

Cairngorms National Park
Supplementary Planning Guidance

Open Space
Consultation draft May 2010

The Cairngorms National Park is the largest National Park in the UK, encompassing areas of Highland, Aberdeenshire, Moray and Angus. A Scottish Government consultation is taking place to extend the boundary into Perthshire.

Planning in the Cairngorms National Park is unique. It involves the Cairngorms National Park Authority (CNPA) working alongside the Local Authorities, who continue to deal with many of the planning applications within their respective areas. All planning applications submitted must comply with all the policies in the Cairngorms National Park Local Plan (once adopted) and any relevant Supplementary Guidance.

Any planning application should be submitted to the relevant Local Authority in the normal manner. The Local Authority checks to ensure all the necessary information is supplied and registers receipt of the application. The CNPA is informed by the Local Authority and then has 21 days to decide whether to call-in the application. Only applications which are of general significance to the aims of the Park are called-in. Thereafter the CNPA determines the application. In instances when planning applications are not called-in, the Local Authority continues to act as the planning authority.

This supplementary guidance sets out detailed advice to help you meet the requirements of the policies in the Cairngorms National Park Local Plan. It is recommended that it is read in conjunction with other relevant guidance, such as the Sustainable Design Guide.

1.0 Background

- 1.1 This guidance provides additional information relating to Open Space, as outlined in Policy 36 of the Cairngorms National Park Local Plan.

Policy 36 Other open space provision

Developments which improve or add to current levels of public and amenity space, and include specific details on improving and maintaining current provision to develop open space networks will be supported. The development of all housing/ employment/ community sites identified within the proposals maps will be required to make a contribution in space or by a commuted sum towards the provision and maintenance of open space within the site or the affected community.

There is a presumption against development that would result in a loss of existing provision, particularly where the affected site has been identified within the Local Plan proposals maps or Open Space Strategy. The loss of such open space will only be supported where:

- a) an open space audit demonstrates the development will not result in a deficit of open space provision to serve the affected community, and that no alternative site is available; or
- b) compensatory provision is made elsewhere within the community area of at least equal size and quality, or
- c) a commuted sum is made towards future provision of an appropriate alternative.

- 1.2 The guidance sets out the issues that must be considered for all developments that have an effect, or provide a need for open space provision. It will address what type and amount of open space are required for new developments, and give guidance on designs, location and quality expected, as well as proposals for maintenance and management.

2.0 Introduction

- 2.1 Open space is considered to be green space consisting of any vegetated land or structure, water or geological feature in an urban area and civic space consisting of squares, market places, playgrounds and other paved or hard landscaped areas with a civic function.
- 2.2 This guidance is concerned with all types of open space that are available to the community, including country parks, sports pitches playing fields, allotments, parks and civic spaces, play areas and smaller informal green spaces. It seeks to ensure that people have access to adequate amounts of open space, and that the quality of the open space maximises its benefits.
- 2.3 Planning policy, both national and local, seeks to secure the provision of open space to meet the needs of current and future generations. This is to be achieved by safeguarding and enhancing current provision, and creating additional provision where demand or need is identified.
- 2.4 Scottish planning policy emphasises the importance of open space and the role it can play in providing opportunities for improving physical well being, as well as contributing to amenity. It also highlights the role open space has in nature conservation, biodiversity, recreation and physical activity.
- 2.5 The Cairngorms National Park Local Plan defines Open Space as ‘greenspace consisting of any vegetated land or structure, water or geological feature in an

urban area and civic space consisting of squares, market places, playgrounds and other paved or hard landscaped areas with a civic function’.

3.0 Open space in the Cairngorms National Park

- 3.1 The towns and villages in the Cairngorms National Park all have easy access to the open countryside, with a network of paths enhancing these opportunities. Nevertheless it is important that there should be an adequate provision of open space within towns and villages and that the provision should be not only sufficient in quantity but also in quality. Therefore it is vital that any open space is appropriately maintained to serve its intended function.
- 3.2 Open space in settlements performs a number of functions. Therefore, where established, it is generally afforded protection from development. Where new development is planned, adequate open space is required.
- 3.3.1 In developing this guidance, an open space audit was carried out in the five strategic settlements, as identified in the Cairngorms National Park Local Plan. The open space audit identified different types of open space present in the 5 settlements (see table 1 for details), and it led to an assessment of:
 - a) How much open space there currently is in the Park;
 - b) What function it serves; and
 - c) Whether or not it meets the needs of those who use it.
- 3.3.2 From the audit it was found that, generally, there is a good standard of open space provision which is generally well maintained and well used. However, there are types of open space where there are low levels or no provision at all.
- 3.5 The audit will be reviewed on a regular basis.

Table 1: types of open space in the Cairngorms National Park

Type	Description
Public parks and gardens	Areas of land normally enclosed, designed, constructed, managed and maintained as a public park or garden. These may be owned or managed by community groups.
Private gardens or grounds	Areas of land normally enclosed and associated with a house or institution and reserved for private use (for example private gardens, school and institutional grounds)
Amenity greenspace	Landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities such as sunbathing, picnics or kickabouts.
Playspace for children and teenagers	Areas providing safe and accessible opportunities for children's play, usually linked to housing areas.
Sports areas	Large and generally flat areas of grassland or specially designed surfaces, used primarily for designated sports (including playing fields, golf courses, tennis courts and bowling greens) and which are generally bookable.
Green corridors	Routes including canals, river corridors and old railway lines, linking different areas within a town or city as part of a designated and managed network and used for walking, cycling or horse riding, or linking towns and cities to their surrounding countryside or country parks. These may link green spaces together.
Natural/semi-natural greenspaces	Areas of undeveloped or previously developed land with residual natural habitats or which have been planted or colonised by vegetation and wildlife, including woodland and wetland areas (can include open water)
Allotments and community growing spaces	Areas of land for growing fruit, vegetables and other plants, either in individual allotments or as a community activity.
Civic space	Squares, streets and waterfront promenades, predominantly of hard landscaping that provide a focus for pedestrian activity and can make connections for people and for wildlife.
Burial grounds	Includes churchyards and cemeteries.
Other functional greenspace	May be one or more types as required by local circumstances or priorities (for example, caravan and camping sites)

5.0 Standard for new development

5.1 This section sets out the minimum standards of open space required within each new development by the relevant planning authority. The need for open space of the types detailed in Table 1 will be determined by the characteristics of the development and the site.

- 5.2 A typical standard of 20 per cent of the overall site area will be required for open space. This figure was calculated from the current level of open space provision within the five strategic settlements. Only where the total number of houses is four or less will the requirement be waived.
- 5.3 The actual types and mixtures of open space preferred for each development will depend on the potential and needs of the site, and the most appropriate way of complementing or improving what already exists.
- 5.4 Where open space is sought, developers must ensure that sites are designed carefully and are integral to the overall design concept of new development. This will include ensuring it complements existing landscape character, is accessible, and incorporates appropriate provision for children and wildlife.
- 5.5 It is very important that formal and informal open space is integrated into the whole design process of a development and not seen as an afterthought.
- 5.6 Planning applications must contain details of the location, layout, contouring, planting and the types of equipment for children's play areas. The quality of design and layout is as important as providing the minimum quantity of open space.

6.0 Considerations for the design and layout of open space

6.1 General Design Principles

- 6.1.1 Open space should be an integral part of the development and should usually be a central feature;
- 6.1.1 Open space should incorporate significant existing landscape features wherever possible, including mature trees and watercourses, even if they are not located centrally;
- 6.1.2 Play areas should be overlooked by the fronts of houses and from well used pedestrian routes;
- 6.1.3 Open Space that is specifically designed to be a sustainable urban drainage system (SUDs) will not be classified as open space provision under this guidance;
- 6.1.4 Open space should not be located in peripheral areas of the site; and
- 6.1.5 Awkwardly shaped and left over areas of land should not form part of the open space provision.

7.0 Implementation

- 7.1 Developers are advised to discuss open space requirements with planning officers at an early stage in order to ensure that it can be incorporated, if appropriate.
- 7.2 Once the need for open space has been identified, the amount and type of provision required in each case will be assessed. Appropriate arrangements will be made to ensure that any new open space or facilities remain available and maintained. The exact requirements will vary from site to site and will be the subject of discussion in each case.
- 7.3 Open space provision will be implemented in one (or a combination) of these ways:

- 7.3.1 Where Strategic landscaping and open space provision is provided as part of the planning application and its implementation and maintenance addressed through planning conditions and Section 75 agreements¹.
- 7.3.2 Where this is not possible, the strategic landscaping and open space may be provided on other land in the applicant's control; and
- 7.3.3 If neither of the above options are feasible, a monetary contribution might be considered, which could be used to provide new space or to augment existing facilities, where appropriate.
- 7.5 Where payment of a commuted sum and/or a new public space is required, conditions will be imposed on the planning consent and included within any legal agreement to specify when this has to be provided. For further information on the payment of a commuted sum, please refer to the supplementary planning guidance on Developer Contributions.

8.0 Maintenance of open space

- 8.1 Poorly managed or neglected open spaces not only fail to meet the needs of the communities, but can also seriously detract from the quality of the local environment. Therefore, open space provision should not only be well designed and accessible it should also be well managed and maintained.
- 8.2 Developers must show how the open space will continue to be maintained to a proper standard. This will either involve an agreement with the relevant planning authority or the appointment of an appropriate company to manage and maintain the area.
- 8.3 If the relevant local authority is taking responsibility for the area, the developer will be required to provide a commuted sum for this purpose. If there is no agreement then the relevant planning authority will need to be satisfied that the developer has made appropriate alternative arrangements.

9.0 Further Information

- 9.1 It is recommended that the following sources of planning advice are read in conjunction with this guidance.

Scottish Government

www.scotland.gov.uk

Scottish Planning Policy

<http://www.scotland.gov.uk/Publications/2010/02/03132605/0>
Planning Advice Note 65 'Planning and Open Space'

Cairngorms National Park Authority

www.cairngorms.co.uk

Cairngorms National Park Supplementary Planning Guidance
Developer contributions
Natural Heritage
Sustainable Design Guide

¹ Section 75 agreement – a legal agreement regulating the future use of land, recorded in the Land Register and legally binding on future owners of the land.

