

Objector **Name** C P Group
459b

Agent Jules Hall
Indigio Planning Limited
36 Park Row
Leeds
LS1 5JL

Company C P Group
Policy/site Settlements - Nethy Bridge
Representation to Deposit Plan

Indigio Planning is instructed by CP Group to maintain representations made to Cairngorms National Park Authority Deposit Local Plan (“the Deposit Plan”), made on two previous occasions, dated 4 February 2005 and 10 February 2006. These previous representations are attached for ease of reference.

These further representations are submitted to the National Park Authority in respect of land lying 60Gm to the north east of the identified settlement boundary of Nethy Bridge, Strathspey. Our client is seeking to promote the site to provide self-catering tourist accommodation in the form of a maximum of 20 wooden lodges. The development will employ sustainable construction techniques and utilise sustainable materials from local sources wherever possible. In addition, it is proposed that the lodges will be energy efficient, making use of sustainable energy production technologies and appliances. The demand for self-catering tourist accommodation is identified in Indigio’s two previous representations.

These representations relate to policies within the Deposit Plan which affect the development of tourist accommodation. The policies considered are:

- Policy 1 — Development in the Cairngorms National Park
- Policy 4—Other Important Natural and Earth Heritage Sites and Interests
- Policy 7— Landscape; and
- Policy 33—Tourism Development

CP Group supports the Deposit Plan approach where it encourages tourism development that enhances the range and quality of facilities that has a beneficial impact on the economy. However to ensure a consistent approach with the National Parks (Scotland) Act 2000 (“the National Parks Act”), CP Group considers that equal weight should be given to all the stated aims of the National Park. CP Group is seeking the allocation of its land for tourist accommodation at Nethy Bridge, in the absence of any available land within the settlement boundary.

Summary of Representation

Indigio maintains its representations made previously to the Deposit Plan. Policy 1 of the Deposit Plan should be consistent with legislation contained in the National Parks Act and give equal weight to the four aims of the Park. Tourism is a significant contributor to the local economy and there is a recognised demand for self-catering accommodation, the largest single form of tourist accommodation in the area. The Deposit Plan recognises that due to physical constraints Nethy Bridge cannot accommodate the proposals within the settlement limits. It states that tourism developments should be located within or adjacent to existing settlements. The proximity of the site to Nethy Bridge and its ability to accommodate self-catering tourist accommodation will help to satisfy existing demand and benefit the local economy and would be compliant with other policies in the National Park Authority Deposit Local Plan.

In the absence of suitable and available land within the settlement of Nethy Bridge, the site should be specifically allocated for tourist facilities on the Proposals Map. The Maps, at Appendix 1 of the Deposit Plan, are drawn up at a scale which is too small to identify the precise limits of land allocated for Nature Conservation and areas of Semi-natural and Ancient Woodland. It is suggested that these are produced at a larger scale to identify the extent of these designations.

Previous Representations

Indigo's two earlier representations demonstrate that the redevelopment of the site would not have a detrimental effect on the local environment due to its limited scale and nature. Furthermore, a development of the site for a maximum of 20 wooden lodges would help to meet the demand for self-catering tourism in the area. In addition, the two previous representations identified that the Deposit Plan seeks to restrain the unlimited urban sprawl of Nethy Bridge and identified that there are no suitable sites for this development within the defined limits of settlement. These previous representations suggested that the Deposit Plan should recognise the potential for sites outside the settlement limits to accommodate tourism.

The Deposit Plan

There have been revisions to the policies contained in the Deposit Plan from Indigo's two earlier representations. However, the modest changes to the policies do not alter the stance previously adopted by the National Park Authority. As such, the previous representations remain pertinent to our client's position and we therefore retain our previous representations.

Policy 1 establishes that development making a positive contribution to the aims of the National Park and doesn't significantly conflict with any other aim, will be supported. The Policy recognises the importance of promoting economic and social development, where any adverse impact on the Park's special qualities are outweighed by the positive contribution to one or more of the four aims, set out in the National Parks Act.

Policy 1 states that greater weight will be given to securing the first aim than any other aim or objective. The National Parks Act does not give precedence to one aim over any other and the Policy should be amended to provide equal weight to the four aims, in considering development proposals in order to be consistent with the legislation.

As identified in Indigo's previous representations, the modest development of self-catering tourist accommodation at Nethy Bridge would support and complement the recognition of the significant role that tourism plays in the Highland economy.

Policy 4 deals with development affecting ancient woodland sites, semi-natural woodland sites and other nationally, regionally and locally designated areas. The Policy states that development will be permitted where the reasons for the designation and its overall integrity would not be compromised or, where there are significant adverse effects caused by the development, they are outweighed by social or economic benefits of importance to the National Park aims and mitigation is provided.

Policy 7 states that development should be sited, laid-out, designed and constructed in materials that make a positive contribution to the landscape quality of the National Park.

Development having an adverse impact on the special landscape qualities will only be permitted where those adverse effects are outweighed by social or economic benefits and that impact has been minimised and mitigated.

Chapter 6 deals with 'Enjoying and Understanding the Park'. Tourism is recognised as one of the key economic drivers for the National Park.

Paragraph 6.3 identifies that promoting a healthy tourism industry is vital to the area. The paragraph also identifies a growing interest in 'sustainable tourism'.

Paragraph 6.4 recognises a need to support the enhancement of the range of visitor facilities.

Paragraph 6.7 states that:

“A good range and quality of tourist accommodation is vital to a healthy tourism industry. There are always opportunities to enhance and add to the existing provision.’

It goes on to state:

tourism developments should generally be located within or adjacent to existing settlements...”

Policy 33- This policy promotes tourist related development which enhances the range and quality of offer, which has a beneficial impact on the local economy and which doesn't have an adverse impact on the environment or landscape.

Maps The Maps for the Deposit Plan, produced in Appendix I, at a scale that makes proper identification of the site hard to distinguish in relation to any allocations. Indigo's earlier representations indicate that part of the site may be allocated as a Special Protection Area and Ancient Woodland. Given the scale of the Maps, it is not possible to determine whether this is the case.

The Proposals Map for Nethy Bridge shows only the defined limits of settlement and new allocations, including two areas of residential development on the eastern edge of the village. The site is not shown on the Proposals Map.

Further Representations

The Cairngorms National Park remains important for tourism, representing a significant revenue stream and employment resource in the Highlands. There is a recognised demand for development that provides tourist accommodation in suitable locations that enhances the economy. Allocating CP Group's land for 20 wooden self-catering lodges would enhance the range of visitor facilities and improve the local economy both in terms of employment creation and generation of revenue from tourist spending.

CNPA analysis of objection to Deposit Plan

The comments regarding Policy I are noted, and a review of this policy will clarify the relationship of the aims of the park and the local plan. The proposal for tourist accommodation outwith the boundary of Nethy Bridge could be considered under policy 33 as the plan has not allocated sites for this kind of use. However 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. The land proposed will be assessed as part of this review.

Response to 1st modifications

Indigo recognises the four aims for the Park, established by the National Parks Act. These aims should be given equal weight in the consideration of proposals for Objection maintained.

development in Policy I of the Deposit Plan, to ensure that it is consistent with the legislation. The development of 20 wooden lodges accords with Policy 33 of the

CNPA analysis of response to 1st modifications

Deposit Plan in that it will enhance the range and quality of tourism facilities on offer.

response to 2nd modifications

There are no suitable available sites for tourism accommodation within the defined settlement boundary of Nethy Bridge. CP Group maintains its position that the Deposit Plan policies should support development opportunities of suitable sites for tourist accommodation that do not have detrimental visual or environmental impacts, thereby helping to meet a defined need for self-catering accommodation in the area.

The Maps in Appendix I of the Deposit Plan are at a scale that does not make it possible to determine the precise extent of allocations under Policy 4. Indigo suggests that the Maps are provided at a larger scale to determine the precise extent of land allocations.

The Proposals Map for Nethy Bridge shows only the defined limits of settlement and not a wider local context. The CP Group land is capable of supporting self-catering tourist development in an appropriate and sustainable location in relation to Nethy Bridge, The Proposals Map should identify land in suitable locations, close to the settlement boundary, that is capable of supporting tourist development, which otherwise could not be provided in this area. The site should be specifically identified and allocated for tourist facilities on the Nethy Bridge Proposals Map.

WRITTEN

Objector 409g	Name William Stuart Paterson 3 Lynstock Park Nethy Bridge PH25 3EL	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

I would like to see a new area of open space encompassing the field between the Mountview Hotel and the Nethy Bridge Hotel down from the new development at present being built by Wilburn homes. This area is I believe already protected by section 75.

Changes - Protected open space between Mountview Hotel and Nethy Bridge Hotel below the new development of Wilburn homes.

CNPA analysis of objection to Deposit Plan

The comment is noted. A site visit will be undertaken to assess the qualities of the land suggested as open space. If considered to fit within this use the proposals map for the settlement will be amended. In the event that the land is not considered to be 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. An assessment of the protection already offered to the site by virtue of the planning permission granted on the adjacent site will also be made.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of response to 1st modifications

Additional land has been included as ENV as protected from future development. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 409d	Name William Stuart Paterson 3 Lynstock Park Nethy Bridge PH25 3EL	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

I believe that the draft local plan showing the current settlement boundary, which allows for a large increase in the number of houses in Nethy Bridge as listed should be retained and an area around the settlement should be created to safeguard the village. This would enable the community of the proposed developments to integrate over the next few years.

10 houses at Balnagowan underway (not shown on plan)

2 affordable homes at Balnagowan no plans submitted as yet although 10 above underway, plus 2 at Steading lot.

5 Houses at Nethy station approved (not shown)

13 homes for elderly / handicapped under planning H1

2 areas for homes School Woods H2

Plus other area which have planning approval.

Changes being sought: Statutory areas surrounding the village footprint so that the village does not explode.

NB/H1 delete the words in first sentence 'affordable housing or'.

CNPA analysis of objection to Deposit Plan

The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of response to 1st modifications

The position regarding development outside settlements has been included in para 7.5. The text regarding H1 clarifies the position regarding the extant planning consent. No further modifications are therefore proposed .

response to 2nd modifications

WRITTEN

Objector 409e	Name William Stuart Paterson 3 Lynstock Park Nethy Bridge PH25 3EL	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

I feel that maintaining the current footprint of the village will assist in keeping the landscape and character of 'Nethy Bridge the Forest Village'. Unlike other villages where they have been developed beyond their boundaries.

Changes being sought: Making the village boundary secure to ensure no building takes place immediately adjoining it.

CNPA analysis of objection to Deposit Plan

The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of response to 1st modifications

The settlement boundary has been retained and the position regarding development outside this included in para 7.5. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Goldcrest (Highland) Ltd
445b

Agent Claire Smith
Ryden LLP
25 Albyn Place
Aberdeen
AB10 1YL

Company Goldcrest (Highland) Ltd
Policy/site Settlements - Nethy Bridge
Representation to Deposit Plan

Our client, Goldcrest (Highland) Ltd have set out in Objection 1, justification for an increase in the housing land supply in section 5 of the Cairngorms National Park Deposit Local Plan.

If this is accepted, objection is taken to the failure of the Plan to identify land highlighted on the attached plan within the settlement boundary of Nethy Bridge. It is considered that this land should be included within the settlement boundary and subsequently identified for residential development in order to meet the high demand for housing, including affordable housing in the area.

The site is immediately adjacent to the settlement boundary of Nethy Bridge. It is bound to the north by an existing road; to the east by existing housing; to the south by the road to Lurg; and, to the west by existing woodland. The site itself is located within an area of woodland; however, a precedent for residential development in such locations has been made due to the identification of two sites (H2) to the north within School Wood. Permission exists for housing development in this woodland and the objection site could similarly provide residential development in an attractive location.

Our clients would retain the ancient woodland on the site and it is proposed that those areas that are developed would result in the minimum felling of trees in order to create an attractive integrated development. A proportion of the site would be developed for affordable housing, therefore meeting the strategic objectives and priorities for action identified in the Cairngorms National Park Plan to make housing more affordable.

Our clients also propose the provision of a proposed new footpath to link existing forest walks in the area and a riverside walk to any development on the site. This would ensure that the site was well integrated with the remainder of Nethy Bridge and provide an attractive route through the existing, remaining woodland.

Positive dialogue took place in May 2003 between our client and Highland Council who were the Local Authority at that time, in relation to the development potential of the site. At that time it was anticipated that the site would be identified for future housing. However, the change in responsibility for this area and the creation of the Cairngorms National Park Authority in September 2003, and therefore, the change in personnel has resulted in this site being excluded from the Deposit Local Plan.

In summary, this objection seeks to amend the boundary of Nethy Bridge to incorporate our client's land, as identified on the attached plan, and identify the land for residential development, similar to development to the north, which is also within an existing woodland.

Modifications: Amend the settlement boundary of Nethy Bridge to include the land identified on the attached plan.

Subsequently the land should be identified for residential development.

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Response to 1st modifications

I refer to your letter dated 13 June 2008 advising of the publication of the further modifications to the Cairngorms National Park Local Plan which were agreed by the Park board.

In total three representations were previously made on behalf of my client, Goldcrest (Highland) Ltd. These were referenced as 445a in relation to housing land requirement and supply; 445b in relation to Nethy Bridge; and, 445c in relation to Grantown on Spey.

As no modifications have been made in relation to these matters, I would be grateful if these representations were maintained. I trust this is acceptable; however, should you have any queries, please do not hesitate to contact me.

CNPA analysis of response to 1st modifications

The position regarding the need for land to be allocated for housing has not changed. No additional amendment or modification is therefore proposed.

response to 2nd modifications

I refer to the above and your letter dated 5 November 2008. I have considered the options available to present the case at the Local Plan Inquiry and would request that this objection is dealt with by means of informal hearing. I trust that this is appropriate, however should you have any further queries, please do not hesitate to contact me.

HEARING

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

Object to H2 on grounds of excessive scale and conflicts with the 1st and 3rd aims of the Park.

Object to ED1 on grounds of inappropriate site and conflicts with the 1st and 3rd aims 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 that all developments must be judged against aims, and also must comply with all relevant policies of the plan.

Response to 1st modifications

Object to H2 on grounds of excessive scale and conflicts with all 4 aims of the Park.

Object to ED1 on grounds of inappropriate site and conflicts with all 4 aims of the Park.

Environment area east of construction site between Mountview and Nethy Hotel: Object to triangular area of woodland east of this Environment area not also being Environment. This is an area of high quality woodland with for example granny pines, juniper and red squirrels.

Land beside the river Nethy on both sides should be consistently designated as Environment. The following stretches should be included: below Lynstock Crescent downstream; below Lettoch Road upstream to the settlement boundary; below Lower Dell Road downstream.

These inclusions of Environment areas would help protect land beside the river and the habitat corridor this provides.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

Maintain objections

Nethybridge

Object to H2 on grounds of excessive scale and conflicts with all 4 aims of the Park.

Object to ED1 on grounds of inappropriate site and conflicts with all 4 aims of the Park.

Environment area east of construction site between Mountview and Nethy Hotel: Object to triangular area of woodland east of this Environment area not also being Environment. This is an area of high quality woodland with for example granny pines, juniper and red squirrels.

Land beside the river Nethy on both sides should be consistently designated as Environment. The following stretches should be included: below Lynstock Crescent downstream; below Lettoch Road upstream to the settlement boundary; below Lower Dell Road downstream.

These inclusions of Environment areas would help protect land beside the river and the habitat corridor this provides.

HEARING

Objector Name Inverburn Ltd
408a

Agent Bill Hepburn
Tulloch Homes Ltd
Stoneyfield House
Inverness
IV2 7PA

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

Further to my previous letter on 14th February 2006, I write to reaffirm my client's position with regard to Nethybridge and in addition, submit general comment on the provision of affordable housing within the Cairngorms National Park.

As stated in prior submission, my clients would wish to make the following representation in respect of their current interests in Nethybridge as shown on the attached plan, emphasising their commitment to meeting the needs of the immediate locality and the strategic aims of CNPA.

This land currently forms good amenity woodland for the village and as such it is considered that the land should form part of the settlement boundary along with the golf course that lies to the north. The revised settlement boundary would therefore also encompass the school and housing that lie to the north east which are already included within the settlement boundary. The housing, school, golf course and this amenity woodland all provide an important function for the village and as such it is considered that there are no reasons why all should not be included within a revised settlement boundary.

It is therefore considered that the local plan should identify the land as a potential long term option for a low density development and/or high quality affordable housing set within a strong landscaped setting. This would be consistent with the way in which sites H2 have already been identified in the deposit local plan.

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

Objector 055	Name Mr Steven Broadhurst Kelvinbank Dell Road Nethybridge PH25 3DG	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

An important areas in Nethybridge have not been designated as protected open spaces. The area of land that lies between the Nethy Hotel and the Mountview Hotel, the road to the west and Wilburn development in the east should be designated an open space.

Villagers opinion overwhelmingly supports the protection of this area as part of the villages open views and regular amenity area. It is at the heart of the village and provides an important link between the centre of the village and Balnagowan wood with its network of paths. This area should be protected from any future development and its status recognised.

The area of open land an woodland OSI bounding the Neth should be expanded to include the area either side of the Nethy, within the settlement boundary at the southern end between dell road and Lynstock.

The woods known as Balnagowan Woods should be afforded protected status as an important area within the forest village. With housing proposed for School forest it would allow a means of access to the centre of the village via the network of paths. The forest itself is of similar appearance to some areas of the Abernethy Forest, which is well protected from most activities. Balnagowan wood should be afforded the same protection.

What action is needed to resolve your objection: protect the open spaces and Balnagowan forest.

CNPA analysis of objection to Deposit Plan

The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be 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.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Additional land has been included as ENV. No further changes are therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Paul and Susan Culliford **Agent**
355 Gargowan
 The Causer
 Nethybridge
 PH25 3DS

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

We believe the housing land requirement calculation assumption is flawed (section 5.39 table 2, p.43). A 50% allowance for second homes is unnecessarily generous. One third of new-build houses should not be holiday homes. There is already a sufficient supply in the area, especially in communities such as Nethybridge and Boat of Garten where holiday homes account for over 40% of the total. Table 4 (p.44) indicates that approx 50 houses already have consent but have yet to be built in Nethybridge. The table indicates that 50 houses is the total plan target. Does this mean that no new housing will be approved in the village during the life of the plan? (this needs clarification).

Policy ref: Nethybridge

NB/HI – this area should be designated for sheltered housing only. This is what the community wants and needs and is the only suitable, centrally located site for it.

We object to ‘affordable housing’ on this site. There has never been any mention of such a housing requirement for that field.

NB/CI – we agree this site should be designated for community use. Interest in it as such has already been identified to you nu Abernethy Highland Games Committee, among others. It should be kept open and not built on at all. Reference to affordable housing development should be deleted.

NB/OSI – we are glad to see that the old nursery is now designated as ‘Protected open space’.

We have concerns about housing approvals outwith the ‘settlement boundaries’. Nethybridge is not just the village but the wider area encompassing eg Dorback, Lurg and Tulloch as well. Building controls need to be far tighter and more strictly enforced than in the past. Some areas of Tulloch have been so developed recently that they resemble a ‘small rural settlement’ and look more like suburbia. If policy 26 (pg 50) on Housing outside Settlements I vigorously adhered to, then it should minimise some of the worst abuses. We would like to see the adoption of specific height limits (in metres) for planning consent, as opposed to the present ‘one and a half storey’ system, which has led to monstrous houses ruining the country landscape (ie should be low level to blend in).

There is a particular concern with the development pressure just outside the village settlement boundaries on the Tomintoul Road, Lettoch Road and at Mondhuie. For example, the developer Goldcrest homes already owns the woods on the east side of the Lettoch road just outside the village and intends to eventually build houses on the site, further diluting the ‘forest village’ nature of Nethybridge. We fear that by the time this Local Plan is finally in place in November 2008, such developments may have already made the plan redundant.

CNPA analysis of objection to Deposit Plan

A detailed paper outlining the background to the housing land requirement calculations, land supply requirements and proposed balance of house sizes will be prepared to clarify the rationale behind the housing policies. Within this reference will be made to the relationship between the provision of new housing within the Park and the National Park Plan and aims of the Park. Further explanation will also be required to justify the allowance made in table 2 for second homes and vacant properties, and detail how the approach taken will benefit local people. On completion of this paper, information will be circulated to all those who made representation on this issue, and detailed consultation undertaken to assess the level of continued objection, which may result in a modification to the calculations

and allocations made. With particular reference to the sites allocated, the wording for sites H1 and C1 will be amended accordingly and additional clarity in the text will also be included to ensure that the level of development within and outwith the settlement boundary is clear. Confirm in letter approach to housing calculations being taken, and growth projections for long term.

Response to 1st modifications

Letter 8/6/08

Thank you for your letter of may 22 bringing us up to date on the above topic. We give our reaction to the extracts provided.

Generally we are in agreement with the amendments. We especially laud the changes to settlement proposals section 7.5 re development outwith settlement boundaries (if this is enforced); the inclusion of additional ENV areas within Nethybridge, and the removal of reference to housing on site C1 (as per our correspondence of Jan 29)

We object to 'infill housing development' in Nethybridge, which appears in your letter. This would alter the character of the village, causing its open forest character to disappear and leading to cramped areas and mutual drives/lanes. (the latter exist in other communities eg Grantown, but are often the source of discord among neighbours).

The housing approval levels re sites H2 are incorrect. This has already been pointed out in the letters page of the Strathy) the correct figures are 30 and 10 for a total consent of 40 dwellings.

There are still 2 areas of concern identified in our response of Sept 25, 2007 which remain unaddressed ie.

The objection to 'affordable housing' as opposed to 'sheltered housing' on site NB/H1. (as this has now cleared planning approvals there is nothing further the Park can do);

the need to change the planning consent criteria to a height for houses, as opposed to the present 'one and a half storey' system in which the roof line goes sky high.

Letter 30/6/08

We refer to your reply of June 13 in response to our letter of June . As we state we are happy with the proposed modifications. However we do not withdraw our objection to the Plan in respect of several items mentioned in our letter, which have not been addressed.

Firstly we object to 'infill housing development' in Nethybridge for the reasons stated in our letter of June 8.

Secondly we still think a specific height limit needs to be incorporated into the Plan. We propose that the Plan be modified to restrict the height of new houses built in Nethybridge to a maximum of 8 metres. This should be considered for the rest of the Park as well.

We trust these objections will be seriously considered.

CNPA analysis of response to 1st modifications

The position regarding development within settlements has not changed, and it is considered reasonable to allow some limited development within settlements, as in Policy 22 where the development complies in para b of this policy, together with the other relevant policies of the plan. The issue of height would not be reasonable to include as a policy, as across the Park there are examples of great varieties in building heights, and developments should therefore be considered against their setting and the visual impact made locally. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 354	Name David Dean OBE Badanfhuarain Nethybridge Inverness-shire PH 25 3ED	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

The wording of earlier CNPA local plan drafts suggest more a thorough level of protection of the character of Nethybridge as a forest village. This CNPDLP appears somewhat anaemic by comparison and avoids engaging strongly enough with the strength of measures needed to allow the village to grow organically rather than at a pace which would suit the various developers who have already impacted upon us and may fully intend to continue doing so. Adequate measures should be enshrined within the DLP to ensure developments in all settlements reflect and enhance local sensitivities, aspirations, history and wisdom.

Arguably Nethybridge, in particular, has a sufficiency of new build houses in schemes covering the 'affordable' and private sector and a further sufficiency of permissions for further developments. Is it therefore not in the interests of the community to have its current levels of infrastructure and services stretched even further at a time when its residents are currently working to come to terms with the social ramifications of these existing new developments.

While there may be a case for allowing new individual houses on ground used by past settlement outwith the current settlement boundary it is argued that an expansion of the boundary could only impact adversely on the ambience and social cohesion of the village.

The gateways of the village need very special attention in the DLP. The gateway from Boat of Garten should not be further damaged by more housing provision being allocated for area C1. This field is required for use by the Abernethy Highland Games and together with the adjacent amenity woodland should be protected from development.

The gateway from Dorback is heavily wooded and has a character of its own. The controversial development area H2 on this road together with its counterpart on School Road is, I understand still a matter of dispute and may yet be saved from a building programme. If it has to go ahead then the DLP should stipulate that the approved housing between the Caochan Fuaran burn and Dhirdu Court be set back from the road and screened adequately by existing and a further planting of native species trees. These measures would allow more southerly light to reach the new houses and make redundant any move there might be by residents in the new houses to gain light by cutting trees on the opposite side of the road. The area ED1 should have similar care exercised in the way it is allowed to develop. Furthermore, nuisance from sound, storage and any other issue which allows this development to impact adversely on adjacent housing should be disallowed.

The gateway from Grantown has a different ambience again with the golf course enhanced by mainly quite noble Victoria buildings. It would be against the best interests of the village for the existing new build permissions, hidden from the road, in the area of the field between the Mountview and Nethybridge Hotels to be extended in any way other than for the provision of amenity land. Measures should be taken by CNPA to resist any creeping erosion of the clear permissions already granted to the developer. It must be remembered that, in the public consultation process which took place, it was the clear will of the village that this whole field should remain 'green'.

The area OS1 seems perhaps not adequately to encompass the natural woodland and open ground which borders the River Nethy itself. It should do so.

The ambience and character of the village should be far more responsibly protected than in recent scheme developments. The lack of precision regarding the

permitted height of one and a half story houses as proposed for the Zurich International land developments and for the site opposite the Highland Games field will otherwise result in the unhappy clash of house styles and heights which has been achieved when comparing the Dhirdu Court development with the adjacent Dorback Place development. Equally, the choice of renderings and colour schemes should lean more towards reflecting an environmental influence than has been achieved to date.

CNPA analysis of objection to Deposit Plan

The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be 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. The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1. Confirm housing policies regarding development both in and out of settlement boundaries. Confirm approach to design and landscape policies.

Response to 1st modifications

I am writing with a comment/objection with regard to a mapping discrepancy relating to the status of a stand of Caledonian pine trees with significant amenity value to this village north of Balnagowan Road.

I refer to :-

1. the map sent to our address showing the 'Modifications to Deposit Local Plan' for Nethy Bridge dated 22nd May 2008 where the land in question is incorrectly shown as open land
2. the Highland Council tree Preservation Order No.45,2005 relating to this stand of trees made on 19th January 2005

As background to this, in late 2004 this area had just fallen under the ownership of Wilburn Homes for possible development along with the adjacent field and there were concerns from nearby householders that tree felling might even take place without due process being followed, especially since test holes were already being dug within the forest boundary. This led to correspondence between myself, Graham McBryer, (Forestry Commission), Robert Patton and Geoff Robson (Highland Council), and Diana Gilbert (CNPA) and to the Emergency Tree Preservation Order being approved.

Recently I walked the area again with Will Boyd-Wallace and I believe he has mentioned the issue to you.

My present concern is simply to point out that this mapping discrepancy still exists and seems to have been carried over into this latest version of the local plan for Nethy Bridge and could be misleading or problematic even in what is always likely to be a sensitive area. If I've failed to make any point clearly enough please do come back to me

CNPA analysis of response to 1st modifications

Requested TPO from THC

response to 2nd modifications

WRITTEN

Objector **Name** C P Group
459a

Agent Jules Hall
Indigio Planning Limited
36 Park Row
Leeds
LS1 5JL

Company C P Group
Policy/site Settlements - Nethy Bridge
Representation to Deposit Plan

Indigio Planning is instructed by C P Group to submit representations to the Cairngorms National Park Deposit Local Plan ("The Deposit Plan"). These representations relate to land owned by C P Group to the north east of Nethy Bridge, Strathspey. The site is identified on the enclosed plans. Our client is promoting the site to provide three high quality residential dwellings that will complement the existing properties in this location.

Summary of Representation: C P Group objects to the approach of the housing policy in the Deposit Plan which fails to provide a framework for the creation of mixed communities and a range of housing types and tenures in locations that would result in the provision of a cohesive group of properties of similar design and scale, consistent with National Planning Guidance contained in Scottish Planning Policy 3: Planning for Housing and advice contained in Planning Advice Note 38: Housing Land (revised 2003). In particular C P Group objects to Policy 24 that requires the on-site provision of affordable housing on all housing developments of two or more dwellings and a financial contribution towards affordable housing on proposals for single open market houses.

C P Group also objects to the wording of Policy 26, which deals with housing proposals outside settlements. The wording of the Policy relates to affordable housing, which is dealt with under Policy 24. Reference to affordable housing in Policy 26 should be removed.

The Deposit Plan should adopt a more positive approach to the provision of open market housing, in appropriate locations and, in the absence of available land within defined settlement boundaries, on land with good links to existing settlements. The subject site is available, close to and well related to Nethy Bridge; the site should be allocated for residential development. Scottish Planning Policy 3: Planning for Housing ("SPP3") Paragraph 23 recognises the need to provide a choice of housing types and that not all sites will be capable of satisfying the full range of housing requirements.

The Scottish Executive acknowledges the need for planning policy to create mixed communities. Paragraph 24 states that policies should encourage: .. more diverse, attractive, mixed residential communities, both in terms of tenure and land use. To create mixed communities, a range of housing types is needed, providing for the needs of all in the community, and all segments of the market, from affordable housing and starter homes to executive housing, and including homes for families, older people, and people with special housing needs." SPP3 recognises that the re-use of previously developed and should be in preference to Greenfield sites and paragraph 37 states that: "Where there is a supply of previously developed land, planning authorities should normally give priority to its re- use, in preference to Green field development."

In dealing with housing in rural areas, paragraph 49 expressly recognises that sites adjacent to existing settlements are appropriate for residential development stating that "most housing should be met within or adjacent to existing settlements." It also recognises that due to changes in the rural economy, some aspects of policy on housing in the countryside may need to be adjusted. Paragraph 56 states that, even where there is a policy resisting new housing outside settlements: "Some limited new housing along with converted or rehabilitated buildings may be acceptable where it results in a cohesive group well related to its landscape setting. However, redevelopment should not automatically extend to the replacement of wholly derelict buildings or development of a different scale or character from that which

existed previously.

Planning Advice Note 38: Housing Land (Revised 2003) (“PAN38”) Planning Advice Notes provide advice on good practice and PAN38 seeks to encourage public and private sectors to develop a long term view of housing land provision, including the location of future housing development. Paragraph 12 identifies that planning authorities should consider land supply within a twenty year time horizon. It also recognises the need to maintain a continuous five year supply, recognising that: “The land supply should take into account the need to provide for different tenures as well as a mix of house types.” In order to assess whether a site can be considered as contributing to an effective land supply, paragraph 29 states that: “It must be demonstrated that within the period under consideration, the site will be available for the construction of housing.”

In order for a site to be considered available, paragraph 29 identifies that it should be free from constraints, including the site is in the ownership or control of a party which can be expected to deliver it; it is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development; it is not contaminated or, if it is, the land can be remediated to allow it to be developed to provide marketable housing; and it is either free of infrastructure constraints, or any infrastructure required can be realistically provided. Paragraph 30 goes on to state that: “The contribution of any site to the effective land supply is that portion of the expected output from the site can be developed over the period under consideration.”

The Deposit Plan

Paragraph 5.22 of the Deposit Plan acknowledges that the Cairngorms National Parks population is expected to rise and that as a consequence there will be an increase in households seeking accommodation. In addition to the likely increase in households, paragraph 5.30 states that: “...supply of new housing has been limited in the Cairngorms National Park area during the past five years. The limited supply of effective land has meant that, in Badenoch and Strathspey in particular fewer homes have been built than were anticipated in the Development Plan.”

Paragraph 5.36 states that the Deposit Plan must provide enough “effective” land for both market and affordable housing growth to meet the social and economic needs of settlements in the Plan area, outside the identified Main Settlements. This includes Nethy Bridge. Table 3 of the Deposit Plan identifies that, in Badenoch and Strathspey, there is a total land supply requirement to accommodate 1,565 dwellings. There are currently 390 dwellings that are identified with the benefit of planning permission, leaving a residual supply requirement of 1,175 dwellings. Table 4 identifies an indicative capacity of additional sites that have been identified that can accommodate 2,605 dwellings. The Table states that the land supply figures for the first 5 years of the plan are “target numbers of units” and that those for 5—10 years are an “indicative target”. In addition, 1,100 dwellings, indicatively identified for the new settlement of An Camas Mor, will be provided beyond the plan period. Table 4 does not represent an effective land supply, nor does the Deposit Plan indicate that all of the sites identified in Table 4 are available in terms of the advice provided by PAN38.

Policy 24 states: “Proposals for housing developments of two or more units will be required to incorporate a proportion of the total number of units as affordable housing. This housing would include social rented housing provided through Communities Scotland grants as well as low cost home ownership and/or rent options provided through public subsidy or by the developer. Where public subsidy is available to help fund affordable housing, the overall affordable contribution of the development will be expected to be 50 percent, with any shortfall between the public subsidised element and 50 percent target made up by the developer. Where no public subsidy is available, the developer will be required to provide all of the affordable housing on a site to a target of 30 percent. Proposals for single open market houses will also be required to make a contribution towards affordable housing in the Cairngorms National Park area. This will be a cash payment towards the development of affordable housing in the local area.”

Paragraph 5.47 states that: 'This Policy is intended to ensure the delivery of a wide range of housing options to a wide range of households in the park. The increased range of affordable housing options and numbers of units that would be delivered through this policy will change the availability of housing for a wide range of potential occupants who cannot currently access the open housing market'. Policy 24 and Paragraph 5.47 are not consistent with National Planning Guidance, provided by SPP3, in that they restrict the ability to provide for mixed communities. Policy 26 deals with housing proposals outside settlements. It states that: "Proposals for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements and/or they meet a demonstrable local need in the rural location." The reasoned justification for the Policy, provided in Paragraph 5.65, states that: 'The policy is intended to allow for the development of affordable and essential housing outside settlements and to maintain thriving rural communities.' The Policy and the reasoned justification are inconsistent with National Planning Guidance in that they do not allow the provision of residential development to accommodate mixed communities. In addition to which, the reference to affordable housing is unnecessary as affordable housing is dealt with elsewhere in the Deposit Plan

The Proposals Map

The Proposals Map for Nethy Bridge identifies, as allocations, three sites within the settlement boundary for housing and a further site for Community Uses that can accommodate residential development. Proposal NB/Hi identifies land that is suitable for affordable or sheltered housing for approximately 10 units. Proposal NB/H2 is an allocation of two sites in the east of Nethy Bridge, both of which have the benefit of planning permission. Proposal NB/C1 allocates 1.09 hectares for Community Uses and states that some of the site could also be developed to provide affordable housing for the community.

The Deposit Plan limits housing supply in Nethy Bridge to the three allocated sites. Opportunities for further residential development within Nethy Bridge are highly constrained. The allocated housing sites are all Greenfield, demonstrating that there is no suitable previously developed land, capable of supporting residential development. The Deposit Plan therefore accepts that residential development on Greenfield sites is appropriate. There are no further sites within the settlement boundary that are suitable for residential development. Given that there is a land supply requirement, within Badenoch and Strathspey, of 1,175 dwellings (excluding those sites with planning permission), suitable and available sites should be considered favourably outside the settlement boundary, particularly where they can

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that sufficient land is allocated for housing in the plan.

support a mixture of type and tenure to support a mixed community, consistent with National Planning Guidance provided in SPP3. The C P Group land is close to

Response to 1st modifications

the settlement boundary and well related to Nethy Bridge. Objection maintained.

CNPA analysis of response to 1st modifications

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

The Deposit Plan should reflect and be consistent with National Planning Guidance, contained in SPP3, to provide residential development that creates mixed communities and that accommodates all segments of the housing market, including open market housing and homes for families. The Deposit Plan should consider

response to 2nd modifications

favourably residential development opportunities on land that is available and free from development constraints, where other Local Plan policies are satisfied, on land

close to settlements and where there is no available land within that settlement; particularly in locations where there is existing residential development. Such opportunities should be capable of contributing to providing a mixed community and should be at a scale and density appropriate to the location. The C P Group land is close and well related to Nethy Bridge. There is only limited housing allocation in the settlement and, in allocating these, the National Park Authority has accepted that residential development of Greenfield sites is appropriate. Further residential development opportunities in Nethy Bridge are highly constrained. The site is available and suitable for residential development and is capable of complementing existing residential properties on its boundaries. The site should be allocated for residential development.

Policy 24, together with its reasoned justification in paragraph 5.47, restricts the ability of residential development to provide for a mixed community by placing an onerous requirement for affordable housing on all residential development. The requirement to provide affordable housing should be considered on the merits of each individual site. The reference to affordable housing in Policy 26, together with its reasoned justification in paragraph 5.65, is unnecessary as affordable housing is specifically dealt with in Policy 24. Any reference to affordable housing in relation to Policy 26 should be removed. The Policy, as currently provided in the Deposit Plan is inconsistent with National Planning Guidance, contained in SPP3, as it does not make allow for of a full range of housing to provide for a mixed community.

WRITTEN

Objector **Name** Mr D Black
047 Laggan of Clachaig
 Nethybridge
 PH25 3DY

Agent Bruce Walker
Robertson Homes Limited
Robertson House
Castle Business Park
Stirling, FK9 4TZ

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

1 There is a need now to provide mainstream and affordable housing in the village

2 The two sites at H2 zoned in the Draft Plan have that designation for some time and no more has been made to achieve detailed Planning Permission to enable building work to start

3 These two sites are very unlikely to be effective in the short to medium term

4 These two sites are under mature woodland and were subject to major local objection at the time of zoning. This Draft Local Plan states at page 86, 'Development on these sites will retain enough woodland to allow for the movement of species between areas of woodland to the sides of the site'. This very appropriate restriction in the development will in turn hinder and reduce the opportunity for the number of affordable homes.

5 As part of your Strategic Objectives for Housing, you have to ensure that there is effective and for market and affordable housing – these two sites are not effective, they have not produced any housing to date. You have acknowledged this at 5.30 where you state that 'For a variety of reasons supply of new housing has been limited in the Cairngorms National Park area during the past 5 years'.

6 The only other housing site in the draft local plan is H1, which is mainly used for community use and only recently, the Community Council were re-assured by the planning authority that they would not lose any of this land for housing land.

7 Consequently, Nethybridge has no short to medium term housing sites available, so on behalf of my client as above, I object to the plan referred to above, in that it does not provide the necessary housing land for the foreseeable future as required by the Objectives of the Plan.

Future modifications to the Plan

1 I propose that the local plan be modified to include an area of land owned by my client as above as a housing site in order that the aims and objectives of the local plan can be met.

2 I enclose a plan showing the site on Lettoch Road, outlined in green

3 The site is located immediately outwith the 30mph limit, just at the two housing sites H2 are. It would not create issues to extend the limit further along the road.

4 Visibility at the entrance to the site is not an issue, as any position of the entrance provides the necessary visibility.

5 The site topography is gently sloping in places and will not require extensive restructuring.

6 The site has natural defensible boundaries and there is also the opportunity to create landscaping zones within the site.

7 The site is immediately adjacent to the existing housing stock, so that any extension of this is in accordance with the Scottish Government wish to have new developments abut onto the existing settlement.

8 This proposed modification to the Plan is supported by national planning policies – outwith the settlement limits as defined by town and village envelopes.

9 Further, where brownfield and infill sites cannot fulfil the housing requirement it is necessary to release greenfield land next to built up areas.

10 Policy 5.41 of the local plan states that 'an additional 800 houses land for which must be identified'.

11 We fully appreciate the need for affordable housing and my client understands that I will be discussing and agreeing with you, the Planning Authority, a proportion of affordable housing on this site should this application for modifying the plan be accepted.

12In order for the affordable element to be viable, we would request that the whole site be zoned for residential to enable to affordable housing to work.
13I would emphasis that this site is deliverable in the short term meeting the current demands for smaller family units as opposed to the larger detached bungalows and villas.

14Cairngorms National Park Authority recognises the rise I population and there are growing employment opportunities in the Nethybridge/Grantown area and there is no house building going on at present, this site can be delivered in the short term.

15Sustainability (5.3) – this site fits well with this key objective in that it is well located but also it will encourage young people to stay, return and come to Nethybridge in the short/longer term. A broader range of two and three bedroom houses and tenure is an important element of creating a long term sustainable population.

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Response to 1st modifications

I acknowledge receipt of your letter dated 4 august 2008 and would advise that I did not receive you letter dated 13 June 2008. I did reply to your first letter objecting to the proposals and enclose a copy of the letter together with the newspaper letter which, if correct should enable you to reconsider the position on zoning my clients land for residential. I enclose the form representation 047 duly signed as maintaining the objections.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at Nethy Brudge has not changed. The letter printed in the local press reflected a typing error rather than a fundamental change in the plan, and the error was corrected prior to the board's discussion and agreement of the modifications. There is not therefore any requirement to amend tables 2-4. As such no modifications are proposed.

response to 2nd modifications

I refer to your letter dated 29 january 2009, and write to advise you that Robertson Homes Ltd are now promoting the site and proceeing to the enquiry and they will contact you before Friday 6th February to advise you of their preferred option.

HEARING

Objector	Name	Agent
373	Mr P Boyce Kenyon Beckside Mill Lane Nethybridge PH25 3EQ	

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

The Plan for Nethybridge fails to address the stated desire of the community as expressed during the original consultation. The plan does not offer protection to major areas that are important to maintaining character of the Village.

The frontage of the field, between the Mountview and Nethybridge Hotels, should have been designated as Protected Open Space. This area is so prominent and important in maintaining the existing diversity of Nethy that it should, without doubt, be protected from further development.

Furthermore, the plan, through setting such a tight boundary on the Village, does not offer any real protection to key areas around the settlement. Balnagowan Wood and School Wood(beyond H2 designation) are two of the areas that should be protected from any building or development. Such areas should formally be protected, even though they currently fall outside of the proposed Village boundary area.

It is the wish of the majority in Nethy that the area zoned for Housing (H1 on the attached plan)is used for sheltered housing only. Significant affordable housing has already been, or is planned to be, built in Nethybridge.

Proposed modifications to resolve this objection: Designate Balnagowan field as protected open space. Protect Balnagowan and School Wood from further development or exploitation.

Designate H1 as 'Sheltered' housing only.

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. In regard to H1, the comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions to increase clarity including the nature of the development which will occur, and any influence that this proposal can still make to any future development.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Additional land has been allocated as ENV to be protected from future development. H1 text identifies the extant permission which is for amenity housing. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

NB/H1 Support. This area is particularly suited for housing for the elderly, being on a level site close to the village centre, and should be retained for use by elderly residents of Nethy Bridge as much as possible.

NB/H2 Object This is an area of species rich ancient woodland. Contrary to Policy 4. Contrary to the first aim of the Park.

NB/ED1 Object This is an area of species rich ancient woodland. Contrary to Policy 4. The site is wholly unsuitable for business development. European priority species, otter, uses the nearby Caochan Fhuarain. Contrary to the first aim of the Park. The area is 0.76ha.

NB/OS1 Support It is good to see the areas near to the Nethy and the old nursery protected. There is a small area of mature pinewood, containing some very fine granny pines and with a ground flora rich in creeping ladies tresses (*Goodyera repens*) at the eastern end of the field with "Nethy Bridge" in it (currently being built on by Wilburn Homes), that should be included in NB/OS1.

NB/C1 Support Any housing provision on this site should only be considered were it to very sensitively designed and of a very small scale, providing rented accommodation by a housing association.

CNPA analysis of objection to Deposit Plan

The wording of these proposals and their 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 that all developments must be judged against aims, and also must comply with all relevant policies of the plan. Also clarity where permission has been granted the plan cannot allocate the land as open space.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

HEARING

It is quite likely that these sites require extensive Plantations on Ancient Woodland Sites (PAWS) restoration and so in line with the CNP own objective and the Scottish Forestry Strategy, the woodland should be under sustainable management to protect and restore it. If the development were to be allowed, this would be a clear removal of semi-natural woodland and as such is in contradiction of the UK Forest Standard, UK Woodland Assurance Standard and goes against the CL and UK BAP guidance.

CNPA analysis of response to 1st modifications

The CNPA position regarding the housing land allocation in Nethybridge has not changed. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 407b	Name William G Templeton Coire Cas Tulloch Road Nethy Bridge PH25 3DE	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

2) There is no mention in the document re the site currently being developed at Balnagowan Brae – the area on the map which includes the village name (above the hotel). Work is currently well underway – in fact local rumour suggests that the completed houses will be very expensive and that the majority of them have already been ‘spoken for’. I lodged an objection with the Local Planning Authority when the Plans were made known last year – on the grounds that any houses built there would be expensive and would attract mainly either retired people from outwith the area or property to be used as holiday homes either on a personal basis of for letting out to holiday makers. The scheme, now under build, has, in understand been reduced in number of houses (at this stage) but I fear that like Dirdhu Court, some half mile or so further up the same route, the majority of houses will be occupied by retired people from outwith the area or kept as holiday homes. Two of the houses (at least) are let out for self-catering at very high rates. The very regrettable fact is that this kind of housing development has a sad feature – there are no children of school age attending the local school. I am not sure of the circumstances regarding development of some five or six houses, plus a tearoom in the area beside the former BR railway station but I fear that perhaps the same may apply here – expensive houses well outside the affordability of local workers.

CNPA analysis of objection to Deposit Plan

The comments are noted, and the wording of the local plan will be amended to reflect extant planning permissions and recent developments to increase clarity including the nature of the development which may occur in the future, and any influence that this proposal can still make.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Throughout the development of the plan the most up to date OS bases are used and this will continue to adoption. CNPA will therefore request the bases are updated to reflect new development before the adopted plan is printed. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Speyburn Homes
450

Agent Mark Myles
MBM Planning and Development
Algo Business Centre
Glenearn Road
Perth, PH2 0NJ

Company Speyburn Homes
Policy/site Settlements - Nethy Bridge
Representation to Deposit Plan

It is considered that the land should form part of a revised settlement boundary as a potential development option for a low density development and /or high quality affordable housing set within a strong landscaped setting particularly along the road frontage. This would be consistent with the way in which sites H2 and EDI across the road have already been identified in the deposit local plan.

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethy Bridge will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

Objector 407c	Name William G Templeton Coire Cas Tulloch Road Nethy Bridge PH25 3DE	Agent
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Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

3) Finally I feel that the local plan shown on page 87 does not appear to include area immediately outside the village boundary – areas which are very much part of Nethy Bridge. I refer mainly to the fields marked as Duackbridge (west of the road to Tulloch), the fields opposite alongside the B970 to Boat of Garten the fields bordering the old railway line bordering Abernethy Golf Course. The same applies to fields on either side of the road to Grantown in the vicinity of Castle Roy. The village has already been expanded in recent years – any further expansion would cause the village to lose its charm and attractiveness.

CNPA analysis of objection to Deposit Plan

The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be 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.

Response to 1st modifications

Please accept my apologies for delaying my response to your letters of 22 May and 13 June. I enclose my formal consideration of confirming my wish to maintain the objections raised by me 9 May this year.

I would also wish to add a note of a possible planning application which may or may not be forthcoming but one which does disturb me. Recently I have heard of a possible interest having been shown by a building concern in a field shown on your local plan as 'Duackbridge' the area in question is shown close to the left hand margin of the Local Plan not very far from the area C1. I must confess that my wife and I are owners of a property adjacent to the particular field. Apparently within the last two or three weeks surveyors were looking closely at this field in question on one day and a day or two later a photographer was seen obviously taking photos of the field. A neighbour asked one or two questions but the answers were very vague. I do not think that much can be done before a application for Planning is lodged but perhaps you can understand my concern. Neither my wife or I actually saw anything of these matters but there is no smoke without fire, as they say, and I felt it worthy of mention to you at this stage. We will most certainly lodge objections to plans of any housing in the field in question if applied for. That having been said I appreciate that with the sudden change in circumstances developers are 'drawing in their horns'. I shall write you further if any thing more positive develops and I certainly will lodge immediate objections to such a scheme.

CNPA analysis of response to 1st modifications

The issue raised relates to a possible planning application which may be submitted. The Local Plan cannot reflect possible applications which applicants may be working up. No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

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

Company Reidhaven Estate
Policy/site Settlements - Nethy Bridge
Representation to Deposit Plan

Nethybridge has the potential to accommodate future growth.

New Site - Former nursery to the South East - The former tree nursery to the south east of Nethy Bridge should be allocated for housing (as per attached plan).

This site offers a unique opportunity to provide a low density development within the landscape setting providing a suitable transition as an entry point to the village.

This site was zoned in the previous local plan and therefore should be reinstated.

New Site – Duackbridge - A suitable site for housing also exists at Duackbridge to the west of the settlement. This site would provide a logical extension to the village, reflecting its character and layout as it is close to the centre of the village that other allocated sites.

Modifications: Amend proposals map and settlement text to identify both additional housing sites.

CNPA analysis of objection to Deposit Plan

The allocated sites within Nethybridge will be analysed in light of the comments received. This analysis will be linked to the need for development land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA. Confirm that effective 5 year supply and future growth areas have been identified in line with requirements. Therefore no additional land is required to meet the demand.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The CNPA position regarding the amount of land included for housing development has not changed. No modifications or additions are therefore proposed.

response to 2nd modifications

HEARING

Objector	Name	Agent
345	Lorna Crane 4 Lynstock Park Nethy Bridge Inverness-shire PH25 3EL	

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

I write in response to your consultation on the deposit local plan section on Nethybridge.

Nethy seems to be targeted for a lot of the 1030 houses required in the National Park over the next 5 years. While I understand that existing permissions mean that there is little you can do but agree to these, I do fear that the village will grow too quickly and that we are in danger of losing the character of Nethy.

However, that said there should be no additional development than those outlined in the plan and to ensure this you should retain the village boundary as shown in the plan.

The area of open land OSI should be extended to include the land between the Nethy Hotel and Mountain View Hotel outwith the 'Wilburn development' to protect this from more houses.

You must make sure that the safe route to school through H2 between the 'causer' and the school is retained. This is an extremely important facility used by many primary school children, including my own. If access is required across this path to H2 then pedestrian and cyclists should have priority over vehicles. There are many examples of school children having priority over cars in mainland Europe but in Scotland any ideas on sustainable transport seem to be about 20 years behind. Let's change this for the future.

The way marked path around school wood (H2) should also be retained.

Any planning gain from H2 should be targeted to the primary school which is badly in need of an efficient heating system. A ground source heating system for the school funded by the developer of H2 would seem to offer a 'win win' situation not least because it is the school that will suffer most from this development.

CNPA analysis of objection to Deposit Plan

The comments regarding open space 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. The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1. The issues raised regarding developer contribution will be addressed through the consideration of planning applications. Where applications have already been lodged, this will be done through current Highland Council policy adopted in the Badenoch and Strathspey Local Plan.

Response to 1st modifications

On the whole I am happy with your comments, however, and it is a big however, there is nothing in the proposed modifications that tells me that the existing safe route to school, along the cycle path, will have priority over any new access to a housing development in 'school wood'.

I have particular concerns for this as there is likely to be traffic leaving the new development at exactly the same time as primary school children are cycling and walking to school.

Please can we be reassured that this existing safe route to school will not be affected by any proposed development. I maintain this objection.

CNPA analysis of response to 1st modifications

The issue of the safe routes for schools would be a level of detail not appropriate for the Local Plan and would be considered at the time of an application on the site. In considering such an application we will work closely with The Highland Council on this matter. No further modifications proposed.

response to 2nd modifications

WRITTEN

Objector	Name	Agent
426	Barbara Paterson Beinn Sealladh 3 Lynstok Park Nethybridge PH25 3EL	

Company

Policy/site Settlements - Nethy Bridge

Representation to Deposit Plan

I am writing in response to the Cairngorms National Park Plan and would like to congratulate the park on retaining the current footprint of Nethy Bridge.

However I do have a few points I would like to raise:

I believe that the draft local plan showing the current settlement boundary, which allows for a large increase in the number of houses in Nethy Bridge, as listed, should be retained and an area around the settlement should be created to safeguard the village. This would enable the community of the proposed developments to integrate over the next few years.

10 houses a Balnagowan at present underway but not shown on the plan).

2'affordable houses' at Balnagowan (no plans submitted as yet)

5 houses at the Nethy station (plans approved but not shown)

13 homes for Elderly/disabled at the Polyanna site (planning at Stage H1)

2 areas for homes in School woods H2.

I feel that maintaining the current footprint of the village will assist in keeping the landscape and character of 'Nethy Bridge, The Forest Village'. Other villages in the area have been developed beyond their boundaries.

Planners should be given the authority to advise developers of the specific styles of housing to be built which should be in keeping with the original village.

I would like to see the area of open space and woodland 'OSI' bounding the river Nethy expanded to include the area on either side of the river Nethy within the settlement boundary. This is at the southern end of the settlement, and is a small area between Dell Road and Lynstock House and Park.

A new area of open space should be entered encompassing the field between Mountview and the Nethybridge Hotels from the new development at present being built by Wilburn Homes. This area is, I believe, to be protected by a Section 75.

The area identified at CI for Community Use should have the words "Community Housing" deleted and be kept for community use. This area is used by the community to hold the Abernethy Highland Games. These Games have been held in the village for the past 185 years and are an integral part of the life of the village and of the area as a whole. To lose this site would jeopardise the Games and, in my view, considerably reduce the number of visitors to the Cairngorms National Park area.

People purchasing into the National Park area should be required to keep their property and land for a 5 to 10 year period before being allowed to divide property/plots and build additional housing.

Community Councils have been asked to identify land for Affordable housing, but after a recent development of 17 houses in Nethy Bridge where only 3 local residents managed to upgrade to larger homes, I would suggest that this is a flawed policy. It appears that these homes can be given to people within the wider area who then require to travel increased distances therefore increasing the carbon footprint of the area.

It would appear that the Plan makes no reference to the Cairngorm National Park holding a database or register, as was discussed at the consultation meeting, of those wishing to purchase property within the Park area. How then would the demographics of this wishing to move into the area be found. This information would identify the type of property and the purpose for which it would be used. i.e. permanent residence, holiday home, 2nd home, letting house, holiday tourist accommodation etc. The register could also be used to indicate the price bracket which would be affordable. This register would give a profile of those wishing to reside within the area whether they be young families with children requiring schools, nurseries etc. retired people with future needs of social services including care homes or sheltered homes.

The wording of “affordable housing” is, in my view, misleading and does not allow for the residents of highland villages to enter the housing market. A 2 bed roomed flat selling for £115,000 is unaffordable to a couple working in the local economy earning the minimum wage with seasonal work. The Park should be looking to let a body, similar to the Highland Council, to build and regulate the use such properties.

CNPA analysis of objection to Deposit Plan

The designation of the settlement boundary requires additional information to clarify what development may occur within and outwith it, and to clarify the reason behind creating the boundary. With regard to open space a comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be 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. In regard to affordable house, the CNPA will continue to work closely with the 4 local authorities, the social housing providers and private developers to seek the most appropriate way forward for affordable housing in the Park. Confirm making people keep properties for any particular length of time not reasonable. Explain approach to letting criteria for affordable homes and fact that there is no database of people wanting to move to the area other than waiting lists and that there is no database - trying not to replicate work done by LAs.

Developer will give a small area for “Affordable Housing” and then submit plans to build houses that are unaffordable to the local community on an adjacent area. This leaves the planners in an unenviable position.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed. I am pleased to note.

CNPA analysis of response to 1st modifications

The proposals for NethyBridge have been amended to include additional land as ENV protected from future development. The wording regarding CI has been amended. The approach to affordable housing has been amended to ensure that housing is delivered in an affordable way through this plan. The use of an economic modelling tool is also in development. Additional information regarding what is 'affordable' has also been added. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector
093

Name Mr Alan Billington
Ellen-Brae
Nethy Bridge
PH25 3DB

Agent

Company

Policy/site Settlements - Nethy Bridge C1

Representation to Deposit Plan

This beautiful area within Nethy Bridge is a fine example of a crofted field and should be protected from any development proposals as is the land at NB/OS1
What change(s) you are seeking in future modifications to the Local Plan which could resolve your objection: This land must not be decrofted and protected for future generations.

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector 409h	Name William Stuart Paterson 3 Lynstock Park Nethy Bridge PH25 3EL	Agent
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Company

Policy/site Settlements - Nethy Bridge CI

Representation to Deposit Plan

The area identified at CI for community use should have the words 'community housing' deleted and kept for community use. This area is used to host the Abernethy games which has been held for the last 185 years. To lose this site would jeopardise the games and in my view considerably reduce the number of visitors to the Park.

Changes - NB/CI delete the last sentence "some of the site could also be developed to provide affordable housing for the community".

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal CI was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal CI.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of response to 1st modifications

The reference has been removed. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector
094

Name Mrs Olwen Billington
Ellen-Brae
Nethy Bridge
Inverness-shire
PH25 3DB

Agent

Company

Policy/site Settlements - Nethy Bridge C I

Representation to Deposit Plan

This land has been used for Abernethy Highland Games (Strathspey's oldest traditional games) and should be kept and protected for this purpose.

What change(s) you are seeking in future modifications to the Local Plan which could resolve your objection: It should be protected as is land NB/OSI

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal C I was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C I.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector	Name	Agent
104	J M Gaukroger Inchcailloch Nethybridge Inverness-shire PH25 3DB	

Company

Policy/site Settlements - Nethy Bridge C1

Representation to Deposit Plan

I wish to object to the housing proposal for site NB/C1 as outlined in the proposal for the CNP Deposit Local Plan.

1. The proposal to include housing on the site does not in any way 'reinforce or enhance the "forest village" character (CNP Deposit Local Plan policy 25, Housing developments in Small Rural Settlements pg 49) of Nethy Bridge.
2. The statement that this site could also be developed to provide housing for the community is contrary to the result of the survey, carried out and reported by the CNP (Consultative draft Cairngorms Local Plan – Consultation Report June 2006 pg 159) which indicated that the community wished to maintain this open site for visual amenity and to provide parking space for the Nethy Bridge Highland games which takes place on the adjacent playing field. Other parking sites (if any are available) would be some way from the games site. The resulting large numbers of pedestrians making their way along the roads to and from the games site would be a major safety issue and would probably require a greater number of police input and therefore greater cost to the games organisers.
3. it will not conserve or enhance the local natural heritage and will have a visually detrimental effect on the environment.

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1.

Response to 1st modifications

I would only withdraw my objection to the CNPA plan if it was definitely stated in the final version of the plan that the site adjacent to the football field is to remain as open space without any development on it whatsoever. In response to your offer of further information, please could you e mail to me copies of the letters from the CNPA dated 22nd May and 13th June, since I do not have them readily to hand. Thank you for assistance.

CNPA analysis of response to 1st modifications

The text has been amended to clarify that the site will be 'protected from development'. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

Objector 407a	Name William G Templeton Coire Cas Tulloch Road Nethy Bridge PH25 3DE	Agent
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Company

Policy/site Settlements - Nethy Bridge C1

Representation to Deposit Plan

My objections/comments relate solely to the area of Nethy Bridge and the immediate surroundings of the village – pages 86 and 87 of the Deposit Local Plan.

1) Proposal listed as NB/C1 (page 86) referring to an area of 1.09 Ha beside the Nethy Bridge football ground. As you are doubtless aware this area is used from time to time for car parking – especially at the time of the Nethy Bridge Highland Games – held in early August of each year. The comments refer to the area in questions as having been identified for Community use and I thoroughly agree with this comment. I feel, however, very strongly about the added comment to the effect that some of the site could also be developed to provide affordable housing for the community. I suggest that this is wrong – the site should be left completely for community use and that the whole area of C1 plus the tree area on the south side should also be preserved for any future development of the Games Park area

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal C1 was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C1.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The wording has been amended. No further modification is therefore proposed.

response to 2nd modifications

WRITTEN

Objector
366

Name Mrs A D Wallace
7 Bynack Place
Nethybridge
Inverness-shire
PH25 3DZ

Agent

Company

Policy/site Settlements - Nethy Bridge C I

Representation to Deposit Plan

This land has been the site of the Abernethy highland games for many, many years and should be retained in perpetuity for this purpose.

Modifications - I am objecting to the latter part of NB/CI "some of the site could also be developed to provide affordable housing for the community"

So the site should be retained protected from housing development in my opinion.

CNPA analysis of objection to Deposit Plan

The inclusion of the reference within the supporting text of Proposal C I was intended to allow a degree of flexibility to future development options. However, there is a general view that this reference is unhelpful and misleading, and as a result consideration will be given to the removal of the final sentence of Proposal C I.

Response to 1st modifications

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

WRITTEN

Objector 409f	Name William Stuart Paterson 3 Lynstock Park Nethy Bridge PH25 3EL	Agent
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Company

Policy/site Settlements - Nethy Bridge Env

Representation to Deposit Plan

I would like to see the area of open space and woodland OSI bounding the river Nethy expanded to include the area on either side of the river Nethy within the settlement boundary. This is at the southern end of the settlement between Dell road and Lynstock house and park.

Changes - OSI to be extended at the southern end of the village to include the area between Dell Road and Lynstock House and Lynstock Park.

CNPA analysis of objection to Deposit Plan

The comment is noted. A comprehensive review will be undertaken in Nethy Bridge to assess the importance of the various areas suggested for inclusion as open space. Where the sites are considered to fit within the use as open space the proposals map will be amended. Where the land is not considered to be 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.

Response to 1st modifications

Objection maintained. Some concerns appear to have been addressed.

CNPA analysis of response to 1st modifications

Additional land has been included as ENV as protected from future development. No further modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Policy/site Settlements - Nethy Bridge H2

Representation to Deposit Plan

Any development here should be reduced in scale.

CNPA analysis of objection to Deposit Plan

This site has outline permission for housing and throughout the forthcoming consultation modifications to the local plan will reflect the position regarding extant permissions and submitted planning applications being determined under the Highland Council Local Plan. Where possible the local plan will be used to influence the scale and design of future development to ensure that it is appropriate for the village and is matched with an appropriate level of service provision. Confirm that site has outline permission and CNP will work to influence scale and design of future development.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land at Nethy Bridge 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** James Gibbs **Agent**
421i HIE Inverness and East Highland
 The Green House
 Beechwood Business Park North
 Inverness, IV2 3BL

Company HIE Inverness and East Highland

Policy/site Settlements - Nethy Bridge/Tomintoul

Representation to Deposit Plan

Nethy Bridge & Tomintoul

We welcome the inclusion of additional land for business and commercial activities in these two communities but believe that both of them could benefit from a more extensive area being designated. I hope these comments are helpful and would like to pass on my best wishes to you and your team for your endeavours to produce a plan that both meet the CNPA's four aims and also those of the local communities and businesses within it.

CNPA analysis of objection to Deposit Plan

The comments are noted, and a comprehensive review will be undertaken in Newtonmore and Tomintoul to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made.

Response to 1st modifications

CNPA analysis of response to 1st modifications

response to 2nd modifications

WRITTEN

Objector **Name** Mrs Sally Leslie Melville
079 South Cantray
 Croy
 Inverness
 IV1 2PW

Agent James Carnegie- Arbuthnott
Buccleuch Town and Country
43 Melville Street
Edinburgh
EH3 7JF

Company

Policy/site Settlements - Newtonmore

Representation to Deposit Plan

Mrs Leslie-Melville questions the reduction of the amount of land zoned for housing (policy H2). Under the current Local Plan land to the south west of the area zoned H2 in the deposit local plan is allocated for long term housing development. Mrs Leslie-Melville considers that further land should be reserved for the future expansion of the village. Significant recent developer demand for housing land has been unsatisfied due to sewerage infrastructure limitations.

Mrs Leslie-Melville is of the opinion that the most suitable land for this long term housing development over and above the area shown as H2 is land situated to the south west of H1.

Modifications required to resolve objection: Allocate further land term housing to land to the west of H1 coloured red on attached plan.

CNPA analysis of objection to Deposit Plan

The comments are noted, and a comprehensive review will be undertaken in Newtonmore to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made. This will include a survey and review of the additional land suggested.

Confirm housing allocations are based on need etc, and based on the work of the various studies. The long term growth of Newtonmore will therefore be assessed in line with normal monitoring of the local plan, and should existing allocations be taken up within the plan period future revisions and modifications to any future plan will consider additional land for the long term. However confirm view that effective 5 year supply has been met and that medium term growth is also met (table 2-4)

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

WRITTEN

Objector
371b

Name James Hall
Craigdhu
Braeside Place
Newtonmore
PH20 1DW

Agent

Company

Policy/site Settlements - Newtonmore

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

To properly reflect the views of the Newtonmore community, the first sentence of item (iii) under Newtonmore Proposals should read:

"There also remains within the community an aspiration that the A86T should bypass the village centre. This would be achieved by means of a new road link to the B9150 along the boundary of area H2 and a new road link to the industrial site at ED2 through area H1. Development of H1 or H2 should provide opportunities to bring forward this proposal."

I note that an area to the south of Clune Terrace remains as white space despite our earlier comment. The document does not make clear what is the status of such a designation within a settlement boundary.

CNPA analysis of response to 1st modifications

para iii will be amended to read "There also remains within the community an aspiration that the A86T should bypass the village centre. This would be achieved by means of a new road link to the B9150 along the boundary of area H2 and a new road link to the industrial site at ED2 through area H1. Development of H1 or H2 may provide opportunities to bring forward this proposal."

The position regarding land within settlement boundaries is explained in Para 7.2. Second modifications will be made therefore in respect of para iii.

response to 2nd modifications

WRITTEN

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

Company Badenoch and Strathspey Conservation Group

Policy/site Settlements - Newtonmore

Representation to Deposit Plan

Object to H1 and H2 on grounds of excessive scale and conflicts with the 1st and 3rd aims 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 contradiction the appropriate changes will be made to the wording in the Local Plan. Confirm housing allocations are based on need etc, and based on the work of the various studies. The impact of development, as in all cases will be judged against the aims of the Park. Any proposal will have to comply with all relevant policies of the plan.

Response to 1st modifications

Object to H1 and H2 on grounds of excessive scale and conflicts with all 4 aims of the Park.

CNPA analysis of response to 1st modifications

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

response to 2nd modifications

Object to H1 and H2 on grounds of excessive scale and conflicts with all 4 aims of the Park.

HEARING

Objector	Name	Agent
357	Max and Tricia Brown An Leanag Station Road Newtonmore PH20 1AR	

Company

Policy/site Settlements - Newtonmore H1, H2

Representation to Deposit Plan

We object to the scale (potentially 1000 people) of both the developments. We are concerned that the landscape character of Newtonmore would be effected in a very detrimental way. We are convinced the existing road junctions and pavement infrastructure are inadequate for the volume of pedestrians and cars. We feel that the tranquillity of the village would be spoiled (its already under threat from lorries) by the cars owned by the house owners. The settlement character of the village would be negatively and irreversibly changed. At the moment the village is well contained and the facilities just about match the populations needs. The views are stunning and need to be protected. We are concerned that those 2 sites are also actually old flood plains.

Modifications being sought

1. for the housing development to be about 75% smaller
2. for landscaping to be top priority and careful consideration of positioning of housing to be carried out
3. for the houses to have 'green' specs – eg solar panels, geothermal heating, wind turbines (those fields are windy)
4. roads, junctions, pavements properly thought out and provided
5. the houses blend with the existing buildings
6. the houses are all low cost and affordable and saleable to locals only

CNPA analysis of objection to Deposit Plan

The comments are noted, and a comprehensive review will be undertaken in Newtonmore to ensure there is an adequate amount of land allocated for both housing and employment opportunities to meet local demand, matched with an assessment of land used for open space and landscaping which add to the overall character of the settlement. Within this review the issues of access and flood risk will also be considered together with the other issues raised throughout the plan including affordability, design, and balance of house sizes, and the appropriate amendments made. Confirm housing allocations are based on need etc, and based on the work of the various studies. Also confirm the policies regarding design, sustainable methods of construction, impact on the landscape etc to protect the setting and the need for developer contributions where facilities are lacking. Also that Highland roads engineers will be involved, and that allocations will be based on the affordable housing policies.

Response to 1st modifications

We wish to maintain our objections.

CNPA analysis of response to 1st modifications

The position regarding the allocation of land for housing in Newtonmore has not changed. No modifications or amendments are therefore proposed.

response to 2nd modifications

WRITTEN

Objector **Name** Alison Irvine **Agent**
423h Transport Analysis Branch, Strategy
 Buchanan House, 58 Port Dundas
 Glasgow
 G4 0HF

Company Transport Scotland

Policy/site Settlements - Newtonmore H2

Representation to Deposit Plan

Proposal NM/H2 indicates that the 5.2Ha site could provide land for around 100 house units. It is stated that the CNPA will prepare a development brief to ensure a layout that minimises and mitigates the effects of development, however, the Local Plan does not identify how it is proposed to access this development site. Transport Scotland objects to the fact that the Local Plan does not contain a reference to the presumption of no new trunk road access for this development. The north side of the site is bounded by the A86 trunk road and Transport Scotland would advise that SPP17 paragraph 22 states that “There is a general presumption against new motorway or trunk road junctions” whilst paragraph 22 also states that “Direct access onto strategic roads should be avoided as far as practicable”.

Modifications to resolve this objection - Transport Scotland requests that statement provided below be added to page 70 after the second last sentence. “A new access to the A86 would not be permitted for this development. Instead access for this development should be taken from the local road network.”

CNPA analysis of objection to Deposit Plan

The comment is noted, and the appropriate amendments will be included to reflect current access agreements and guidance in regard to trunk roads as defined in SPP17.

Response to 1st modifications

Objection ref. TS/Obj/8 is retained. The proposed modifications do not address objection ref. TS/Obj/8 and do not preclude access from the A86 for this development site. No clear rationale has been provided, through appropriate appraisal, for such a transport intervention.

CNPA analysis of response to 1st modifications

An additional sentence will be added to NM/H2 ii 'Access for this development should be taken from the local transport network.'

response to 2nd modifications

There is no text accompanying the statement regarding a bypass that there is a requirement to carry out transport appraisal to identify transport solutions to transport problems. No such appraisal has been undertaken to justify a bypass and appropriate appraisal requires to be undertaken where potential identified solutions will require Scottish Ministers/ Scottish Government/ Transport Scotland consent and/ or funding. This scheme does not feature in the recently proposed STPR projects.

This objection could be resolved by deleting Page 74, Newtonmore, iii, 1st sentence or replacing this sentence with the following wording.

"While there remains within the community an aspiration that the A86 should bypass the village centre, any transport intervention requiring Scottish Minister/Scottish Government/Transport Scotland consent and/or funding, would require to undergo appropriate transport appraisal.

WRITTEN

Objector **Name** The Crown Estate
419t

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

Company The Crown Estate
Policy/site Settlements - Tomintoul
Representation to Deposit Plan

My Client objects to;

- The phasing of the allocations for Tomintoul.
- The tightly drawn settlement boundary
- The exclusion of site B2 in the Consultative Draft from the Finalised Draft.

Table 4 Phased Land Supply shows an indicative capacity of additional sites identified at Tomintoul of 40 units. However, the table shows these consents being phased as follows;

- 12 units in the first 5 years
- 12 in the 5-10 years
- 16 in the medium to longer term.

However the proposal on page 88 says that these four housing sites will provide land for the needs of Tomintoul during the lifetime of the Local Plan which we assume will be 5 years. The table and the settlement statement should be reconciled.

There is no necessity to phase these house units and indeed it is important not to phase them in order to achieve the critical mass of development needed to fund any necessary infrastructure improvements and to justify the wider masterplanning of the village.

Discussions have been held with the Park Authority in relation to the masterplanning of the medium to long term growth of Tomintoul together with extensive community liaison. However, there is a need for a sufficient level of growth in the village for such an exercise to be worthwhile. The phasing indicated by the Park Authority in the Finalised Plan would make this exercise unviable and could contribute to the continued decline of Tomintoul.

Tomintoul faces particular economic and social problems. It has suffered from closure of businesses and its remote location present particular challenges in attracting new businesses and supporting services. It is therefore important to provide the critical mass of housing in the village to boost its population growth, support its services and promote the village's economy. Without investment in housing, it will not be possible to attract people to locate in the village.

In general terms it is considered that the Park Authority could be bolder in drawing the settlement boundary and my client would wish to see the areas shown in red (see the plan attached) included to allow greater scope for expansion of the village.

The Crown Estate would be keen to work with the Park Authority, the community, and others to develop a masterplan to assist in the delivery of the short and long term future of Tomintoul. In this regard the settlement statement in respect of Tomintoul is broadly welcomed but should be altered to include the commitment of the Park Authority to a review of the housing allocations and the settlement boundary as a part of any masterplanning exercise within the plan period. This level of longer term commitment to the growth of Tomintoul is essential to reassure all parties that expansion will be supported.

There are significant variances between the settlement plan in the Consultative Draft Plan for Tomintoul and that in the Finalised Draft Plan. The settlement boundary is drawn too tightly round the village and sites allocated for business development at B2 and Tourism Development T1 in the Consultative Draft Plan have been excluded from the Finalised Draft.

My client has had 6 business units already consented on B2 (Consultative Draft Plan) with three units already constructed. It is therefore important to protect the business allocation in this location.

Modifications to resolve these objections -

Table 4 should be altered to include the entire 40 houses in the initial 5 years of the Plan.

The settlement plan should include the allocation of B2 from the Consultative Draft Plan.

There should be an explicit statement of support for the immediate and ongoing growth of Tomintoul in order to engender population growth and consequent support for both its services and the local economy of the area. The settlement statement on page 88 should be augmented with the following;

“The Park Authority will support further expansion to the settlement boundary of Tomintoul as arising from any masterplanning for the longer term development of the village.”

CNPA analysis of objection to Deposit Plan

The comments regarding the indicative figures given in Table 2 and the proposals section are noted and the appropriate changes will be made to ensure they correlate. The issue of phasing is also noted. In considering the appropriate level of development for the village the CNPA will work closely with the estate, the community and Moray Council to ensure an appropriate level of development is possible and the appropriate amount of land allocated to meet this demand. This will include a review of land allocated for employment uses and the future need for a masterplan for the village.

Response to 1st modifications

In addition to sustaining its objection to the text and map in the Finalised Draft Plan, The Crown Estate objects to the modified text relating to Tomintoul.

In the Modified Draft paragraph one of the accompanying text to Tomintoul, the Park Authority have made an explicit commitment by The Crown Estate to Masterplanning for the village and stated that The Crown Estate has aspirations to develop Tomintoul into a larger and more sustainable community with improved facilities and housing provision.

The Crown Estate would wish to make it clear that it believes that the growth of Tomintoul is important to its sustainability as a community, rather than wanting growth for growth's sake.

We would re-iterate that Tomintoul faces particular economic and social problems. It has suffered from closure of businesses and its remote location present particular challenges in attracting new businesses and supporting services. It is therefore important to provide the critical mass of housing in the village to boost its population growth, support its services and promote the village's economy. Without investment in housing, it will not be possible to attract people to locate in the village.

In general terms it is considered that the Park Authority could be bolder in drawing the settlement boundary and my client would wish to reinforce the plan submitted as part of the initial objection, included allowing greater scope for expansion of the village.

In addition to the higher costs of house building in the National Park as a whole, there are considerable site servicing additional costs in Tomintoul due to the requirements for road widening on the rear streets of the settlement and it is understood that the main water main needs investment. The costs of this infrastructure provision make small incremental house by house development uneconomic. More significant releases are required to make the developments viable.

The Crown Estate would be keen to work with the Park Authority, the community, and others to develop a masterplan to assist in the delivery of the short and long term future of Tomintoul. In this regard the settlement statement in respect of Tomintoul is broadly welcomed but should be altered to include the commitment of the Park Authority to a review of the housing allocations and the settlement boundary as a part of any masterplanning exercise within the plan period. This level of longer term commitment to the growth of Tomintoul is essential to reassure all parties that expansion will be supported.

The Crown Estate considers that a Masterplan should be produced for Tomintoul and are happy to assist the Park Authority on this exercise.

Paragraph two of the accompanying text seeks to resolve the objection to the Finalised Draft which highlighted the discrepancy between the Table 4 Phased Land Supply which shows specific sites being developed for 40 houses in total phased as;

12 units in 5 years
12 in 5-10 years
16 in the medium to longer term.

However the original text said that the housing sites will provide land for the needs of Tomintoul during the lifetime of the Local Plan which we assume will be 5 years.

The Modified Draft states that the sites H1, H2, H3, and H4 will provide land for 40 dwellings in total and will provide land for Tomintoul's needs during the lifetime of the Local Plan;

"in line with table 4, and for future growth and expansion. During the period 2006-2011, 12 dwellings would therefore be expected.

While this statement provides some clarification, it is still the case that it is unclear whether, if more than 12 units are brought forward within the Plan period, will an artificial restraint be put on their development because of this phasing? It should be made clear both that this is not a ceiling on development or the phasing should be removed completely and housing allowed to come forward as market conditions require them.

As stated earlier, in addition to the higher costs of house building in the National Park as a whole, there are considerable site servicing additional costs in Tomintoul due to the requirements for road widening on the rear streets of the settlement and it is understood that the main water main needs investment. The costs of this infrastructure provision make small incremental house by house development uneconomic. More significant releases are required to make the developments viable.

Proposed amendment - The Crown Estate would wish to see;

1) Paragraph one, second sentence altered to say;

"It is an aspiration of the Crown Estate to develop Tomintoul into a sustainable community with improved facilities and housing provision. To take this forward the Crown Estate are happy to assist the Park Authority on the completion of a masterplan for the village in consultation with the community and key stakeholders, and the National Park Authority is supportive of this approach to planned medium and long term growth."

2) Paragraph 2 should be altered to say;

"... During the period 2006-2011, 12 dwellings would therefore be expected but no restriction is placed on more than 12 dwellings coming forward within the Plan period."

3) The boundary of the settlement Plan for Tomintoul should be expanded to allow for appropriate planned growth as per the plan put forward with the original objection to the Finalised Draft Plan.

CNPA analysis of response to 1st modifications

para 1 the proposed wording places the onus for the provision of a masterplan on the CNPA. This is not as was previously discussed with the Crown estate where CNPA agreed to assist the Crown Estate in the production of such a masterplan.

Para 2 the suggested wording is not accepted as table 4 clearly states that figures are indicative.

Para 3 without the previously mentioned masterplan there is no base of evidence to support including additional land for housing and extension of the settlement boundary. The proposed change is therefore considered to be premature to this work.

No modifications are therefore proposed.

response to 2nd modifications

WRITTEN

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

Company Scottish Council for National Parks

Policy/site Settlements General

Representation to Deposit Plan

Another factor which will create major problems in several villages is the fact that the Local Plan proposals bring areas of pinewood into play either by direct loss of trees to housing or by creating pressure points for overuse by the public. This is the case in Kingussie, Boat of Garten, Nethy Bridge, Carrbridge and Ballater. At Newtonmore there is a question of housing on the flood plain and in Cromdale the village would more than double in size by accommodating the proposed allocation which seems inconsistent with Para. 5.62 which refers to 'Development that would lead to growth of the settlement by more than 20 per cent is unlikely to enhance the character of the settlements.'

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. 5.62 refers to small rural settlements rather than larger strategic or intermediate settlements

Any development which occurs on proposals sites must be done in line with the aims of the Park and all the policies of the Plan including those regarding natural heritage etc.

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

The position regarding housing allocations in the settlements mentioned has not changed. The para referred to in 5.62 refers to groups of 3 or more dwellings rather than settlements and so is not applicable to Cromdale. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

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

Company Scottish Council for National Parks

Policy/site Settlements General

Representation to Deposit Plan

We are generally supportive of the classification of settlements between strategic and intermediate and the use of four key proposal types. It is noted that the individual settlement plans do not always provide up to date information on existing housing units.

The intention of the Plan to restrict most development within settlement envelopes is good, but the way the land is allocated will bring an urban feel to many of these villages.

Of particular concern is the fact that in the Badenoch and Strathspey area all the new development is predicated on the need to improve the infrastructure and, in particular, the water supply and sewerage infrastructure. The Water Authority is on record as stating that Loch Einich which is the current main source of supply for Badenoch and Strathspey is at or near capacity and the most likely option for further supply will be boreholes and abstraction from the Spey which is the core interest of the Spey Catchment SAC. This is bound to threaten the integrity of Insh Marshes, part of the SAC and a RAMSAR site of international importance.

CNPA analysis of objection to Deposit Plan

The comment regarding the proposals maps is noted and the appropriate changes will be made to clarify the position. The issue of the scale and nature of development particularly in Badenoch and Strathspey is noted, and care will be required in the approach taken to new developments, particularly housing, to ensure that the special character of these settlements is not damaged. This falls in line with the aims of the Park and compliance with the Park Plan. Policy I and its implementation will be of key importance. Confirm that proposals aim to meet need in conjunction with working in partnership with SW for infrastructure. Ongoing work to upgrade the provision of water services will come forward for consultation in the normal way and the protection of natural heritage designations will be key to that.

Response to 1st modifications

Objection maintained as in 434a.

CNPA analysis of response to 1st modifications

The comments regarding infrastructure are noted. We continue to work with statutory undertakers to ensure that the land allocated in the plan is effective and realistic and capable of development. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

CNPA analysis of response to 1st modifications

The CNPA position regarding housing allocations in Kinncraig have not changed since the publication of the modifications. Therefore no further modification is proposed in this regard.

With regard to ED2, this site was included to provide some additional choice within the settlement of Kinncraig. However with strong local opinion that it is not required, the proposal should be removed and remain as 'white' within the settlement map. A second modification in line with the objection is therefore proposed.

response to 2nd modifications**WRITTEN**

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

Policy/site Settlements General - Proposals

Representation to Deposit Plan

Settlements 7.5-8: housing five year plan plus windfall sites but unconstrained and varied. It would be better to have long-term concepts rather than little isolated patches where never the twain shall meet (cf Princes' Foundation discussions), but to get on with it before someone leaps to fill gaps or some cash is available. The Design Guide and information is needed soon too.

Economic Development p 59-60 7.9: protection of proposed sites. Community 7.10: consideration and protection or replacement Open space 7.11: protection All sound good, but again, how will it work and who will run things? Farmers plan for the next rotation and their children. Foresters plan for the next century and their great- grandchildren. Bureaucrats plan for the new minister and politicians hope for next week.

Maps and Legend 7.12-16: are not all up-to-date. The maps are without listed buildings and Scheduled A.M.s as above. Core paths are still under discussion and higher ground and through paths lists are not yet available.

CNPA analysis of objection to Deposit Plan

The comments regarding land use allocations are noted. The Park Plan endeavours to provide a strategic level of guidance for the long term future of the Park, while the Local Plan aims to deliver those aspects of the Park Plan relevant to the planning process in the near future. The additional comments regarding the maps are also noted and the most up to date map bases are used to provide clarity. However prior to the final production of maps, CNPA will request that OS resurvey those areas within the Park which have seen considerable development and amend their bases accordingly. Confirm 7.5-8 housing proposals aim to meet local need to support sustainable communities. 5 year allocations are a requirement of the SG

7.9 economic proposals aim to promote sustainable economies within the life of the plan and beyond.

7.12-16 next version of plan will ensure most up to date bases and add extant permissions for clarity. Adding Listed buildings and SAMs at the scale of maps would not be helpful - HS have most accurate and up to date maps. Core paths once agreed will be added.

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** Mrs Audrey MacKenzie **Agent**
416p Aviemore and vicinity Community
 Tamsduchus
 10 Dalfaber Road
 Aviemore,PH22 1PU

Company Aviemore and vicinity Community Council

Policy/site Settlements omissions

Representation to Deposit Plan

CNPA analysis of objection to Deposit Plan

Response to 1st modifications

Glenmore - we note glenmore is no longer included in this deposit local plan whilst it was in the first version. Is this because there is no desire to have any land allocated for development in this area?

CNPA analysis of response to 1st modifications

There is no land allocated at Glenmore and developments which may come forward in this area would be considered against the policies of the Plan. No further modification is proposed.

response to 2nd modifications

WRITTEN

Objector 453r	Name Glenmore Properties Ltd Viewfield Farm Craigellachie Aberlour AB38 9QT	Agent Steve Crawford Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB
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Company Glenmore Properties Ltd

Policy/site Settlements omissions

Representation to Deposit Plan

Balmenach, as a distillery settlement with scope for expansion, should be considered as a designated settlement in the Plan. The land to the north between the railway line and the Burn of Cromdale offers scope for development that ties in with the existing settlement form and with neighbouring Cromdale. This should be identified for housing.

Modifications: Identify Balmenach as a settlement and allocate land to north for housing (boundaries to be confirmed). Balmenach could be identified in its own right or along with Cromdale given their close relationship i.e. "Cromdale & Balmenach"

CNPA analysis of objection to Deposit Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Response to 1st modifications

Glenmore Properties Ltd wish to sustain their previous objection suggesting that Balmenach should be allocated as a settlement in the Local Plan, to permit additional, sustainable development in the area. Although the CNPA suggest that additional residential development would be permitted in Balmenach, under the Modified Policy 23 Housing Development in Rural Building Groups, this does not provide sufficient confidence, for the reasons outlined above, in our objection to Policy 23. This is principally due to the absence of guidance on what will constitute a 'Rural Building Group.' Accordingly, we would wish to maintain our client's original objection, but would be willing to discuss details with the CNPA further when Policy 23 is clarified.

CNPA analysis of response to 1st modifications

The position regarding groups of houses is explained in the response to policy 23. No further modifications are therefore proposed.

response to 2nd modifications

In respect of our previous correspondence we would wish to maintain our objections as previously detailed to Balmenach

HEARING

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

Company

Policy/site Settlements omissions

Representation to Deposit Plan

We are unhappy that the settlement of Crathie has not been included in the Local Plan. Crathie is an important settlement; it has a healthy primary school roll, is an important tourist stop and has good tourist employment opportunities. Settlements such as Cromdale and Durnain Bridge have been included in the plan and we see no reason why Crathie should be excluded. Land for housing and tourist development in the Crathie area needs to be identified. We therefore strongly urge that Crathie be included in the Plan.

We further note that the village of Dinnet has not been included in the Plan even though it is within the Park. Significant housing development is proposed in the Aberdeenshire CC Local Plan which directly effects employment, housing needs and schools in Ballater area and therefore should be included in the Plan.

CNPA analysis of objection to Deposit Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA. Confirm that some settlements will be identified including Dinnet, but outwith these opportunities still exist in a much less structured way for housing and employment - the way the plan is formed therefore allows small communities a much greater degree of flexibility than if a line is drawn on proposals maps. **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

Dinnet has been recognised as a rural settlement. Crathie however remains as in the deposit local plan, to allow a degree of flexibility for small appropriate scale development to meet the local community needs. The approach taken to ensure that there is not a mentality of locating development purely on a boundary basis is intended to provide flexibility and opportunity. 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 decided on this matter but will probably follow the informal route.

HEARING

Objector 425w	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 Settlements omissions

Representation to Deposit Plan

To conclude our commentary on settlements, SE Grampian are concerned about the diminished allocation of the eastern settlements, and non-mention in the hierarchy in some cases, particularly at the Gateway Sites' and Donside. There is significant concern about the low level of business development land identified.

CNPA analysis of objection to Deposit Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Additional sites and settlements have been identified in Aberdeenshire and additional explanation included in chapter 7. No further modifications are therefore proposed.

response to 2nd modifications

HEARING

Objector 425v	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 Settlements omissions

Representation to Deposit Plan

Glenshee and the Lecht are not specifically mentioned and other locations such as Dinnet have been removed from the plan's settlement maps so no new allocations exist for these locations. In addition, the Strathdon villages have been ignored in this Plan which raises serious concerns for the economic prosperity of the North East area of the Park and Donside. The aforementioned villages are located on the main transport corridor between Aberdeen and the west of the Park and offer opportunities for tourism or service based employment.

CNPA analysis of objection to Deposit Plan

The approach to the identification of settlements outwith those identified in the deposit plan will be reviewed, and in line with the requirements of SPPI a detailed rationale behind the approach taken will be drawn up. Where it is considered that additional detail including land allocations would assist in the level of detail provided for smaller communities and help attain their aspirations, the specific identification of those settlements will be considered as appropriate through modification both Section 7 of the Plan, the policies regarding housing outwith strategic settlements, and the proposals maps. Any change to the approach taken may also impact on the SEA.

Response to 1st modifications

Objection maintained.

CNPA analysis of response to 1st modifications

Dinnet has been included as a settlement. As there is no 'settlement' at glenshee it is not possible to draw a settlement boundary. No further modifications are therefore proposed.

response to 2nd modifications

HEARING