

PLANNING

Cairngorms National Park  
Local Development Plan

**POLICY 5 - LANDSCAPE**  
Non-statutory Planning Guidance

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This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 5 - Landscape** in the Cairngorms National Park Local Development Plan 2015.

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This document is available in large print on request. Please contact the Cairngorms National Park Authority on 01479 873535. It is also available to view at **[www.cairngorms.co.uk](http://www.cairngorms.co.uk)**

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# Policy 5 Landscape Planning Guidance

Policy Requirements	Information Required
<p>Presumption against development which does not complement and enhance the landscape character and special qualities</p>	<ul style="list-style-type: none"> <li>• Site survey to establish the landscape character</li> <li>• Demonstrate how the impacts of the proposal have been minimised through appropriate siting and design</li> <li>• Statement of how your proposal maximises opportunities to reinforce the existing pattern of development and fits with the existing landscape character</li> <li>• An assessment of the cumulative impact of your proposal when viewed with other development in the locality</li> <li>• A review of the design and materials to be used to demonstrate how they will complement and enhance the landscape</li> </ul>
<p>Have no negative impact on the experience of wild land</p>	<ul style="list-style-type: none"> <li>• Detail of the relationship of the site to any wild land areas i.e. inside, near to or far from.</li> <li>• An explanation of the how you intend to avoid any impact on the sensitivities of wild land found there</li> <li>• What measures are in place to minimise any light pollution</li> <li>• How you will access the site</li> </ul>
<p>Development with significant adverse effects must demonstrate social or economic benefits of national importance</p>	<ul style="list-style-type: none"> <li>• A statement of why the identified adverse effects cannot be overcome</li> <li>• A reasoned justification of why the social or economic benefits are of national importance</li> </ul>
<p>Developments with significant adverse effects must demonstrate how those effects are minimised and mitigated through appropriate siting, layout, scale, design, and construction</p>	<ul style="list-style-type: none"> <li>• Construction method statement</li> <li>• Landscape proposals plan in accordance with BS EN ISO 11091:1999</li> <li>• Details of plant, materials and ground preparations</li> <li>• A landscape management plan normally for a five year period</li> <li>• Details of any off-site mitigation measures and reasoned justification for the need for such off-site solutions</li> </ul>

## Meeting the requirements of the policy

1. Planning applications will be assessed on the basis of the four key considerations set out in the checklist.
2. A well-chosen site and good design will reduce the potential for negative impacts. If there are any remaining negative impacts, consideration will be given as to how these will be managed, firstly through on-site minimisation and/or mitigation, and where this is not possible through off-site landscape enhancement works.
3. Innovative design is encouraged however this requires existing features of the site or local area to be given adequate consideration and recognition. In assessing the landscape implications of planning applications the site's context and proposed layout is taken account of. Fundamental to this will be the consideration of how your proposed development complements and enhances the landscape character and special qualities of the National Park, and in particular the setting of the proposed development. The special qualities are set out on Page 19 of the Cairngorms National Park Partnership Plan (2012). It is especially important for any development to fit in with its surroundings.

## Complementing and enhancing the landscape

### Step 1: Choosing an appropriate location

4. You should undertake and submit a site survey and analysis to demonstrate how the impacts of the proposed development have been minimised through appropriate siting and design. The site survey should identify and assess the following:

- site context, eg adjacent land use, orientation of the site, ie north point or grid lines, boundary trees, views;
- soil type, (eg clay, sandy, acid) or other surface material;
- topography (ground levels, often shown as contours or spot heights), including existing and proposed levels, and information on any surplus materials to be taken off-site or fill material to be imported;
- drainage, existing and proposed, natural and/or artificial;
- the location of services, eg public sewer, electricity, gas, any existing or proposed underground or overhead services which could affect existing or proposed planting including power, communications, water, sewerage and lighting proposals;
- other significant factors eg features of nature conservation or archaeological interest<sup>1</sup>;
- planning designations, eg Tree Preservation Orders, Designated Landscapes, Wildlife Sites.

5. Collection and assessment of this information will help inform the design of your development proposal.
6. You should identify how the location of your development takes advantage of opportunities to reinforce the existing pattern of development and its relationship to landscape character – for example, by locating your development where there is a continuing tradition of built elements in the landscape you can introduce something that looks as if it 'should naturally be there'. Your design should also include information on

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<sup>1</sup> Policy 4 Natural Heritage explains the way that National Scenic Areas in the National Park are considered.

how you have addressed any aspect of your proposed development (buildings, access tracks, light pollution, noise etc) impacting on the sense of wildness. It should also include how you have minimised the impact of the development on the wider setting.

## Step 2: Responding to local landscape character and setting

7. If your proposed development is well-sited it will respond to both the natural and cultural patterns in the landscape. You should look at the distribution of built development in the surrounding landscape and think about whether there is a consistent pattern of spacing, relationship to landform (buildings always on glacial mounds at the side of the strath for example), or access (developments all on one side of the road for example) that you could add to.
8. In designing your development proposal you should consider:
  - whether there is an existing settlement pattern? If so what is it?
  - what are the opportunities for reinforcing the existing pattern of development and its relationship to the landscape?
  - looking at the existing settlement pattern, is there a preferred aspect, orientation, elevation, scale of built elements or a preferred side of the road for development?
  - are there any breaks in slope which could be used to help the development sit in the landscape? Do you intend to make any changes in landform or level which would help this? Try to find a site where the need for excavation is minimal and where you can place the development where it responds to the existing ground levels, drainage and shelter without the need for cut or fill, or the removal of character-defining trees.
- is the site of sufficient size and are there any landscape features – such as hummocks, low hills or woodland – which could provide setting and shelter and allow your development to settle into the landscape? Are there any existing trees and will these be retained or removed?
- would additional planting or other enhancement works create a better setting or shelter? Are there other screening factors on site, eg buildings, trees or other structures within or outwith the site which would add to the setting?
9. The site considerations should include all aspects of your development (buildings, access tracks, light pollution, noise etc) and the impacts assessment should include any impact on the sense of wildness and on the wider setting.
10. There are some landscape characteristics and natural and cultural features in the landscape that are very important to people. The setting of these features is usually very important.
11. You should consider the impacts of your development as it will be seen by other people, for example from locations such as roads, footpaths, hilltops, viewpoints and settlements and avoid adversely affecting:
  - natural landforms closely related to routes and access such as a bealach, or prominent crags/gorges;
  - key views especially those from settlements, public roads and footpaths;
  - sites of historical significance and their settings.

12. You will also need to consider whether there are any cumulative and/or sequential impacts from your proposed development. Developments may be seen together (cumulative) or individually for example as a series along a routeway such as a road, path, river or hill route (sequentially). An individual development may not in itself have any significant effect on the landscape of the area. However, when combined with a number of other developments or existing features the effect may be a reduction in the quality of the landscape. You should therefore think about your development in relation to other developments in an area and any developments with permission that have not yet been built.
13. The choice of site and working up of a design should go hand in hand, one being inspired by the other. The shape or form of the development, as well as the size and the materials used should relate to the site, and the cultural context. You should also identify how the design and materials will complement and enhance the landscape of the National Park.
14. The design of buildings and other structures in the National Park was historically a response to the site, to the materials and tools available and in some cases was a style adopted by an estate or landlord. While the planning authority may look to those designs in the way they relate to the site, and in their use of materials, today's requirements differ from those of the past and new materials and new construction solutions are available.
15. You should therefore think about:
  - how your development proposal reflects the massing, proportions and orientation of nearby buildings;
  - how the development will be seen in the context of nearby development.
16. The choice and quality of the design of elements that extend out beyond the main building or facility, including access, boundaries, gateways, vegetation management, tree and woodland planting, are also important in order to produce a development which will complement and enhance the character of the National Park landscapes.
17. These elements form the interface between the existing landscape setting and the proposed new development and will help to integrate it, mitigate any adverse effects, and provide the potential for an overall enhancement. You should take design cues from your site and surroundings. For example, if dry stone walls are a feature consider extending these to form the boundary. If clumps of birch trees are characteristic retain what you on the site and plant additional ones to frame the access.

### **Step 3: Producing a sensitive design (a good fit)**

### **Wildness and wild land areas**

18. Wildness is made up of four key attributes:
  - perceived naturalness
  - ruggedness
  - remoteness
  - lack of modern human artefacts
19. The extent to which wildness is experienced within the National Park varies from location to location. SNH and CNPA have both mapped wildness and SNH has defined the areas of wild land within Scotland (2014), reflecting those with the highest quality of wildness attributes. Wild land covers a large area within the Cairngorms National Park and is shown on the map in Figure 1.
20. Wild land areas are where the landscape is perceived as natural and ecological processes are prevalent. Some areas are still managed, however it is extensive and low impact. Man-made features are likely to be absent, historic or redundant.

### **Impacts on wildness and wild land**

21. Any form of development is likely to reduce the quality and character of the landscape and the wild experience it offers. This will include hill tracks, fencing, telecom masts, turbines, artificially impounded water, plantation forestry, pylons and signage. Other potential impacts include noise from traffic and light pollution.

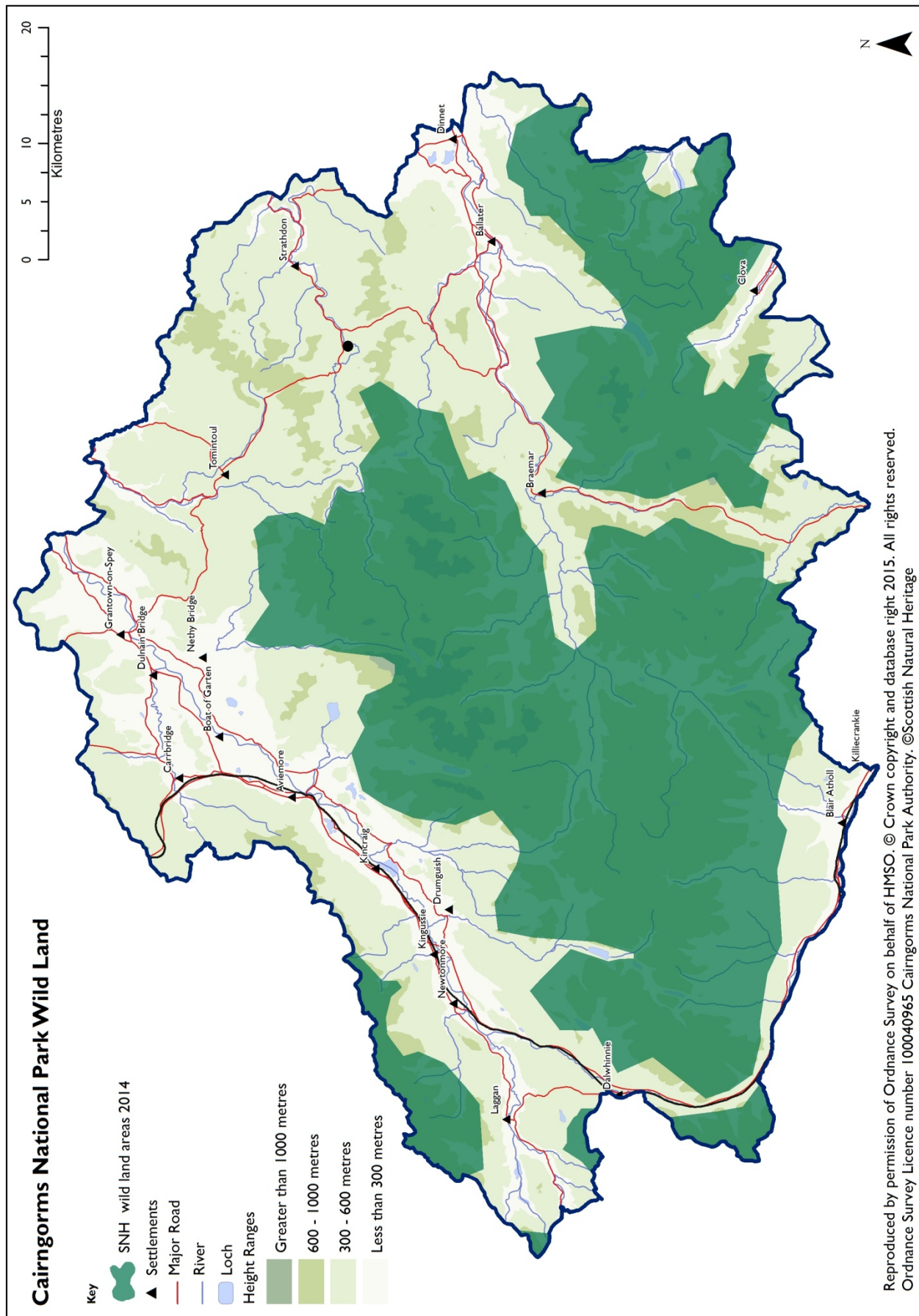
22. To demonstrate that you have addressed these issues you should submit a statement with your planning application which sets out:
  - whether your proposed development is situated within or may affect an area of wild land or sense of wildness;
  - what sensitivities you have identified; and
  - how your proposed design minimises and mitigates any negative landscape impacts consistent with any SNH guidance on Wild Land assessment.
23. It is important to remember that development that is not in a wild land area can impact on wild land areas and sense of wildness. This will vary according to the type and scale of the development, as well as its exact location and is most likely to happen through visual effect. For example, a structure erected outwith a wild land area may be visible from an area of wild land and therefore introduce a modern human feature which is likely to result in a reduced feeling of wildness.
24. An individual development may not in itself have any significant effect upon the wildness of an area. However, when combined with a number of other developments or existing features the effect is a reduction in the quality of wildness.
25. Developments may be seen together (cumulative) or individually for example as a series along a routeway such as a road, path, river or hill route (sequentially). An individual development may not in itself have any significant effect on the landscape of the area. However, when combined with a number of other developments or existing features the effect may be a reduction in the quality of the landscape.

## Opportunities for mitigation

26. In designing your development proposal you should:
  - avoid impacts on wild land areas including areas that contribute to the setting of a wild land area; and
  - ensure that your proposed development (including all buildings, access tracks, light pollution, noise, etc) does not negatively impact on the sense of wildness.
27. To achieve this you should locate your development in a location where there is a continuing tradition of cultural built elements in the landscape. Ideally you want to be introducing something that 'could always have been there'. You should look for opportunities to reinforce the existing pattern of development and its relationship to landscape character.
28. If man-made features (other than historic artefacts) exist nearby, consideration should be given to their removal as mitigation for your development.



Figure 1: Wild land in the Cairngorms National Park



## Tracks

29. Private roads, tracks and footpaths are an essential part of the infrastructure of the National park that allow people to live here, land managers to do their work and the public to use for recreation and enjoyment.
30. All private roads, tracks and footpaths that are not on agricultural or forestry land and are not for agricultural or forestry purposes need planning permission to be created or changed.
31. Tracks that are for agricultural or forestry are classed as 'permitted development' in planning law and don't normally need planning permission to be created or changed. However, the planning authority must be notified about the proposed tracks on agricultural or forestry land before they are created or changed and can decide that it needs to approve the proposed track before any work can take place.
32. If you need a new track or to alter or repair an existing track, Scottish Natural Heritage's advice 'Constructed Tracks in the Scottish Uplands' (SNH, 2013) will help you design in a way that is most likely to be given planning permission or prior approval.
33. Further guidance can be found in CNPA's guidance note 'Planning Permission and Permitted Development Rights for Agricultural and Forestry tracks' at [www.cairngorms.co.uk](http://www.cairngorms.co.uk).

## Justifying any remaining adverse impacts

34. The Cairngorms National Park is a nationally designated landscape of both national and international acclaim. If following all attempts at mitigation your proposed development still has significant adverse effects on the landscape you will have to justify this in the context of a national benefit.
35. You must demonstrate how these outstanding impacts are clearly outweighed by social or economic benefits of national importance.

## Minimising and mitigating impacts

### Step 1: Retaining and enhancing landscape character and visual amenity (on-site mitigation)

36. Development in more sensitive areas is by its nature likely to have a negative effect on the landscape of the area. It will therefore be important for you to provide on-site mitigation to ensure that the landscape character of an area within the National Park is maintained. Where full mitigation cannot be achieved on-site then compensation will be required to enable enhancement works to be undertaken elsewhere within the National Park.
37. Mitigation in particular can be achieved through good design. For larger or more complex developments you should engage the services of a specialist to help guide the design in relation to impacts on the landscape. Proposals for mitigation and minimising the impacts of the development should include adequate consideration and protection during construction, of existing trees and any other soft landscape features which are to be retained.

38. Examples of mitigation, compensation or enhancement may include the use of natural landforms or tree planting to screen a development from a more sensitive area. However, screening is not considered to be a substitute for good design principles. Other enhancement or compensation activities include the removal of negative features that are particularly prominent in an area, for example redundant fencing or hill tracks. It may also be achieved through the restoration of more natural habitats, either on or off-site.
39. Enhancement will result in an improvement to landscape – it may be achieved both on and off-site and is always desirable. Examples of this may include removing redundant vehicular tracks or tidying up of derelict land.
40. You are required to consider the potential landscape impacts of your development, and the action that you will be required to take, in the following order:
- avoid negative impacts – if this can't be achieved, then;
  - mitigate on-site – if this can't be achieved, then;
  - compensate off-site.
41. In all cases you are encouraged to identify how your development can complement or contribute to the enhancement of the landscape.
42. You will need to submit drawings showing the existing and proposed landscape with your planning application. For sites which include changes of level, cross sections are useful, and for some schemes, illustrations may also be helpful. The scale of the drawings should be adequate for purpose, eg 1:100 or 1:50 for small-scale landscape schemes. A north point and key to any symbols used on the drawings should be included. Where relevant, landscape plans must show other related works such as new footpaths, sustainable drainage systems (SUDS) and street lighting equipment.
43. Landscaping works in the vicinity of your development can strengthen/ enhance existing landscape features, provide a framework that improves the appearance of the development in its setting, or provide some screening that helps to reduce adverse impacts.
44. You should consider new landscaping works especially where any residual impacts have not been resolved through siting and design, and produce a landscaping scheme that will reduce these. The nature and quality of on-going management is also vitally important if the benefits of a landscaping scheme are to be secured into the long-term.
45. You should submit details of any hard and soft landscaping that exists or that you propose to undertake.
46. Hard landscaping includes all hard surfaces to be retained or formed within the site including paved areas, car park surfaces, steps, walls, fences, roads, paths seating, lighting and other features. This should include details of all existing and proposed hard landscape materials and their location within the site and any servicing areas

(eg new access tracks). As a general rule, simple design using a limited range of good quality and robust materials looks better and works better. Re-use or retention of existing original materials such as railings or stone walls is encouraged as these can help retain local landscape character. To control light pollution, lighting schemes must be designed to minimise light spillage and glare, especially where the site is in a rural area or on the edge of a settlement.

47. Soft landscaping refers to all vegetation which is to be retained or planted within the site including areas of grass, as well as to watercourses, ditches, ponds and wetlands. Some existing areas may be of nature conservation interest and some may contain statutory protected species and habitats under the Wildlife and Countryside Act and the Nature Conservation (Scotland) Act 2004.
48. Certain plants will be more suited to the physical conditions of the site and to the local landscape character than others. As a general rule, locally native species are preferable for countryside boundaries and for large scale planting. It is also recommended that large tree species which will make a long-term contribution to the rural or urban landscape are included in landscape schemes, where space permits. You should set out the species, number (or planting density), distribution and sizes of any proposed new planting and mixes for grass and wildflower seeding.
49. Managing the nature and pace of change is important in achieving both short-term and long-term landscape

benefits. Poor management of a construction site could mean losing some of the site characteristics that are crucial to the sensitive siting and design of your development, and adversely affecting the 'recovery' of the site. You should therefore submit a Construction Method Statement (CMS) which takes account of Construction Codes of practice which address these issues.

50. The CMS should demonstrate that:
  - you will protect key landscape features, vegetation, landform, historical interest etc; and make sure that everyone knows where the out of bounds areas are;
  - the site is big enough to allow work to progress around these features without impact;
  - plant and machinery are appropriately sized to work on the site without damage through excessive cut, tracking and damage to vegetation for example;
  - work is only undertaken on-site in appropriate weather conditions;

The CMS should follow best practice, including:

- a landscape proposals plan in accordance with BS EN ISO 11091:1999 (Construction drawings: landscape drawing practice);
- a specification including details of plant material and ground preparations;
- a landscape management and maintenance scheme, normally for a five year period, which allocates appropriate resources to manage and maintain any proposed landscaping;
- Sustainable Use of soils on Construction Sites [www.defra.gov.uk](http://www.defra.gov.uk);

- Trees in relation to Construction – BS 5837:2005;
- Code of Practice for general landscape operations (excluding hard surfaces) – BS 4428:1989; and
- specification for topsoil and requirements for use – BS 3882:2007.

### **Step 2: Retaining and enhancing landscape character and visual amenity (off-site compensation)**

51. Where full mitigation cannot be achieved on-site then compensation will be required to enable enhancement works to be undertaken elsewhere in the Park. These enhancements will be to the benefit of the public and may include restoring or repairing damaged landscape features, for example repairing a dyke, filling in a borrow pit, clearing regenerating scrub from an archaeological site, removing or restoring a redundant access track. It may also include the removal of redundant/negative features in the landscape for example removing an old derelict fence. The scale of such works should be commensurate with the residual impacts on the development site. More information can be found at [www.cairngorms.co.uk/landscape-toolkit](http://www.cairngorms.co.uk/landscape-toolkit)