

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

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

Object Contrary to the first aim of the Park.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The assessment of any proposal on the site will be balanced against all aims of the Park and development will only occur where it does not conflict with these or the policies of the Local Plan.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

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

Company HIE Inverness and East Highland

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

We welcome the continued inclusion of An Camas Mor in the plan and believe that this could present an exciting development opportunity for space to create more contemporary architecture and high-quality building design in the park and we hope that appropriate space for business and commercial use will be defined in the master plan.

CNPA analysis of objection to Deposit Plan

A masterplan will be required to establish the break down of various land uses within the settlement, including land for economic development. The wording of the settlement proposal will be amended to reflect this.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector 434p	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 Settlements - An Camas Mor

Representation to Deposit Plan

An Camas Mor: the proposal is wrong in principle for a national park, and particularly so, since it has been demonstrated that previous large schemes such as Dalferber were significantly taken out of the local housing needs market by second home purchasers. The absence of policies to restrict new development to meet local housing need makes the whole proposal for An Camas, as a new settlement to meet local housing need, questionable. A previous justification given for the proposal, that it would balance up the development of Aviemore on both sides of the River Spey, will in fact make it unique in the planning of villages adjoining the Spey in this area. Although there is consideration of the effect on the Spey SAC, other aspects of the proposal suggest that these can be overcome without extra water supply capacity.

CNPA analysis of objection to Deposit Plan

This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The site is needed to meet the demand for growth in the area while endeavouring to protect the character of existing settlements. Any proposal will be subject to strict policies including those on affordable housing.

Confirm environmental impact assessments which will be required to support any proposal for development and close working partnerships being established to ensure infrastructure provision meets needs.

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

The CNPA position regarding An Camas Mor has not changed and we continue to work closely with the development team to ensure that the scheme is of a quality that befits a national park. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
432c	Jim Cornfoot 63 Corrou Road Aviemore PH22 ISS	

Company

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

I object to the development proposals of Cambusmore, this new village will create a development which will put internationally important habitats at risk due to greater populations using the surrounding land on the south side of the River Spey. I believe these houses are not needed as the majority will be bought for holiday homes or used by commuters not working locally. I believe this development will degrade the ecosystem of the River Spey.

Modifications to resolve this objection –

Cambusmore should be removed from the Local Plan. The CNPA should concentrate on small additions to existing villages. New villages should not be proposed within the National Park. Large housing developments should not be planned. Traditional villages should be allowed to grow slowly. Planning thousands of new homes is threatening the natural qualities of the area and the tourist industries within Badenoch and Strathspey.

The River Spey should be protected as a valuable natural resource.

New villages should not be developed on the south bank of the River Spey.

CNPA analysis of objection to Deposit Plan

This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation.

Confirm environmental impact assessments which will be required to support any proposal for development.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector
398f

Name The Clouds Partnership
Kinakyle
Aviemore

Agent John Wirght
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA

Company

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

Settlement Proposals — Strategic Settlements —An Camas Mor

6.3.1 The Deposit Version of the Cairngorms National Park Local Plan contains a proposal for a new community at An Camas Mor. An indicative settlement boundary is identified for this site with an expectation that up to 1,500 homes could be developed over time. The Local Plan identifies a need for development to begin at An Camas Mor within the 0 — 5 year period of the Local Plan, and assumes that 100 homes will be provided within the next 5 years.

6.3.2 An Camas Mor (previously Cambusmore) was identified in the Badenoch and Strathspey Local Plan 1997 and the Highland Structure Plan 2001. Despite those allocations, An Camas Mor has not provided any housing units over the past ten years. The major infrastructure required to facilitate development at An Camas Mor will require major research prior to submission of any planning application. On that basis, The Clouds Partnership would question the ability of An Camas Mor to provide any effective housing numbers during the 0 to 5 year plan period and would therefore question its effectiveness in terms of housing allocations.

6.3.3 Table 4 of the Deposit Version of the Local Plan does not provide for any housing unit provision in Aviemore beyond the ten year indicative target, with all capacity for Aviemore apparently being accommodated at An Camas Mor.

Whilst An Camas Mor could be a sustainable and viable new settlement, it cannot and should not accommodate all housing options in the Aviemore housing market area.

6.3.4 SPP3 — Planning for housing clearly states that a choice of residential environment is desirable. The Clouds Partnership would object to the over-reliance on An Camas Mor for the provision of all housing numbers in the Aviemore area.

Conclusion

7.1 The Clouds Partnership continue to object to the over-reliance of the Cairngorms National Park Deposit Local Plan on An Camas Mor for the provision of housing numbers at Aviemore, and would urge the Cairngorms National Park Authority to allocate land at Kinakyle, Aviemore as an effective housing site in the emerging Local Plan.

CNPA analysis of objection to Deposit Plan

The development of the site will require many detailed assessments including the preparation of a masterplan to establish the break down of various land uses within the settlement, and a transport assessment to assess the impact on the surrounding area. The CNPA will continue to work closely with the developers of An Camas Mor to ensure realistic timeframes for delivery of the site. Confirm confidence in the effectiveness of An Camas Mor and therefore no need for additional land to be allocated.

Response to 1st modifications

Please find enclosed completed objection forms for the above consultation. From the enclosed you will see that we have maintained our objections to the following:

Policy 1 - development in the Cairngorms National Park

Table 4 - phased land supply

S7 Settlement proposals - Aviemore

S7 Settlement proposals - An Camas Mor

We look forward to hearing from you to discuss these objections in more detail.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at An Camas Mor has not changed, and as such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Mrs Audrey MacKenzie **Agent**
4160 Aviemore and vicinity Community
 Tamsdunchus
 10 Dalfaber Road
 Aviemore,PH22 1PU

Company Aviemore and vicinity Community Council

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

An Camas Mor should be included in the Aviemore settlement - not shown as a separate settlement. We asked for the settlement to come down to the middle of the River Spey.

The intervening strip of land on both sides of the River Spey should be a community park.

The footbridge should be a vehicular bridge to provide a better link to Aviemore.

CNPA analysis of response to 1st modifications

An Camas Mor is a planned sustainable community in its own right and it would therefore be inappropriate to include it within an extended boundary of Aviemore.

The land between may be appropriate for recreation open space, but any such development would not fall within the life of this plan and is not considered necessary. In the development of the scheme at An Camas Mor the links to Aviemore are considered very important. The nature of this link will be considered through the Transport Impact Assessment. A motorised link is not considered appropriate at this stage. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

Object to entire proposal. A new town in the CNP is wholly inappropriate and conflicts with the 1st aim of the Park.

CNPA analysis of objection to Deposit Plan

This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation. The assessment of any proposal on the site will be balanced against all aims of the Park and development will only occur where it does not conflict with these or the policies of the Local Plan.

Response to 1st modifications

Object to entire proposal.

A new town in the CNP and a NSA is wholly inappropriate and conflicts with all 4 aims of the Park.

We further object to the statement that this will be a 'sustainable' community. We see little reason why any significant degree of sustainability will be attained that could not be attained in any other area of new build housing.

Object to the statement that implies that An Camas Mor will not have significant effects on the environment or the overall integrity of the NSA. It is not clear what the CNPA considers would have an impact on the integrity of the NSA if an entire new town does not.

CNPA analysis of response to 1st modifications

The position regarding site allocations at An Camas Mor has not changed. Therefore no modification is proposed.

response to 2nd modifications

Maintain objection

An Camas Mor

Object to entire proposal.

A new town in the CNP and a NSA is wholly inappropriate and conflicts with all 4 aims of the Park.

We further object to the statement that this will be a 'sustainable' community. We see little reason why any significant degree of sustainability will be attained that could not be attained in any other area of new build housing.

Object to the statement that implies that An Camas Mor will not have significant effects on the environment or the overall integrity of the NSA. It is not clear what the CNPA considers would have an impact on the integrity of the NSA if an entire new town does not.

HEARING

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

Company

Policy/site Settlements - An Camas Mor

Representation to Deposit Plan

This area should remain undeveloped

CNPA analysis of objection to Deposit Plan

This site, previously allocated within the Highland Council Local Plan in 1997 has been considered a realistic concept to providing for the housing needs of the Badenoch and Strathspey area since the creation of the National Park Authority. Further information will be provided as a result of this review to detail the numbers of houses needed across the Park, and how these houses will be provided for local people at affordable prices and held that way in perpetuity. The development of An Camas Mor will require careful consideration to be given to the surrounding landscape and natural heritage interests and the CNPA will work closely with all involved to ensure this is done to an appropriate standard. Confirm existence of site within the current Highland Council Plan and so this plan has continued the allocation.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at An Camas Mor has not changed, and as such no modifications are 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
400i(c)	Dr A M Jones Badenoch and Strathspey Fiodhag Nethybridge PH25 3DJ	

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Aviemore EDI

Representation to Deposit Plan

This is an area of high quality environment. It is rich grassland (with some regenerating and established birch). It is immediately adjacent to further extremely high quality examples of habitats associated with the burn and surrounding woodland.

The recent site work has not 'trashed' the area at all. Two species of UK red listed vascular plants have been recorded on the site (September 2007) one classed as endangered the other as vulnerable and a third may be present on the site (best confirmed in Spring). There would appear to be potential for both to extend.

There is a significant assemblage of waxcaps (*Hygrocybe* species) > 6 species in one visit and including one PERL species. There are foodplants for some SBL butterfly species and the site would appear to be rich in invertebrates including bumblebees. In addition to a high density of rabbits (prey for EPS wildcat) there is evidence of use of the site by brown hare. The site provides foraging habitat for bats, and otter signs have been found near the site.

There are excellent views of the hills from the site, and the site is an important part of this high quality landscape. Turning a superb piece of habitat for wildlife, landscape and recreation into an industrial unit conflicts with the 1st and 3rd and 4th aims of the Park. Development would impact on the quality of experience for users of the Speyside Way and would degrade views for passengers on both railway lines.

CNPA analysis of objection to Deposit Plan

The comment is noted and a site visit will be undertaken to assess the qualities of the site, and compare this with the contribution it could make to employment within the village. Alternative sites for such provision will also be considered. The potential development will also be considered against the aims of the Park.

.Confirm land would require appropriate natural heritage surveys if demand for the site came forward. Further work with Natural Heritage staff required to clarify the position.

Response to 1st modifications

EDI Object to the inclusion of the north area that is presently not part of the industrial estate. This allocation conflicts with all 4 aims of the Park.

This is an area of high quality environment. It is rich grassland (with some regenerating and established birch). It is immediately adjacent to further extremely high quality examples of habitats associated with the burn and surrounding native woodland and woodland on the Ancient Woodland Inventory.

The site work in recent years has not permanently damaged the area. Two species of UK red listed vascular plants have been recorded on the site, one classed as endangered the other as vulnerable, and a third may be present on the site (best confirmed in Spring). There would appear to be potential for both species to flourish. There is a significant assemblage of waxcaps (*Hygrocybe* species) with > 6 species being recorded in one visit and including one PERL species. There are

foodplants for some SBL butterfly species and the site would appear to be rich in invertebrates including bumblebees. In addition to a high density of rabbits (prey for EPS wildcat) there is evidence of use of the site by brown hare. The site provides foraging habitat for bats, and otter signs have been found near the site (associated with the burn).

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

Maintain all objections

Aviemore

EDI Object to the inclusion of the north area that is presently not part of the industrial estate. This allocation conflicts with all 4 aims of the Park.

This is an area of high quality environment. It is rich grassland (with some regenerating and established birch). It is immediately adjacent to further extremely high quality examples of habitats associated with the burn and surrounding native woodland and woodland on the Ancient Woodland Inventory.

The site work in recent years has not permanently damaged the area. Two species of UK red listed vascular plants have been recorded on the site, one classed as endangered the other as vulnerable, and a third may be present on the site (best confirmed in Spring). There would appear to be potential for both species to flourish. There is a significant assemblage of waxcaps (*Hygrocybe* species) with > 6 species being recorded in one visit and including one PERL species. There are foodplants for some SBL butterfly species and the site would appear to be rich in invertebrates including bumblebees. In addition to a high density of rabbits (prey for EPS wildcat) there is evidence of use of the site by brown hare. The site provides foraging habitat for bats, and otter signs have been found near the site (associated with the burn).

The site is an important part of an area of very high quality landscape. At present it can be considered as a buffer between the existing industrial site and the superb landscape and habitats the other side of the fence. Such buffers should be encouraged by the CNPA, not destroyed.

There are excellent views of the hills from the site.

Turning an outstanding piece of habitat for wildlife, landscape and recreation into an industrial site conflicts with all 4 aims of the Park.

Development would impact on the quality of experience for users of the adjacent Speyside Way and would degrade views for passengers on both railway lines.

The site is an important part of an area of very high quality landscape. At present it can be considered as a buffer between the existing industrial site and the superb landscape and habitats the other side of the fence. Such buffers should be encouraged by the CNPA, not destroyed.

There are excellent views of the hills from the site.

Turning an outstanding piece of habitat for wildlife, landscape and recreation into an industrial site conflicts with all 4 aims of the Park.

Development would impact on the quality of experience for users of the adjacent Speyside Way and would degrade views for passengers on both railway lines.

HEARING

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

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

Company Reidhaven Estate
Policy/site Settlements - Aviemore ED I

Representation to Deposit Plan

Support the designation of the extension to Dalfaber Industrial Estate. This allocation will provide additional opportunities for industrial/business development within Aviemore.

Modifications:N/A

CNPA analysis of objection to Deposit Plan

No modification considered necessary as a result of this representation.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding this site has not changed. The footpath links remain an important consideration for any new development. Also the whole of the site is considered appropriate for development, both new and infill. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Aviemore ED2

Representation to Deposit Plan

This is an important area of semi-natural habitat including grassland, heathland, birch, aspen, juniper and Scots pine. It is readily accessible to many people and provides a good area for informal recreation including bikes and dog walking for which it is currently used.

It is used by bats.

Its relatively quiet, secluded and natural character provides an area where people can experience a sense of 'getting away from it all' right in the heart of Aviemore. The DLP refers to the importance of wildness in the CNP. We consider that wild and natural qualities in the countryside are vital qualities that play a significant role in enjoyment of the countryside. In a 'Park for all' the CNPA should be prioritising the retention of such areas in the environs of communities, so that people can experience getting away from it all and quiet solitude close to their homes, without this only being an experience for people who can go to the hills and the remoter parts of the NP.

These kinds of sites can be important for all ages and we note that ED2 is close to the proposed area for the new primary school. It would provide a highly valuable outdoor educational area accessible on foot to the school. It is worth noting that the proximity of the present primary school to Milton Wood, a high quality environment, facilitates delivering a high quality of environmental education at present.

The variety of habitats, their ecological high quality and relative naturalness, and for example the interesting features of ecological succession at this site make it of outstanding value for environmental education. These features cannot be reproduced.

The cumulative impact of land use changes at Aviemore should be considered by the CNPA. In recent years the large area associated with the new golf course has been substantially lost for walking and the landscape has been significantly downgraded; the Achantoul burn area has acquired a far more suburban character with the new housing development of Lochan Mor and the landscape quality and views have been degraded; and the building site at High Burnside has been lost for recreation and the highly attractive partially wooded landscape it supported has been destroyed. These losses of areas of quality countryside have occurred at the same time as an increased population, meaning increased numbers of people are seeking access to a diminished countryside.

CNPA analysis of objection to Deposit Plan

The comment is noted and a site visit will be undertaken to assess the qualities of the site, and compare this with the contribution it could make to employment within the village. Alternative sites for such provision will also be considered. The potential development will also be considered against the aims of the Park. The

Response to 1st modifications

This allocation conflicts with all 4 aims of the Park.

This is an important area of semi-natural habitat including grassland, heathland, birch, aspen, juniper and Scots pine. It is used by bats.

It is readily accessible to many people and provides a good area for informal recreation, including bikes and dog walking.

Its relatively quiet, secluded and natural character provides an area where people can experience a sense of 'getting away from it all' right in the heart of Aviemore.

Recent survey has highlighted the importance to people of wildness in the CNP. We consider that wild and natural qualities in the countryside are vital elements that play a significant role in enjoyment of the countryside. In a 'Park for all' the CNPA should be prioritising the retention of such areas in the immediate environs of communities, so that people can experience getting away from it all and quiet solitude close to their homes, without this only being an experience for people who can go to the hills and the remoter parts of the NP.

These kinds of sites can be important for all ages and we note that ED2 is close to a proposed area for the new primary school. It would provide a highly valuable outdoor educational area accessible on foot to the school. It is worth noting that the proximity of the present primary school to the high quality environment of Milton Wood has facilitated delivering a high quality of environmental education.

The variety of habitats, their ecological high quality and relative naturalness and consequent richness for biodiversity, and for example the interesting features of ecological succession at this site make it of outstanding value for environmental education. These features cannot be reproduced.

The cumulative impact of land use changes at Aviemore must be considered by the CNPA. In recent years the large area associated with the new golf course has been substantially lost for walking, birch woodland on the AWI has been destroyed and the landscape has been significantly downgraded; the Achantoul burn area has acquired a far more suburban character with the new housing development of Lochan Mor and the landscape quality and views have been degraded; the building site at High Burnside has been lost for recreation and the highly attractive partially wooded landscape it supported has been destroyed; the very attractive upper reach of the Milton Burn has also been lost for recreation due to this development.

These losses of areas of quality countryside have occurred at the same time as an increased population, meaning increased numbers of people are seeking access to a diminished countryside.

CNPA analysis of response to 1st modifications

No further action required.

allocation endeavours to provide for new development opportunities in support of the community, while preventing the further expansion of the village into the

response to 2nd modifications

open countryside. The site, within the current built up area is therefore considered appropriate for the proposed use. Object to ED2.

This allocation conflicts with all 4 aims of the Park.

This is an important area of semi-natural habitat including grassland, heathland, birch, aspen, juniper and Scots pine. It is used by bats.

It is readily accessible to many people and provides a good area for informal recreation, including bikes and dog walking.

Its relatively quiet, secluded and natural character provides an area where people can experience a sense of 'getting away from it all' right in the heart of Aviemore.

Recent survey has highlighted the importance to people of wildness in the CNP. We consider that wild and natural qualities in the countryside are vital elements that play a significant role in enjoyment of the countryside. In a 'Park for all' the CNPA should be prioritising the retention of such areas in the immediate environs of communities, so that people can experience getting away from it all and quiet solitude close to their homes, without this only being an experience for people who can go to the hills and the remoter parts of the NP.

These kinds of sites can be important for all ages and we note that ED2 is close to a proposed area for the new primary school. It would provide a highly valuable outdoor educational area accessible on foot to the school. It is worth noting that the proximity of the present primary school to the high quality environment of Milton Wood has facilitated delivering a high quality of environmental education.

The variety of habitats, their ecological high quality and relative naturalness and consequent richness for biodiversity, and for example the interesting features of ecological succession at this site make it of outstanding value for environmental education. These features cannot be reproduced.

The cumulative impact of land use changes at Aviemore must be considered by the CNPA. In recent years the large area associated with the new golf course has been substantially lost for walking, birch woodland on the AWI has been destroyed and the landscape has been significantly downgraded; the Achantoul burn area has acquired a far more suburban character with the new housing development of Lochan Mor and the landscape quality and views have been degraded; the building site at High Burnside has been lost for recreation and the highly attractive partially wooded landscape it supported has been destroyed; the very attractive upper reach of the Milton Burn has also been lost for recreation due to this development.

These losses of areas of quality countryside have occurred at the same time as an increased population, meaning increased numbers of people are seeking access to a diminished countryside.

HEARING

Objector Name Reidhaven Estate
4561 Seafield Estate Office
Cullen
Buckie
Banffshire

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

Company Reidhaven Estate

Policy/site Settlements - Aviemore ED2

Representation to Deposit Plan

Support the designation of the site to the south of the Technology Park as AV/ED2. This site could however also provide some potential for residential development (possibly affordable housing), particularly if there is a low take up of land for business.

Modifications: Amend text for AV/ED2 to include reference to 'The site may also be suitable for some residential use provided residential amenity can be secured and it does not prejudice the future development of the site for business use'.

CNPA analysis of objection to Deposit Plan

The issue of possible mixed use on sites has been raised elsewhere in the Plan and the potential to consider this site for such development will be included in the review. However the plan does endeavour to include sufficient land for the provision of opportunities for employment and the identification of this site for housing development may result in this aim not being met. If there is no demand for business use the allocation can be reviewed in the next local plan (2011)

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Para 7.2 clarifies the position regarding mixed uses on allocated sites. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Aviemore Highland Resort
435b

Agent Paull and Williamson
Investment House
6 Union Row
Aberdeen
AB10 1DQ

Company Aviemore Highland Resort
Policy/site Settlements - Aviemore ED3
Representation to Deposit Plan

The Aviemore Settlement map shows orange lines for what the Authority have termed “existing paths “ as proposed under a Core Path Initiative. The Local Plan explains that the Cairngorms National Park Authority is currently developing a plan of core paths for the Park and recognises that these are still draft proposals and that they may therefore be subject to change. It is assumed that the orange lines are the most up to date illustration of the proposed Core Paths to be included in the Initiative. Policy 34 — Outdoor Access confirms that “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 be permitted where an appropriate or improved alternative access solution can be secured to the satisfaction of the Planning Authority and Access Authority “. The Objector objects to the identification of the paths shown through the Resort on the Aviemore settlement map and the suggestion that these are “rights of way “. It is the Objector’s position that they are not. The paths shown in the Resort should be removed from the settlement map accordingly. Furthermore the text for Policy 34 should make it clear that the paths identified do not necessarily equate to established rights of way in terms of the Roads (Scotland) Act 1984. The Authority should not try to create access rights through the Local Plan by identifying lines on a map. It is premature to formally identify such paths before a consultation process under the Core Path Initiative has been carried out. As the Core Path Initiative is in its infancy the Local Plan should not try to pre-empt or obviate the opportunity for those interested parties being able to fully participate in a separate consultation process on the Core Path Initiative,

The Objector would be willing to discuss their objection with the Authority and the grounds of this objection will be expanded upon if it proceeds to Public Inquiry.

CNPA analysis of objection to Deposit Plan

The identification of core paths on the proposals maps was included for information only. The adoption of the core paths plan continues as a separate piece of work and in on way tries to imply anything other than additional information. On final adoption of the core paths network, information may be included on local plan maps again for information purposes only. Confirm core paths marked on the proposals maps were for information only, and this issue is being pursued through access legislation. While the two plans will work closely together the approval and adoption of core paths is done through the core paths plan.

Response to 1st modifications

CNPA analysis of response to 1st modifications
response to 2nd modifications

INQUIRY

Objector **Name** Aviemore Highland Resort
435a

Agent Paull and Williamson
Investment House
6 Union Row
Aberdeen
AB10 1DQ

Company Aviemore Highland Resort
Policy/site Settlements - Aviemore ED3
Representation to Deposit Plan

The Objector objects to the text in the Local Plan which accompanies the site designated as AV/ED3 on the Aviemore Settlement Map. The Objector welcomes the acknowledgement that the Aviemore Highland Resort will continue to develop and enhance its facilities. However the text then states that “closer links/access with the general community area should be developed and will be highlighted by a revised Aviemore Master Plan

As the Authority will be aware, the Objector has been involved in an Enforcement Notice Appeal (Reference P/ENA/OOI/2-1) over the erection of contractors compound fencing and boundary fences on land west of Grampian Road, Aviemore. As part of the submissions for that Appeal the Objector has rejected any suggestion of there being public rights of way either along any of the footpaths or along any part of the link road in the Aviemore Highland Resort. The reference therefore to “closer links/access with the general community” is misleading. At the time of submission of this objection, the decision on the Appeal is still awaited. It is clear that the Community at present do not have any general access rights around the resort. The resort is not open to the public in the sense of being part of the general community of Aviemore. Therefore the text suggesting “closer” links are to be established is proceeding on a fundamental misapprehension of current access rights. The closer links/access that the Plan looks for will only be provided in a way which is compatible with the objectives of the Resort and the current lack of general access rights to the resort. The Objectors seeks removal of the text accordingly.

Furthermore given the Objectors commitment to developing and enhancing facilities at the Resort, the Objector wishes to ensure that they are fully consulted and involved in the preparation of the Aviemore Master Plan referred to in the text for the AV/ED3 designation. The Plan needs to make the Objectors involvement in such a Master Plan more explicit.

CNPA analysis of objection to Deposit Plan

The comments are noted but the wording was not intended to in any way mislead or imply that anything was required on the site outside the normal access rights legislation. CNPA will continue to work closely with AHR to ensure an approach to development in Aviemore is adopted which meets the aspirations of the whole community, both through close working relationships with AHR and through the ongoing work on the development of a new Aviemore Masterplan for the settlement as a whole, and the ongoing extensive consultation with AHR in this regard will continue..

Response to 1st modifications

CNPA analysis of response to 1st modifications
response to 2nd modifications

INQUIRY

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Aviemore Env

Representation to Deposit Plan

Object that the burn side area between garden boundaries and settlement boundary in north east is not designated as open space.

Object that the areas to the west and east of the sewage works are not included as Open Space. The area to the west of the sewage works is good habitat with abundant juniper, provides a valuable landscape feature and makes an important contribution to the quality of recreation experience. The area to the east is important linking habitat with the riverside woodland.

CNPA analysis of objection to Deposit Plan

The comments are noted and a site visit will be undertaken to assess the role the land in question plays as open space. In the event that it is considered to add positively to the character of the area, and is an area of open space, the appropriate modifications will be made to the proposals map. In the event that the land does not constitute open space the contribution it makes to the settlement will be assessed, and an alternative allocation considered to protect it and the contribution the land makes to the character of the settlement. Confirm land to east is completely within 1:200 flood maps and would not therefore be appropriate for development.

Response to 1st modifications

Areas classed as Environment should be protected from any built housing, industrial or employment development and this should be unequivocally stated in the mDLP. 'Adverse' alone is too open-ended. It should be clear to developers that Environment areas are not available for built development.

Further Objections

Land adjacent to the north settlement boundary of Aviemore and east of the main road should be designated as Environment to make it clear that Aviemore will not spread further northwards across the Achantoul burn.

All the land within the settlement boundary surrounding the path between Milton Wood and the main road (part of the original orbital path) should be zoned as Environment to protect the environs of this important path.

These are both very important areas in terms of the setting of Aviemore and the quality of landscape, biodiversity and recreation. In view of how much quality countryside has already been lost in and around Aviemore during the CNPA's 5 years, it becomes all the more imperative that the CNPA secures these remaining areas for public use.

A buffer zone of Environment land should be secured around the north boundary of Craigellachie NNR.

The Milton (or Aviemore) Burn is an important water course, supporting otter and lamprey and providing a wonderful place for the public to play and enjoy that should receive specific protection in this Plan. During the CNPA's watch it has been badly impacted upon where it flows through the High Burnside development; it

is very vulnerable to further major negative impacts from two other recently consented developments beside it.

CNPA analysis of response to 1st modifications

The Env allocation is explained in para 7.12 where the wording states 'they are protected from development.' No further modification is therefore proposed.

response to 2nd modifications

AV/Env Object.

Areas classed as Environment should be protected from any built housing, industrial or employment development and this should be unequivocally stated in the mDLP. 'Adverse' alone is too open-ended. It should be clear to developers that Environment areas are not available for built development.

Further Objections

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The Milton (or Aviemore) Burn is an important water course, supporting otter and lamprey and providing a wonderful place for the public to play and enjoy that should receive specific protection in this Plan. During the CNPA's watch it has been badly impacted upon where it flows through the High Burnside development; it is very vulnerable to further major negative impacts from two other recently consented developments beside it.

HEARING

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

Policy/site Settlements - Aviemore general

Representation to Deposit Plan

AV/OS1 – Support. Aviemore has lost much of its open space in recent years and what little remains must be protected. It is good to see Milton Wood receiving protection, however, the protection should extend both sides the burn downstream from the wood. The burn contains lamprey, and is used by otters, a European protected species.

AV/H1 - Object Contrary to the first aim of the Park.

AV/H2 – Object Contrary to the first aim of the Park.

AV/H3 – Object Contrary to the first aim of the Park.

AV/ED1 - Object Contrary to the first aim of the Park.

AV/ED2 - Object Contrary to the first aim of the Park.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The allocations are in line with the need to provide housing land within the area, and the design of each site will need to comply with all relevant policies of the plan, and the 4 aims of the park to secure permission. The allocations are not therefore considered to conflict with the Park aims.

Confirm support for open space, and confirm OS1 is intended to protect land used as open space rather than the line of the burn, which is within the 1:200 SEPA flood maps.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

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

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

Company Reidhaven Estate
Policy/site Settlements - Aviemore general

Representation to Deposit Plan

Aviemore - AV/H2, AV/H3 AND AV/OSI

It should be noted that there is a planning consent for the site, covered by H2, H3 and OSI designation that is currently at the Court of Session with a decision due. The plan will need to be aware of this and alert to what this contains.

An emergency secondary access road will be required to service any development at H3 exiting onto Spey Avenue and this should be reflected in the text in the plan.

AV/H2- The Estate supports the principle of the allocation of H2 for residential development; however object to the capacity being limited to 10 dwellings. There are sufficient opportunities within the clearings to ensure the management of the woodland whilst meeting residential demand. The area allocated as H2 should be expanded further to the south as there are other opportunities for development within the clearings without impacting on the integrity of the area.

AV/H3- The Estate supports the principle of the allocation of H3 for residential development; however object to the capacity being limited to 70 dwellings. The site is capable of accommodating around 110 units. These numbers were indicated in the previous local plan and there is demand in the local area. The site can easily accommodate these numbers. The area allocated as H3 should also be extended further west (as per enclosed plan) as this is an arbitrary boundary.

AV/OSI- The Estate objects to the extent of area designated as AV/OSI.

No part of this woodland is designated for birch woodland interest and therefore whilst the Estate acknowledge and support some protection for the local importance there is no basis for designating such a large area. Any development for H2 will need to work within the existing woodland clearings and by reducing the area designated as OSI will provide greater opportunities to provide a development that integrates well with its setting and ensures the long term management of the trees.

The question of how this area is to be maintained in the future is not addressed in this local plan and this causes some concern.

Modifications:

AV/H2 - Capacity of this site should be amended to 20 dwellings and proposals map amended to increase the allocation (see attached)

AV/H3 - Capacity of this site should be amended to 110 dwellings and proposals map amended as attached. Amend text to include reference to emergency access road being required to exit onto Spey Avenue.

AV/OSI - The area allocated as open space should be reduced in order to provide further opportunities for development within the clearings where appropriate.

CNPA analysis of objection to Deposit Plan

The sites referred to have outline consent extant, and amendments to the Plan will take specific note of the current position regarding detailed planning applications submitted and determined. Where applications are submitted prior to the determination of the CNPA local plan, and its role agreed as material in the consideration of applications, applications will continue to be assessed under the terms of the Highland Council Plan. Where possible the local plan will be used to influence the

scale and design of future developments and ensure appropriate levels of affordable housing provision and open space are provided. In the case of sites within Aviemore the ruling of the Reporter will influence the allocations on the sites referred to, and further advice will also be sought from the Natural Heritage Section to ensure an appropriate level of development is secured. Confirm that additional land is not considered necessary as there is adequate land allocated to meet the need within the 5 year period of the plan.

Response to 1st modifications

Objection maintained. Amendments as per previous representation. Remove details and reference to current applications. Alter text for H2 and H3 to read 'Development of this site will need to work within'

AV/H2 and H3 - We support the inclusion of this paragraph to reflect the extant permission for both sites as a whole.

AV/H2 - We support the deletion of the reference to capacity for ten dwellings, given the existing permission. Whilst we support the recognition of the current application for the sites we have some concern that reference to current applications would make the plan outdated very quickly and would therefore suggest this reference be removed and only existing permissions referred to.

The modifications refer to 'The consideration of reserved matters on this site will' The current outline applications have already taken into account a number of these issues, including submission of a flood risk assessment. We would therefore suggest that this sentence be altered to the previous working which reads 'Development of this site will'

AV/H3 - We support the deletion of the reference to capacity for 70 dwellings, given the existing permission. As outlined above we have some concern about the reference to current applications and wording.

ENV - As referred to in our existing representation we have some concern regarding the extent of area covered by the ENV designation (previously OS) however consider that this zoning is more appropriate than the previous designation as Open Space, as the area is not formal open space.

CNPA analysis of response to 1st modifications

The position regarding these sites has not changed. No further modifications are therefore proposed at this time.

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Aviemore general

Representation to Deposit Plan

There should be no further destruction of the native woodland on the west side of the A9. The Burnside development should never have been permitted.

CNPA analysis of objection to Deposit Plan

Land to the west of the A9 is not allocated within the Plan for additional development. No modification considered necessary as a result of this representation. Confirm that no new allocations fall outwith the areas described.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

There are no such proposals. No 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** The Clouds Partnership
398e Kinakyle
 Aviemore

Agent John Wirght
Strutt and Parker
28 Melville Street
Edinburgh
EH3 7HA

Company

Policy/site Settlements - Aviemore general

Representation to Deposit Plan

Settlement Proposals

6.1 The Clouds Partnership wish to strongly object to the proposed alteration to the identified settlement boundary for the Strategic Settlement at Aviemore. The Deposit Local Plan proposes a change to the settlement boundary for Aviemore, moving the previously identified boundary northwards to the north of the B970 and the Speyside Leisure Park. The southern boundary of Aviemore had previously been identified as lying on the southern extremity of the Speyside Leisure Park and to the east of the B9152. The Clouds Partnership request that the settlement boundary of Aviemore be reinstated to that set out in the consultation version of the Cairngorm National Park Local Plan.

6.2 The Clouds Partnership wish to object to the following proposals as set out in Section 7 Strategic Settlements, Aviemore of the Cairngorm National Park Deposit Local Plan.

- Site ABIH1 — This site lies within the SEPA Flood Risk Area, and although the site already has Outline Planning Consent for 120 dwellings this housing allocation should not be considered wholly effective for the five year plan period.
- Site ABIH2 — This site lies partially within the identified SEPA Flood Risk Area. It has an identified Local Plan capacity for approximately 10 dwellings, and cannot be considered wholly effective in the five year plan period.
- Site AV/H3 — This site has an identified Local Plan capacity for approximately 70 dwellings. Part of the site lies within the SEPA Flood Risk Area, and therefore cannot be considered wholly effective during the plan period.

Comment

6.2.1 The Local Plan has identified a five year target of 250 housing units. Table 4 in the Local Plan has identified that there are approximately 220 units with consent but not yet built in Aviemore, and an indicative capacity of 80 units on sites identified in the Local Plan, giving a total capacity of 300 units in Aviemore. However, as each of the sites with either consent or indicative capacity is subject to Flood Risk Analysis, none of them can be considered wholly effective. On that basis, and in order to provide an ongoing five year supply of housing land during the lifetime of the Local Plan further housing sites should be identified in, or adjacent, to the strategic settlement of Aviemore.

6.2.2 On the basis that each and every site with either planning consent or capacity for residential development in Aviemore is subject to the SEPA Flood Risk Area and detailed flood risk assessments will be required. It would be prudent to assume that not every one of the 300 housing units identified will be delivered during the 0 to 5 year period. Additional housing land could, and should be identified to ensure that effective sites are available to provide the required housing units in the 0 to 5 year plan period.

6.2.3 The Clouds Partnership would submit that land at Kinakyle is available and effective with a 0 to 5 year plan period requirement, and thus the subject site at Kinakyle could and should be identified as an effective housing site in the Deposit Local Plan.

Although itself subject to the SEPA Indicative Flood Risk Area, there is approximately 20 hectares of flat accessible land available for residential and associated development.

Land at Kinakyle is capable of being an integral part of the town of Aviemore as opposed to a separate village and is less sensitive in terms of visual impact.

6.2.4 Kinakyle immediately adjoins an existing built element of Aviemore town despite the proposed change to the settlement boundaries set out in the Deposit Local

Plan and thus is a logical extension to the existing built form of the town of Aviemore.

Conclusion

7.1 The Clouds Partnership continue to object to the over-reliance of the Cairngorms National Park Deposit Local Plan on An Camas Mor for the provision of housing numbers at Aviemore, and would urge the Cairngorms National Park Authority to allocate land at Kinakyle, Aviemore as an effective housing site in the emerging Local Plan.

CNPA analysis of objection to Deposit Plan

CNPA will work closely with SEPA to establish the effectiveness of all sites within the Local Plan which are within the 1-200 year flood risk maps, and ensure that following such discussions, appropriate levels of land are allocated and effective to comply with the relevant requirements of effective land supply. Confirm that the boundary has been moved to reflect land referred to included only land to be protected as environmentally significant and no development was envisaged here. This change clarifies the position. Include up to date position regarding extant permissions and submitted applications yet to be determined. Reflect accurate boundaries of development sites in proposals maps. On going work with SEPA will ensure effectiveness of the land in question. Confirm that additional land is not considered necessary as there is adequate land allocated to meet the need within the 5 year period of the plan.

Response to 1st modifications

Please find enclosed completed objection forms for the above consultation. From the enclosed you will see that we have maintained our objections to the following:

Policy 1 - development in the Cairngorms National Park

Table 4 - phased land supply

S7 Settlement proposals - Aviemore

S7 Settlement proposals - An Camas Mor

We look forward to hearing from you to discuss these objections in more detail.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land in the settlement of Aviemore has not changed, and as such no modifications are proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Aviemore Highland Resort Ltd
441 Aviemore
 PH22 1PN

Agent G H Johnston Building Consultants
Willow House
Stoneyfield Business Park
Inverness
IV2 7PA

Company Aviemore Highland Resort Ltd
Policy/site Settlements - Aviemore general
Representation to Deposit Plan

Aviemore Highland Resort Ltd (AHR Ltd) is anxious to progress its master plan for the remaining undeveloped parts of the Resort and to work with the Cairngorms National Park Authority and Highland Council on integration of this with the revised Urban Design Strategy, currently being prepared by Land Use Consultants. However, there are a number of areas which are at odds with our clients' master plan layout as submitted in support of a planning application. These are indicated on the attached copy of the master plan and are as follows: -

H1 — The housing allocation boundaries constrain the layout plan as submitted by Tulloch Homes Ltd (refs. 05/304/CP and 05/306/CP).

C2 — Where AHR Ltd's preference is for a mix of residential and business/office uses. The provision of more general business and commercial floorspace and housing in the northern part of the area owned by AHR Ltd will help:

- expand the centre of the village;
- attract much needed all year round employment and so diversify the local economy; and
- provide a wider range and higher density of much needed housing. AHR Ltd's preference is for the public park to be located between the Four Seasons Hotel and Grampian Road. In this connection we object to the location of the public park as shown on the Draft Local Plan Inset Map and covered by AV/C2. This matter requires further detailed consideration in the course of progressing the revised Urban Design Strategy.

OS1 — In this area AHR Ltd seeks to expand the Resort through the provision of more holiday lodges sited in the woodland as well as indoor leisure uses, possibly a go-kart track and small curling ice rink. The allocation also fails to take account of the area indicated for the lodges on the plan forming part of the 2003 Minute of Agreement for the Master Plan accompanying the relevant outline planning consent.

As they stand the proposed allocations do not give sufficient flexibility to accommodate the proposed uses for the area in the AHR Ltd master plan or the emerging Urban Design Strategy.

We also ask you to consider this objection in relation to the one lodged by Paull and Williamsons on behalf of Macdonald Hotels Ltd in respect of the indication of footpaths on the Inset Map and the reference in the Written Statement at AV/ED3 to developing closer links/access with the general community area.

Modifications:

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

1. Modify the boundary of H1 to reflect the current Tulloch Homes layout proposals.
2. Delete C2 and the area covered by OS1 south west of the Four Seasons Hotel from the Inset Map.
3. Extend of the area covered by ED3 to incorporate areas C2 and OS1 plus land to the south, east and north of the Four Seasons Hotel (towards the Academy Hotel), the supermarket site and land lying between the northern access road and the Aviemore Bum.

In the Written Statement delete AV/C2 but insert reference to the creation of a public park at ED3. We suggest modification of the statement at ED3 to read: Aviemore Highland Resort will continue to develop and enhance its facilities. Links/access with the general community area, the provision of a public park and integration with existing woodland will be considered in the context of the Core Paths Plan and the revised Urban Design Strategy and Resort Master Plan. Die

opportunity also exists to expand the village centre through the development of a new supermarket, specialist retailing, business/office space and higher density housing in the north eastern area. Part of the land site lies within SEPA 's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will therefore be required to accompany any development proposals for this site.

CNPA analysis of objection to Deposit Plan

The comments regarding land allocations within AHR ownership are noted. The wording and boundaries of these proposals will be reviewed in light of the ongoing work on the Aviemore Masterplan and the outstanding planning applications for the site. Where permissions are granted prior to adoption this will be reflected in the proposals maps. Where this is not the case the impact of the Masterplan for the village as a whole will be used to ensure that a co-ordinated approach is taken to guide future development in the village. CNPA will continue to work closely with AHR to ensure an approach is taken which is acceptable to all parties.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications response to 2nd modifications

Thank you for your letter dated 5th November 2008 and enclosures.

Having considered this, I am not satisfied that the objections (dated 27th September 2007) in respect of the first Modifications have been adequately addressed.

These sought adjustments to the Proposals Map (Aviemore) and some explanatory text.

In so far as the Second Modifications indicate, I understand matters to be as follows:

H1 has been adjusted in part, but does not reflect the full extent of the deficiencies which were identified for the Park Authority's consideration.

C2 remains as was. The adjustment suggested to the Park Authority which would embrace C2 within the wider masterplan (ED3) is not addressed nor explained. As it stands, C2 is not consistent with the emerging masterplan. In similar vein, the parcel previously annotated OS1, south west of the Four Seasons Hotel, is not embraced as part of ED3, as suggested. Rather it is now annotated ENV and may be less favourable to the AHR interests for that. The suggested text changes to ED3 are not made.

In addition, land north and south of the AHR also suggested as being suitable for embracing within ED3 is neither addressed nor explained.

The objections lodged on behalf of AHR are therefore sustained. In addition, the above change from OS to ENV potentially adversely affects the AHR interest and we therefore lodge objection to that second modification.

Your letter invites confirmation that the objection would be heard in a verbal session, as previously intimated. I confirm this and am content with an informal hearing rather than formal Inquiry.

HEARING

Objector **Name** Mrs Audrey MacKenzie **Agent**
416e Aviemore and vicinity Community
 Tamsdunchus
 10 Dalfaber Road
 Aviemore,PH22 1PU

Company Aviemore and vicinity Community Council

Policy/site Settlements - Aviemore general

Representation to Deposit Plan

Will the CNP be following the principles of the Gillespie Plan, for Aviemore?

CNPA analysis of objection to Deposit Plan

The Aviemore Masterplan will ultimately be adopted as supplementary guidance to support the policies of the Local Plan. No modification considered necessary as a result of this representation.

Response to 1st modifications

We are disappointed to see that Kinakyle is still out of the Aviemore Boundary and appears to have been included with Kinraig and the Kinrara Caravan Park.

ED1 we note will encroach over the burn into the woodland onto the Speyside Way.

C2 we note that AHR have now put retail units and flats onto this area. Ninety per cent of this area will be built on - hardly a public park.

H2 and H3 reserved matters - we believe that consideration of reserved matters assumes that the outline planning application has been approved. As the latest outline planning applications have not been determined, consideration of reserved matters is not relevant. We need to clarify whether or not you are talking about reserved matters in relation to the extra outstanding applications?

CNPA analysis of response to 1st modifications

The settlement boundary of Aviemore has been drawn to reflect the main built up area and has not been extended beyond the roundabout to clarify that development beyond that point would not be appropriate. The comments regarding ED1 and C2 are noted. Regarding H2 and H3 the consideration of applications continues. The court of session ruling on these site is also relevant. The allocation therefore refers to land as established appropriate for development by virtue of the Court of session ruling. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Mr Martin Reed(DAG) **Agent**
126a Dalfaber Action Group
 35 Callart Road
 Aviemore
 PH22 ISR

Company Dalfaber Action Group

Policy/site Settlements - Aviemore H2

Representation to Deposit Plan

I object to the proposal to allocate the land designated as AV/H2 for housing development. Development would result in an irreversible and irreplaceable loss of amenity and recreational area.

The site is designated as Elevated Land and the Cairngorms Landscape for Housing Study considers development inappropriate in landscape terms. CNPA Visitor Service and Recreation Group state that development would inevitably change the nature of the site and remove the important green barrier between existing housing and the new golf course. CNPA Natural Heritage Group raise concerns and suggest that any development within the woodland area should be excluded from development.

Part of the site is within the SEPA 1 in 200 year flood plain. Development should be prevented in areas of flood risk especially considering current climatic change. The access route (Dalfaber Drive) and its associated level crossing is incapable of coping with any further increase in traffic.

Comments by CNPA planners that all land designated for development need not necessarily be developed is simply an exercise in attempting to artificially reduce the density of any development by increasing the area of land designated for housing. Land that is not to be developed should be shown as such in the Local Plan. Designation of this area for development is contrary to the Aims of the National Park.

Changes being sought

Designate the entire section AV/H2 as amenity woodland

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

Thank you for your letter to Martin Reed regarding Dalfaber Action Group's objections to your proposals for H2 and H3, Dalfaber Aviemore.

Would you confirm, by return, that the Board will be considering the Modifications to the Deposit Local Plan in full knowledge of the extent of the objections to your proposals.

We particularly concerned, as we have indicated in our communication of 28 Feb 2008, over the blanket approach given to zoning in H3. Your proposed modification to H3 does not mention 'ensuring that any development will minimize the loss of trees and retain natural screening' it merely notes that a flood risk assessment will be required.

The area to the immediate south of the present access track is currently zoned in the Local Plan as Amenity Woodland and should remain so in the CNPA Local Plan.

The area between Heather Cottage and the access track has been identified by the CNPA Natural Heritage Group as an area to remain undeveloped.

We have further concerns regarding the exact boundary between H3 and OSI

We also maintain our objection to any development within H2

It would appear that the consultation process has failed in its statutory duty to take into consideration the feelings of the local community and appears to be unduly influenced by the aspirations of the landowner/developer.

CNPA analysis of response to 1st modifications

The CNPA position regarding allocations at H2 in Aviemore Spey has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

I would like it known that our objections to the new Local Plan stands as per the original objections.

I would also like to make it known that the Action Group would like to go down the Formal route at the Local Plan Inquiry, and we are consulting our legal advisers to how best to do this.

INQUIRY

Objector 432b	Name Jim Cornfoot 63 Corrou Road Aviemore PH22 ISS	Agent
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Company

Policy/site Settlements - Aviemore H2

Representation to Deposit Plan

I object to this land being used for more unneeded housing in Aviemore. This is on an historical flood plan. The land is used by local residents for access and recreation. The woodland is an important habitat for wildlife.

The local plan should consider building any developments near the River Spey which is an important river system.

Modifications to resolve this objection –

The woodland around Dalfaber should be protected and a natural corridor with no development should be maintained along the River Spey.

Designate AV/H2 as amenity woodland.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector 063b	Name Catharine Hilary Mordaunt 62 Corroul Road Aviemore PH22 ISS	Agent
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Company

Policy/site Settlements - Aviemore H2, H3

Representation to Deposit Plan

Ownership of second homes in Strathspey is killing local communities and damaging the cultural heritage of the Park. Ownership of second/holiday homes should be more restricted, though how this may be achieved is very difficult. It seems a shame to turn Strathspey into a housing development in order to provide housing for people who will not contribute positively to the communities and cultural heritage of the area; this will also damage the natural heritage and the reasons why the Park is special.

What steps are needed to resolve this objection: the whole area covering H2 and H3 in Aviemore needs to be allocated as Open Space.

Second home ownership and the construction of new homes to meet this demand needs to be limited. I do not know how this might be achieved – it is a highly contentious issue. The requirement for new developments to have such a high level of 2 and 3 bedroom property and affordable housing is helpful in addressing this, but I feel this policy needs to be taken further.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

With regard to the representation I made, I do not find the modifications have addressed these satisfactorily as most of the land in question is still zoned for development.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

Objector	Name	Agent
032	R M Lambert 3 Corrou Road Aviemore PH22 ISS	

Company

Policy/site Settlements - Aviemore H2, H3

Representation to Deposit Plan

My house, which the family has owned since new, more than 20 years, backs onto the area designated as AV/OS1 and is situated at the crossroads of the existing paths marked in brown on the map on page 63 of the Deposit Local Plan. My house windows overlook the path as it passes into the existing housing area of Corrou Road and Callart Road. I am therefore in a unique position to see that a very large number of local folk and visitors use this path to access the open space between the existing housing and the river Spey. In fair weather, there is rarely more than 10 minutes without somebody walking or cycling by.

We have seen access to this open space slowly erode since the closure of Dalfaber farm by the construction of the golf course and the consequent destruction of the old paths by the river and the restrictions to access created by the golf course management. For example, a swing gate has been placed in the new fence across the path passing through AV/CS1 just as the path leaves the woodland to cross the golf course. This gate used to be an open farm gate, now it is difficult to negotiate with a bicycle due to its narrowness. Over the last 20 years we have seen all of the area AV/H2, AV/OS1 and AV/H3 develop into a mature birch woodland with a good mix of young and old trees, a positive benefit to the Aviemore community. Previously, the grazing cattle kept new growth to a minimum. We would therefore object to any further loss of this open amenity area and would seek to maintain the woodland in its entirety.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

Thank you for your recent letter enclosing a map and explanation of the amended proposals for Aviemore. It has occurred to me that there are 2 matters which you may not be aware of:

1. the env area between AV/H2 and AV/H3 contains a badger set with at least 2 badgers in residence
2. there is at least one wildcat resident somewhere in the area.

I saw the wildcat about 2 weeks ago in good daylight. I was driving slowly (say 25mph) down Dalfaber Drive and as I was approaching the junction with Corrou Road, the wildcat walked slowly across the road in front of my van. I coasted quietly to a halt and the wildcat also stopped on the grass beside the road on the driver's side and looked at me. My door window was up and I left it that way. The wildcat was sideways on to my view, looking back over its shoulder at me, at a distance of 3 metres or so. I had maybe 20 seconds to observe it closely. This is the first time I have ever seen a wildcat. It looked big and quite fierce compared with a domestic cat. I did not feel inclined to get out of the van.

CNPA analysis of response to 1st modifications

The CNPA position regarding H2 and H3 in Aviemore has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

I have read the amendments to the wording of the Plan and can see no problems there. I wish to maintain my original objection to the designation of housing H2 and H3 on the woodland to the north east of Dalfaber. I may amplify my previous objection as a written representation to the Reporter. I enclose copies of my previous objection letters.

One additional point has occurred to me. If you look at the Aviemore map enclosed I have highlighted in pink, an open space amongst the existing housing. This area was originally left as an amenity area by the developers (Barratts) and was maintained by them (grass cutting, general tidying up) for many years. The trees and shrubs have since matured and the area is now in a fairly wild state. I feel it should receive attention from your green pen and have ENV status awarded, to protect this small enclave of greenery from any future housing development.

WRITTEN

Objector 063a	Name Catharine Hilary Mordaunt 62 Corrou Road Aviemore PH22 ISS	Agent
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Company

Policy/site Settlements - Aviemore H2, H3

Representation to Deposit Plan

This whole area should be designated open space. The extent of housing in this area is unacceptable. The development of the golf course has already severely restricted recreation in this area; housing in what is currently open space will mean people will have to get in their cars and drive in order to access enough open space for their immediate requirements. This would be contrary to the sustainability objectives of the Plan.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

With regard to the representation I made, I do not find the modifications have addressed these satisfactorily as most of the land in question is still zoned for development.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Aviemore H2, H3

Representation to Deposit Plan

Object to H1, H2, H3 as conflict with 1st and 3rd aims of the Park, and arguably with all 4 aims.

CNPA analysis of objection to Deposit Plan

The policy wording and its delivery aspirations will be cross checked against all the aims of the Park to ensure that no conflict or contradiction exists. Where there is any such contradiction the appropriate changes will be made to the wording in the Local Plan. The allocations are in line with the need to provide housing land within the area, and the design of each site will need to comply with all relevant policies of the plan, and the 4 aims of the park to secure permission. The allocations are not therefore considered to conflict with the Park aims.

Response to 1st modifications

Object. These allocations conflict with all 4 aims of the Park.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

Objector
432a

Name Jim Cornfoot
63 Corrou Road
Aviemore
PH22 ISS

Agent

Company

Policy/site Settlements - Aviemore H3

Representation to Deposit Plan

I object to this land being used for more unneeded housing in Aviemore. This is on an historical flood plan. The land is used for recreation and the woodland is a valuable habitat for wildlife.

The local plan should not build more housing near the River Spey which is an internationally important river system.

More housing in Aviemore will jeopardise tourism as the villages in Badenoch and Strathspey are growing too big too fast, visitors don't want to holiday in sprawling housing estates.

Modifications to resolve this objection –

Protect the woodland around Dalfaber

Reduce the number of houses being considered for development around Aviemore

The majority of housing should be designated affordable for local people.

Designate AV/H3 as amenity woodland.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** Mr Martin Reed(DAG) **Agent**
126b Dalfaber Action Group
 35 Callart Road
 Aviemore
 PH22 ISR

Company Dalfaber Action Group

Policy/site Settlements - Aviemore H3

Representation to Deposit Plan

I object to the proposal to allocated the land designated as AV/H3 for housing development. Development would result in irreversible and irreplaceable loss of amenity and recreational area.

Development would inevitably change the nature of the site and remove the important green barrier between existing housing and the new golf course. The Cairngorms Landscape Capacity for Housing Study concludes that the site has no opportunity for development and that any development would have a significant impact on the Cairngorms Mountains National Scenic Area and development would therefore be inappropriate in landscape terms.

CNPA Natural Heritage group state that the land between Heather Cottage and the existing access track should not be developed. The area to the south of the access track should be retained as amenity woodland as it has been in the previous local plan.

There is historical evidence that Dalfaber farmhouse has been flooded within a 1 in 100 timetable proving that the SEPA 1 in 200 year flood map is inaccurate. Development should be prevented in areas of flood risk, especially considering current climatic change.

The access route (Dalfaber Drive) and its associated level crossing is incapable of coping with any further increase in traffic.

Comments by CNPA planners that all land designed for development need not necessarily be developed is simply an exercise in attempting to artificially reduce the density of any development by increasing the area of land designated for housing. Land that is not to be developed should be shown as such in the local plan.

Designation of this area for development is contrary to the Aims of the National Park.

How would objection be resolved: designate the entire section AV/H3 as amenity woodland.

CNPA analysis of objection to Deposit Plan

The modifications need to reflect the latest position regarding the extant permissions, and currently submitted but yet to be determined applications which will be determined under the Highland Council local plan. The need to respect the role the site plays in creating a setting for Aviemore should be retained. The importance in assessing the flood risk in the determination of any application on the site should also be retained.

Response to 1st modifications

Thank you for your letter to Martin Reed regarding Dalfaber Action Group's objections to your proposals for H2 and H3, Dalfaber Aviemore.

Would you confirm, by return, that the Board will be considering the Modifications to the Deposit Local Plan in full knowledge of the extent of the objections to your proposals.

We are particularly concerned, as we have indicated in our communication of 28 Feb 2008, over the blanket approach given to zoning in H3. Your proposed modification to H3 does not mention 'ensuring that any development will minimize the loss of trees and retain natural screening' it merely notes that a flood risk assessment will be required.

The area to the immediate south of the present access track is currently zoned in the Local Plan as Amenity Woodland and should remain so in the CNPA Local Plan.

The area between Heather Cottage and the access track has been identified by the CNPA Natural Heritage Group as an area to remain undeveloped.

We have further concerns regarding the exact boundary between H3 and OSI

We also maintain our objection to any development within H2

It would appear that the consultation process has failed in its statutory duty to take into consideration the feelings of the local community and appears to be unduly influenced by the aspirations of the landowner/developer.

CNPA analysis of response to 1st modifications

The CNPA position regarding allocations at H3 in Aviemore Spey has not changed. It is therefore not proposed to add any second modification or amendment to these allocations.

response to 2nd modifications

I would like it known that our objections to the new Local Plan stands as per the original objections.

I would also like to make it known that the Action Group would like to go down the Formal route at the Local Plan Inquiry, and we are consulting our legal advisers to how best to do this.

INQUIRY