issue of management will be addressed on a case by case basis depending on the nature of the proposal.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Open space has been added to the glossary. Reference has also been added to clarify the future production of an open space strategy. Reference to maintenance has also been added to the policy. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 437t	Name Mrs Jane Angus Darroch Den Hawthorn Place Ballater AB35 5QH	Agent
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Company

Policy/site Policy 36

Representation to Deposit Plan

6.11-18 Policy 35-6 p.57-8: Golf courses, football pitches, indoor climbing, heated swimming pools, chilled skating and curling are not available for all settlements. As most sporting facilities have started either with educational or club funding, will there be support in cash or just meaning well?

Should we try for the Ballater Old Landfill for football or something nearer? The resurfacing of the Deeside Way does not bode well for a tram-line which might have made easier access for young people. Should we consider plastic geodetic domes, as in Netherlands, Germany etc.?

The gaps within local provision in some recreational facilities which could be of interest to visitors as well as local young people are in mountain biking, more orienteering, transport to public swimming baths, aerial- ropeways, athletics training and water sports. Experience in early stages of all sports is not helped by the lack of every-term specialized teaching, few resident teachers or the anti-social working hours of many parents and grandparents.

CNPA analysis of objection to Deposit Plan

The comments are noted, and the CNPA continue to work closely with the 4 Local Authorities to provide and support an appropriate level of recreational provision for communities across the Park. The policies have been worded to support as wide a range of facilities as possible and facilitate the development of appropriate new provision in locations which are complimentary to the aims of the Park. No modification considered necessary as a result of this representation. Confirm the broader issues of open space and allocations will be addressed in the open space strategy, and will also come through community needs assessments. We will have to work with the LAs on the funding issues.

Response to 1st modifications

response received - need to confirm actual position regarding formality of objection

CNPA analysis of response to 1st modifications

response received - need to confirm actual position regarding formality of objection

response to 2nd modifications

WRITTEN

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

Policy/site Policy omission

Representation to Deposit Plan

The Local Plan does support infrastructure improvements, which is welcomed, but again, we are concerned this does not go far enough. SE Grampian have a series of infrastructure projects (these were outlined in our response to the Draft Local Plan) that are designed to support the existing and future economic development and tourist offer of the Park. The Plan should be promoting infrastructure provision and improvements in a co-ordinated fashion, based on an agreed strategy that covers public transport, roads infrastructure, utility infrastructure as well as softer infrastructure such as streetscape and public realm improvements. It is important that Local Authorities are pro-active in ensuring that infrastructure is programmed via other agencies (especially Scottish Water) to meet the aims and vision, in this instance, for the National Park.

The Local Plan appears to miss an opportunity to evaluate the transport and access issues, including the physical separation of the eastern and western areas of the Park. The population of Aberdeen, Aberdeenshire, Angus and parts of Moray including tourists arriving by air, sea or rail do not access the Park from main route to the Park - the A9. A review of how this population arrive and circulate around the Park and the physical relationships between the east and west would be welcomed.

CNPA analysis of objection to Deposit Plan

The comments are noted and consideration will be given to the inclusion of a policy regarding strategic infrastructure provision across the Park to guide developers and promote a co-ordinated approach. Confirm that such developments would be considered under all the relevant policies of the Plan and the strategic support for such developments is given in the National Park Plan which gives the local plan its context.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Such developments will be considered under all relevant policies of the plan and there is not therefore a need for a separate policy. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

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

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

Company Reidhaven Estate

Policy/site Policy omission

Representation to Deposit Plan

General Comment - Roads

Policy 39 (pg 56) of the Consultative Draft of the Local Plan (October 2005) included provision for up to 8 houses before upgrading to adoptive road standards. Clarification is sought on why this policy was deleted from the Finalised Draft and the current roads policy on this.

CNPA analysis of objection to Deposit Plan

The comment is noted but the issue is a technical one rather than a local planning one, and any requirements placed on planning applications by the Roads Authority can be added as planning conditions as necessary. It is not therefore considered necessary to have an additional policy to deal with this issue. Confirm impact of developments on roads will be assessed on application and in consultation with the relevant roads authority. CNPA staff will continue to work with partner local authorities to achieve consistency across the Park.

Response to 1st modifications

Maintain objection.

CNPA analysis of response to 1st modifications

This technical approach to road standards will be addressed when considering applications rather than setting a roads standard across the National Park. The advice of the Roads Authority will be sought in all cases. No modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
020k	Dr A Watson Clachnaben Crathes, Banchory Kincardineshire AB31 5JE	

Company

Policy/site Policy omission

Representation to Deposit Plan

General comment. There appears to be nothing on change of use in forestry and agriculture. Although forestry is permitted development, even Local Authorities have long been able to request changes and also to object, with the latter leading to a FC Regional Advisory Committee, and, if there is not agreement, to decision by the Minister. Surely a National Park should be able to have at least equal opportunity to a local authority on this.

The National Park Authority should be asking the government for increased powers over change of use within the Park, in both forestry and agriculture. Farmers in the area have drained peat-bogs and turned moorland into intensive grass. New roads for forestry and farming should not be permitted development in a National Park, and likewise felling methods. Obviously these points cannot be explicit in the Local Plan, but the CNPA should be requesting them from the government.

CNPA analysis of objection to Deposit Plan

Where such operations are covered by planning legislation the policies of the local plan would apply as with any other form of development. However where such operations are not covered by planning legislation the local plan would not apply and such operations would be dealt with under separate control or guidance as relevant to that industry. The CNPA will however continue to work to ensure the most appropriate level of control operates in the Park area. No modification considered necessary as a result of this representation.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA continue to work closely with the Scottish Government to try and influence policy and direction in relation to National Parks. No further modification therefore proposed.

response to 2nd modifications

Thank you for your letter of 5 November. I am content for the written representations that I made earlier to be used for the public inquiry.

WRITTEN

Objector	Name	Agent
399q	Nicola Abrams SEPA Leading Light Building 142 Sinclair Road Aberdeen, AB11 9PR	

Company SEPA

Policy/site Policy omission

Representation to Deposit Plan

Omission of Policy Providing Directional Guidance for New Developments

SEPA objects to the omission of a policy in the Local Plan to provide locational and directional guidance for waste management facilities.

Reason for Objection - In the interests of clarity SEPA objects to the wording of the plan as it does not provide clear and positive guidance for developers and the community. At present the Plan does not contain any guidance as to potential locations for waste management facilities. It is recognised in SPPIO that industrial and employment land is suitable for waste management uses with a model planning policy suggested. Also it is recognised within PAN 63 that waste facilities can be readily accommodated on industrial land, degraded land, co-located with existing facilities etc with detailed advice provided.

Suggested Modification - The current policy for business development (Policy 20) would exclude waste management proposals, as waste management does not fall within these use classes, being a "sui generis" land use. A potential way therefore to provide the necessary direction may be to simply include waste management within this Policy thus recognising the role of waste management as a business opportunity and waste as a potential "resource" — this promotion of business land would accord with National policy as contained in SPPIO and its model planning policy (paragraph 26). Alternatively, a Policy could be developed to set out the potential criteria for the siting of waste management facilities - Planning Advice Note 63 contains advice in this regard and if it would be helpful SEPA would be happy to provide weblinks showing how other Local Plans in Scotland have approached this.

CNPA analysis of objection to Deposit Plan

The comments are noted and consideration will be given to the inclusion of a policy regarding strategic infrastructure provision across the Park to guide developers and promote a co-ordinated approach.

Response to 1st modifications

SEPA objects to the omission of a policy in the Local Plan to provide locational and directional guidance for waste management facilities.

Reason for objection - SEPA notes that para 1 of policy 32 refers to a sequential approach but it is not clear what this refers to. SEPA notes that para 5.106 indicates that the principle of waste transfer stations will be supported in industrial areas, while SEPA welcomes this reference, SEPA considers that this does not provide clear and positive guidance for developers, and the community on all types of waste management facility. It is recognised in SPPIO that industrial and employment land is suitable for waste management uses with a model planning policy suggested. Also it is recognised within PAN 63 that waste facilities can be readily accommodated on industrial land, degraded land, co-located with existing facilities etc with detailed advice provided.

Suggested modification - The current policy for business development (policy 20) would exclude waste management proposals, as waste does not fall within these use classes being a sui generis land use. A potential way therefore to provide the necessary direction may be to simply include waste management within this policy thus recognising the role of waste management as a business opportunity and waste as a potential 'resource'. This promotion of business land would accord with National Policy as contained in SPPIO and its model planning policy (para 26). Alternatively a policy could be developed to set out the potential criteria for the siting of waste management facilities. Planning Advice Note 63 contains advice in this regard and if this would be helpful SEPA would be happy to provide web links

showing how other local plans in Scotland have approached this.

CNPA analysis of response to 1st modifications

The policy gives guidance on how best to assess the impact of a proposed development in terms of sequential testing. The para will be set out in bullet points for clarity. Policy 27 does not highlight any particular uses for business development and the development of waste management which supported economic prosperity would therefore be considered under policy 27. Policy 17 may also be relevant. No further modifications are therefore proposed.

response to 2nd modifications

Maintain objection.

HEARING

and policy wording included in order to safeguard them to fulfil the requirements of the Area Waste Plan.

CNPA analysis of objection to Deposit Plan

The reference to the scale and nature of development in the representation is noted, and consideration will be given to the inclusion of a policy regarding strategic forms of development which may occur within the Park to the benefit of the wider Highland region.

Response to 1st modifications

SEPA welcomes the inclusion in Policy 32 of a requirement to safeguard existing strategic waste management facilities and all sites required to fulfil the requirements of the Area Waste Plans. However, these sites are not identified therefore it is not clear how they can then be safeguarded. Furthermore it is not clear from the policy which sites are considered strategic, therefore SEPA maintains its objection to the local plan which fails to safeguard existing strategic waste management facilities and does not identify and safeguard all sites required to fulfil the requirements of the Area Waste Plan. SEPA notes that key waste management sites which are necessary for the delivery of the Area Waste Plan requirements and/or for the required move to sustainable waste management do not appear to have been identified within the plan, in either policy wording, supporting text or in proposals maps.

Reason for objection - SEPA considers that the plan does not accord with SPP10 which requires development plans to provide for the spatial dimension of the Area Waste Plans, to identify sites for community waste infrastructure and for larger installations and to protect existing waste management from inappropriate development. It also does not comply with PAN 63 (para 8) which requires Local Plans to provide for the waste management facilities required by the Area Waste Plans.

The aim of identification and safeguarding of such sites is to protect the functioning of existing waste management facilities by discouraging neighbouring development which would prejudice the continued operation or intensification of existing processes.

As part of the ongoing strategic options appraisal process being undertaken by the various North East Councils and Highland Council there may be a need for sites for composting facilities in Aviemore and potential industrial estates could be highlighted now. For information, Strategic Options Appraisal is the process whereby strategic groupings of Councils are looking at the potential to share waste management facilities in order to make a case for funding to the Scottish executive as part of the next phase of the Strategic Waste Fund monies, which are designed to help facilitate the move away from landfill. The first phase funding was centred on kerbside collection and segregation of waste, the second phase will be focused on provision of facilities to deal with the residual waste e.g. composting, energy from waste, materials recycling facilities etc. It is therefore recommended that the waste managers of the competent Councils be contacted for advice and input to the site identification process.

For more detailed site selection information on planning issues such as land take, residential amenity issues etc research for the Office of the Deputy Prime Minister on Planning for waste management facilities may be of interest. The link to this document is

http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_030747.pdf

Additionally based on this research report and in consultation with the Scottish Executive, SEPA produced information leaflets on major waste management facilities for an awareness raising programme for planning decision makers. This information is available on our website via the following link

http://www.sepsa.org.uk/nws/planning/guidance_links.htm

Suggested modification - it is therefore recommended that existing strategic and proposed sites for waste management facilities are identified on the proposals maps and suitable policy wording included in order to safeguard them to fulfil the requirements of the area waste plans.

CNPA analysis of response to 1st modifications

An additional para has been added to policy 32 to presume in favour of strategic waste management facilities. Many of these sites do not fall within settlement boundaries and are therefore not included within the Proposals maps which focus on settlements and development opportunities within them. No further modification is therefore proposed.

response to 2nd modifications

Maintain objection.

HEARING

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

Company

Policy/site Policy omission

Representation to Deposit Plan

There is no mention of any policy of operations which are often classed as permitted development ie forestry operations, planting, clear felling, agricultural hill drainage and the conversion of moorland to grassland. No policy on hill roads either for forestry, field sports, telecommunication mast access etc. or on the increasing level of habitat damage being caused by hill vehicles. No policy on the desirability or otherwise of the need for new paths or bridges in the remoter areas.

CNPA analysis of objection to Deposit Plan

Permitted developments for all forms of development, as relevant are set out in separate legislation and regulation and developers should refer to the appropriate document to consider whether their proposal does or does not fall within the permitted development rights. To repeat these regulations here would be to add a level of duplication which the Plan is endeavouring to steer away from.

In regard to hill tracks, and other operations referred to the comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight them within separate policies. The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position. Confirm the issue of tracks and agricultural operations would be considered under all policies of the plan including specifically those regarding 'conserving and enhancing' and not under a particular policy regarding tracks. All policies of the plan must be complied with where relevant to gain permission, therefore a topic specific policy is not considered appropriate.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Where developments such as those listed require planning permission they will be considered under all relevant policies of the plan. Where they fall outside the planning system and are permitted development, the local plan cannot place any control over them. No further modifications are therefore proposed.

response to 2nd modifications

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

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

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

WRITTEN

Objector 020p	Name Dr A Watson Clachnaben Crathes, Banchory Kincardineshire AB31 5JE	Agent
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Company

Policy/site Policy omission

Representation to Deposit Plan

p/37. Appears to be nothing on advertisement signs and other signs. Seems a major omission. National Parks in Canada, USA and elsewhere are characterised by their few signs.

CNPA analysis of objection to Deposit Plan

The comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight adverts and signs within a separate policy. The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The issue of adverts will be considered against the various policies of the plan including policy 7, 17, 18, 33, amongst others. There is not therefore considered to be a need for a separate policy for this particular form of development. No further modification therefore proposed.

response to 2nd modifications

Thank you for your letter of 5 November. I am content for the written representations that I made earlier to be used for the public inquiry.

WRITTEN

Objector 020m	Name Dr A Watson Clachnaben Crathes, Banchory Kincardineshire AB31 5JE	Agent
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Company

Policy/site Policy omission

Representation to Deposit Plan

Seems to be nothing on vehicle tracks, though the earlier Local Plan 2005 had a useful section on this.

CNPA analysis of objection to Deposit Plan

In regard to tracks the comment is noted. However it is considered that any application for such development will be judged against all the policies in the plan and there is not a need to specifically highlight such developments within separate policies. The intention throughout the plan is that all policies should be taken into account when considering any development proposal. The wording within the Introduction will be amended to clarify this position.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The issue of vehicle tracks will be considered against the various policies of the plan affecting landscape, including policy 7. There is not therefore considered to be a need for a separate policy for this particular form of development. No further modification therefore proposed.

response to 2nd modifications

Thank you for your letter of 5 November. I am content for the written representations that I made earlier to be used for the public inquiry.

WRITTEN

Objector 535d	Name Gordon Chaplin 6 Morven Way Ballater AB35 5SF	Agent
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Company

Policy/site SEA

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

A point on item 1.14 of the second modifications to SEA environmental report, can you explain why Ballater hasn't been included in this list of settlements.

WRITTEN

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

Policy/site SEA Policy 01

Representation to Deposit Plan

While the actual policies are reasonable in so far as they must comply with the aims and overall integrity of the park, the justification for widespread housing and development (eg as stated in the strategic environmental assessment report) is not. The park was designated because of its outstanding natural environment to protect it and to control development pressures. It should not be managed as a development area for the massive expansion of housing for non locals. This is not sustainable, and damages the fragile wildlife, landscapes and heritage.

Modifications being sought - Greater control and restrictions on housing development should be introduced to ensure an adequate supply of social / affordable housing for local residents without speculative building which can cause widespread and unsustainable in migration. This in turn strains existing facilities and services, and increases the population of holiday homes to the detriment of the environment and quality of life for local populations.

CNPA analysis of objection to Deposit Plan

The wording of the policy will be reviewed to ensure that its requirements are in line with the Park Plan and the aims of the Park established in the National Parks (Scotland) Act 2000 and are clear and reasonable. Any amendments to draw the wording in line with these will be made by way of modification

Response to 1st modifications

Regarding 2), I do not consider the modifications reduce the over-development of unsustainable speculative building, which will encourage excessive in-migration, to the detriment of the outstanding environment, enjoyment of the park, and quality of life.

CNPA analysis of response to 1st modifications

The allocation of housing land is in response to work carried out to assess housing need within the National Park and to provide sufficient land to meet this need, as is required of the Planning Authority through its local plan. The allocations and proposed developments are also in support of the 4th aim of the National Park. No additional modifications or amendments are therefore proposed.

response to 2nd modifications

WRITTEN