



**The
Highland
Council**
Comhairle na
Gaidhealtachd

SERVING Badenoch & Strathspey

(As Continued in Force) (April 2012)

Badenoch and Strathspey LOCAL PLAN

Adopted Plan

The Highland Council : September 1997

How to Read and Use the Plan

This Local Plan (as continued in force) must be read in conjunction with the Highland-wide Local Development Plan (HwLDP). The HwLDP contains the Spatial Strategy, Vision and all general policy against which development proposals will be assessed. General policies within the Highland-wide Local Development Plan can found in Sections 18 to 23 (inc).

Badenoch & Strathspey Local Plan (as continued in force)

The adopted Highland-wide Local Development Plan replaced the Highland Structure Plan (March 2001) (except within the Cairngorms National Park) and updates/supersedes the “general policies” of the existing adopted Local Plans. In order to retain the other elements of the existing adopted Local Plans (including but not limited to; site allocations, settlement development areas not covered by the Highland-wide Local Development Plan and site specific policies) a Parliamentary Order was laid before Scottish Parliament on 16th March 2012 to enable these elements to remain in force to the extent so specified as required by Schedule 1 of The Town and Country Planning (Scotland) Act 1997 As Amended. The Order is called The Town and Country Planning (Continuation in force of Local Plans) (Highland) (Scotland) Order 2012 and came into force on 1st April 2012.

The elements of the adopted Local Plans which remain in force are included within the Retention Schedule as contained in Appendix 7 of the Highland-wide Local Development Plan. These retained elements of local plans will remain retained until the time a new area Local Development Plan is prepared covering that area. At that time the retained elements of the local plan will no longer be part of the Development Plan.

The Retained Elements of the Plan are contained in the following sections of this document, the original Local Plan documents have been redacted to remove or shade out sections of text no longer in force. The continued in force parts of the Plan remain with the HwLDP providing the general policy context for these sections of text and mapping.

Habitats Regulation Appraisal and Strategic Environmental Assessment

For the Order to be passed it had to be clear that the retained elements of the adopted local plans have met the requirements of European Community Law with respect to Habitats Regulation Appraisal (HRA) and Strategic Environmental Assessment. The Habitats Regulations Appraisal (HRA) considers all the policies and proposals of the adopted local plans which are intended to be retained in force. The Plan must be read alongside the HRA.

Provisions of Local Plan Map(s) as continued in force

The provisions of the Proposals Map (including any inset contained in or accompanying it and the policies and proposals shown on such inset) and related notations, referencing and explanatory text, only to the extent to which those provisions show, illustrate or explain any provision of the local plan which is continued in force by the Parliamentary Order* and as detailed in the Retention Schedule.

The Retention Schedule (extract) below lists the retained elements to the area Local Plan.

Badenoch and Strathspey Local Plan

(Adopted: 11 September 1997)

Provisions of Badenoch and Strathspey Local Plan to continue in force	Limitations and exclusions
1. The provisions of the Written Statement contained in—	
Chapter 2 (landward)	Only the provisions of paragraph 2.2.6 (distilleries) to the extent to which they relate to Tormore.
Chapter 3 (Grantown-on-Spey)	Only the provisions relating to the village of Advie.
2. The provisions of the Proposals Map (including any inset contained in or accompanying it and the policies and proposals shown on such inset) and related notations, referencing and explanatory text	Only to the extent to which those provisions show, illustrate or explain any provision of the local plan which is continued in force by this Order.

INTRODUCTION

The Highland Council prepared a Local Plan for Badenoch and Strathspey. This replaces the Plan which was adopted in 1980.

PURPOSE

The main task of the Plan is to identify the best uses for all land in the area. These policies will then be used to help the Council decide on individual planning applications.

The Plan also shows the Council's own priorities in terms of, for example, roads, water and drainage, education and social provision. Where known, the Plan sets out proposals from other public bodies and agencies dealing with services such as housing, recreation and economic development. The dates and costs shown against these schemes are liable to change as programmes and resources are revised in future years.

TIMESCALE

Most of the provisions deal with the period 1993-2002. However, the Plan also looks a further 10 years beyond that time in order to help set out a wider framework for future development and conservation. It has to take account of likely changes in population, the economy, and the wider environment.

FORMAT

The Plan is made up of eight chapters covering different areas and issues, as follows:

No	CONTENTS
1	Overall Strategy
2	Landward Area PARTIAL RETENTION
3	Grantown on Spey - Cromdale - Advie
4	Nethybridge - Dulnain Bridge - Skye of Curr - Glenmore Corridor
5	Carrbridge - Boat of Garten - Duthil
6	Aviemore - Inverdrùie - Coylumbridge
7	Kingussie - Kincaig - Insh - Lynchat
8	Newtonmore - Dalwhinnie - Laggan

Each chapter in this Written Statement relates to one or more maps showing where the Council's policies and proposals apply. These are contained in the attached booklet. Paragraph numbers link the two, and cross-references between chapters are also given where necessary.

PROCEDURE

This Plan was adopted by the Highland Council at their meeting on the 11th September 1997.

Minerals

2.2.3 The Council will apply their Development Control Policy No.5 governing the Control of Mineral Workings throughout the Local Plan area. Whilst scope exists for mineral extraction (and in appropriate circumstances working former stone and slate quarries for local needs) the suitability of specific sites will be subject to assessment of environmental impact, servicing and safety aspects, together with prospects for site rehabilitation. Whilst established mineral sites have further potential, worked out or abandoned sites adjacent to the main road network could be suitable for after-use. Large scale single user enterprises could be acceptable, subject to detailed assessment of environmental impact and specific site criteria. Such locations could involve industrial, institutional or tourist and recreational activities. Long-standing quarries would benefit from screening.

Fish Farming

2.2.4 In considering proposals the Council will seek to ensure substantial separation between farms in the interests of reducing disease, pollution and over-development. Acceptable distances will depend on local circumstances, species and management agreements. Subject to agreements with the River Purification Board and the Spey Fishery Board, new freshwater fish farms on tributaries of the Spey will be generally restricted to one smolt farm and the use of native stock where appropriate. Other locations will require to demonstrate compatibility with hydrological circumstances, scientific and landscape interests, and other uses.

2.2.5 Limited potential exists on Loch Laggan subject to servicing and amenity factors, and on Loch Ericht subject to suitable technology. There will be a presumption against development on Lochs Morlich, Alvie and an Eilean together with other water bodies to which statutory nature conservation designations apply, in the interests of landscape and habitat conservation.

Distilleries

2.2.6 The Council will encourage expansion or development of Distillery operations at suitable sites in the area. The following policies will apply in locations which have attracted interest in the past, contain established facilities or have planning permission;

- *Tromie Mills, Ruthven - where opportunities exist for renovating buildings and developing adjoining land;*
- *Tormore, Cromdale - where the character and setting of these Grade B listed buildings and the adjoining village should be safeguarded;*

- *Dalwhinnie - see Chapter 8.*
- *Balmeanach, Cromdale - reinstatement of distillery operations or other beneficial afteruse possibly involving tourist/other commercial/institutional use and signposting at the A95 junction.*

Sawmill - Drumullie

2.2.7 The Council will encourage expansion of sawmilling operations at Drumullie for additional storage purposes;

(i) northwards - involving excavation and levelling of 0.2ha. of ground avoiding encroachment within 70 metres of existing residential properties to the east and buffer planting (native species) of the intermediate ground; and

(ii) southwards comprising up-filling of some 0.8ha. of land as far as the farm track, subject to amenity safeguards.

These will include adequate separation from the A95 and neighbouring residential properties, perimeter bunding and planting, suitable surface water drainage arrangements and protection for established agricultural andcrofting accesses and footpaths.

Downhill Skiing

2.2.8 The Council will support the development of downhill skiing facilities at the following locations;

- (1) Cairngorm - consolidation and upgrading within the existing lease area.
- (2) Dalwhinnie Corries - Coire Cisteachan subject to siting, details of operations, monitoring and management plans, with a further phase into Coire Uilliem to proceed only after the initial development is successfully established. Access could be taken from the A9 with low level car parking and a shuttle bus service to the skiing areas. Alternatively, subject to feasibility, a direct gondola link with Dalwhinnie would allow access from that community.
- (3) Jeans Gully - subject to appropriate leasing arrangements.

Development proposals will require to be accompanied by detailed management and safety plans and, where considered to have a significant environmental impact, an Environmental Assessment. Policies (2) and (3) above are consistent with the approved Structure Plan policies P52-54 (1990) and the extant National Planning Guidelines on Skiing Developments (1984). However the Regional Council will alter these elements of its Development Plan during 1995 to reflect policy changes brought about by the EC Birds Directive and the EC Habitats Directive towards the Drumochter Hills SSSI.

Development Restraint

3.10.3 *Other land adjoining Cromdale will be safe-guarded from development, unless this is essential for agricultural purposes, in the interests of the longer term development of the village, proper infrastructural provision (including potential bypass routes) and local amenity.*

Advie

Prospects

The small village of Advie is located off the A95 on the edge of the Region. There are no public water supply or drainage facilities and developments have largely been absorbed in the surrounding countryside. With continuing diversification of activities at Tulchan Estate, opportunities exist to improve the choice of house sites locally by consolidating the village, subject to adequate servicing.

Principles

The priorities at Advie are to;

- select opportunities for housing;
- safeguard village amenity;
- highlight deficiencies in services.
- Policies and Proposals

HOUSING

Infill

3.11.1 *Housing Policy RS2 will apply to sites within or adjoining the village subject to adequate water supply and drainage. These include;*

Area	Location	Capacity
(a)	by the Manse	1 house
(b)	north of /opposite the hall	4 houses
(c)	south of station yard	2 houses
(d)	either side of Moor Cottage	3 houses
(e)	east of the Post Office	2 houses

Proposals should avoid loss of trees.

SERVICES

Water and Drainage

3.12.1 *The Council will consider improving basic infrastructure in the village in the longer term. Existing private supplies have limited capacity.*

ENVIRONMENT

Trees

3.13.1 *Existing trees will be safeguarded and new planting encouraged notably in the vicinity of the former railway halt.*

Enhancement

3.13.2 *A small scheme could be carried out in the vicinity of the old Post Office. This could include seating and planting, together with a turning and parking area for vehicles.*