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Our ref: A23943563  
29<sup>th</sup> March 2019

Dear Sir/Madam,

**Cairngorms National Park Authority – Cairngorms National Park Local Development Plan – Proposed Plan**

I refer to your correspondence of 30<sup>th</sup> January 2019, inviting comments on the above document. Please see below representations from the Scottish Government.

**1. Spatial Strategy – Transport Improvements**

**Proposed change** – Amend wording of paragraph 3.2 to detail that currently the NMU link between Kingussie, Kingcraig and Aviemore will be diverted or re-aligned as a result of the A9 dualling.

**Reason** - The Proposed Plan details within paragraph 3.2 on page 14 that as part of the A9 dualling “*upgrades to a parallel route for non-motorised users, particularly cyclists and walkers, will make a significant contribution to functional transport on a safe off-road route between many of the communities in the National Park.*” Transport Scotland wish to clarify that, currently, there is no commitment to undertake this for the whole route. The wording change is recommended to provide greater clarity on the NMU provision as there is currently no commitment to upgrade, divert or re-align along the whole route.

**2. Policy 1.10 Gypsies and Travellers (1)**

**Proposed change** – Amend Policy 1.10 to read ‘Proposals for the development of sites for Gypsies/Travellers and Travelling Showpeople will be favourably considered where the need and location have been identified in the relevant Local Authority Housing Strategy’.

**Reason** – To accord with Paragraph 133 of Scottish Planning Policy which requires consideration of any need identified.

### 3. Policy 1.10 Gypsies and Travellers (2)

**Proposed change** – The plan should reflect what consideration there has been given to housing provision for Travelling Showpeople. If there is no identified need in the CNPA area this should be stated.

**Reason** – To accord with Paragraph 133 of Scottish Planning Policy which requires consideration of need for both Gypsy/Travellers and Travelling Showpeople.

### 4. Policy 2.1 – Retail development and high footfall generating uses

**Proposed change** – Rename Policy '2.1 – Town Centres First' and amend policy to be framed in more positive terms to highlight the town centre first principle and support a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening.

**Reason** – To accord with Paragraph 60 of Scottish Planning Policy which supports a town centre first approach.

### 5. Policy 4 Natural Heritage – 4.1 International designations

**Proposed change** – Amend Policy 4.1 (page 44) to include additional sub paragraph as follows:

'c) and compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.'

**Reason** – To comply with Paragraph 208 of Scottish Planning Policy which requires compensatory measures for Natura networks.

### 6. Policy 8 – Open Space, Sport and Recreation (1)

**Proposed change** – Insert a further sub-section to provide a policy framework that complies with paragraphs 227 and 228 of Scottish Planning Policy (SPP).

**Reason** – The plan as written does not include a policy providing support and protection for allotments and community growing (in accordance with the requirements of Paragraph 227 of SPP) or make reference to community growing spaces (in accordance with the requirements of Paragraph 228 of SPP).

### 7. Policy 8 – Open Space, Sport and Recreation (2)

**Proposed change** – Insert a further sub-section to provide a policy framework that complies with paragraphs 229 of Scottish Planning Policy (SPP), with the following wording:

'Temporary Greening

Temporary greening can be an appropriate way to create safe and attractive places until development comes on stream. The National Park Authority will support the use of temporary greening of land awaiting development, where appropriate. Consideration will be given to whether greening of a site could bring about a positive impact to the local environment and overall amenity of the area, without prejudicing the effectiveness and viability of the site, if it is allocated for development in the longer term.'

**Reason** – The plan as written does not include text on temporary greening (in accordance with the requirements of Paragraph 229 of SPP).

## 8. Policy 9 – Cultural Heritage

**Proposed change** – Delete first paragraph (below c) of Section 9.2 ‘Development affecting a scheduled.....’ and replace with ‘Any works directly affecting a designated Scheduled Monument requires Scheduled Monument Consent (SMC) which is obtained from Historic Environment Scotland. Advice on the SMC process and requirements should be sought at an early stage.’

**Reason** - To align with paragraph 145 of Scottish Planning Policy (SPP) as planning authorities have no remit over direct impacts on scheduled monuments - Historic Environment Scotland are the consenting authority for Scheduled Monument Consent.

## 9. Settlement Statements– Transport Improvements

**Proposed change** – Amend the Settlement Statements and plans of Dalwhinnie, Killiecrankie, Crubenmore, Newtonmore, Kingussie, Aviemore, Calvine, Carr-bridge, Bruar and Pitagowan, and Blair Atholl to include the A9 dualling route upgrade and the Aviemore Settlement Statement plan should be amended to include information within the Key to detail the dashed white line denotes the A9 dualling.

**Reason** - It is recommended by Transport Scotland that the preferred upgraded route for the A9 adjacent to the above settlements is included within the Settlements Statements and plans to provide robust information on the major infrastructure improvement project that is on-going. The A9 dualling is a major infrastructure scheme that will have transport implications for specific settlements in the Cairngorms area. These changes will provide accurate and robust information relating to the infrastructure upgrades to the general public, developers and other interested parties.

The A9 dualling programme will upgrade 80 miles of road from single to dual carriageway. Transport Scotland's £3 billion programme is designed to deliver economic growth through improved road safety and reliable and quicker journey times, as well as better links to pedestrian, cycling and public transport facilities. The route is split into 11 sections and there are many settlements along the preferred A9 dualling route which are detailed within the Proposed Plan specifically; Dalwhinnie, Killiecrankie, Crubenmore, Newtonmore, Kingussie, Aviemore, Calvine, Carr-bridge, Bruar and Pitagowan, and Blair Atholl. Each settlement has its own ‘Settlement Statement’ within the Proposed Plan. However each Settlement Statement does not include the upgraded route or any associated junctions/improvements within the accompanying settlement plan. While Aviemore includes the A9 as a dashed white line within the settlement plan, there is no accompanying text within the Key to identify what this means.

## 10. Policy 10.6 – Minerals

**Proposed Change** – As written, policy 10.6 does not align with the requirements of paragraphs 237 and 238 of SPP. Specifically, the policy should be amended to address the following:

- first two bullet points a) and b) add caveats that do not align with paragraph 237 of SPP.
- Para 237 of SPP requires plans to set out factors that specific proposals will need to address, including for example noise, pollution of land, air and water.
- There is no reference to maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years (as per SPP para 238) at all times in all market areas,

**Reason:** To align with paragraphs 237 and 238 of Scottish Planning Policy (SPP) which requires development plans to safeguard workable minerals resources and support the maintenance of a 10 year landbank.

## 11. Climate Change Policy

**Proposed change** – The plan should be modified to include a policy that fulfils the requirements of section 3F of the Town and Country Planning (Scotland) Act 1997.

**Reason** – To comply with the requirements of Section 3F of the Town and Country Planning (Scotland) Act 1997. The Act requires that all Local Development Plans must include policies requiring all developments in the Local Development Plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

Examples of how other local development plans have approached this requirement are set out in the annex of the annual reporting published by the Scottish Government: Climate Change Act annual reports: <https://www.gov.scot/publications/climate-act-annual-reports-2016-2018/>

## 12. Active Travel Exemplar

**Proposed Change** – The local development plan should identify at least one exemplar walking and cycling friendly settlement.

**Reason** - Paragraph 5.14 of National Planning Framework 3 encourages all local authorities to develop at least one exemplar walking and cycling friendly settlement to demonstrate how active travel networks can be significantly improved in line with meeting the Scottish Government's vision for increased cycling.

## 13. Support for the National Long Distance Cycling and Walking Network

**Proposed change** – Policy support should be given to support the Speyside Way Extension as set out in National Development 8 in relation to the National walking and cycling network and the Speyside Extension.

**Reason** – The proposed plan does not clearly support National Development 8 of National Planning Framework 3 in relation to the Speyside Extension, specified in the national

development. National developments are a core element of delivering the spatial strategy set out in National Planning Framework 3.

#### **14. Specialist Housing Need**

**Proposed change** – The plan should be amended to mention forms of specialist housing such as accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing and how this provision can be met.

**Reason** – To accord with Paragraph 132 of Scottish Planning Policy which requires consideration of Specialist Housing Provision and other specific needs.

#### **15. Draft Action Programme – Table 2**

**Proposed Change** – Amend Table 2 of the Draft Action Programme 2020 ‘National projects identified through the Scottish Government’s National Planning Framework (NPF3)’ to include the following wording in the ‘Notes’ section for the A9 Dualling entry ‘*Construction of the second section between Luncarty and Pass of Birnam is underway and is planned to be completed in Spring 2021.*’

**Reason** – For clarity.

#### **16. Table 1 / Table 2 / Appendix 1: Housing Figures**

**Proposed change** - The housing figures in Table 1 and Table 2 (Page 26) and Appendix 1 (Pages 217-218) of the plan should be checked for accuracy.

**Reason** - To address minor inaccuracies in the housing figures.

Yours sincerely  
**Rebecca Young**  
**Senior Planner**