



PLANNING

Cairngorms National Park
Local Development Plan

POLICY I - NEW HOUSING DEVELOPMENT
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy I – New Housing Development
Non-statutory Planning Guidance**

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

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy I New Housing Development

Planning Guidance

Policy Requirements	Information Required
Housing development in settlements	<ul style="list-style-type: none"> • Select a site within an identified settlement boundary • A statement confirming that the design makes best use of the selected site
Housing development in existing rural groups	<ul style="list-style-type: none"> • Confirm the number of buildings that make up the group • Ensure a design which enhances and reinforces the character of the existing group
Other housing in the countryside	<ul style="list-style-type: none"> • Details of the operational and viability needs of the business which justify a new house • Justify the need to locate the house on the selected site
100% affordable housing	<ul style="list-style-type: none"> • Provide information demonstrating the need and location for the development
Affordable housing provided using cross subsidy	<ul style="list-style-type: none"> • Provide information to demonstrate the need and location for the development • Provide financial information to support the amount of open market units proposed
Alterations to existing houses (any location)	<ul style="list-style-type: none"> • Ensure the design protects the character of the existing house and its setting • Retain garden space appropriate to the size of the extended property • Retain access and parking provision appropriate to the size of the extended property
Conversions	<ul style="list-style-type: none"> • Provide a structural survey showing that the proposed works can be fitted into the existing property without the need for demolition • Ensure the design complements the original in terms of style and character
Replacement houses	<ul style="list-style-type: none"> • Provide a structural survey confirming the existing house is unsound and incapable of rehabilitation; or is of non-standard construction • Justification for the selected site if not including the original footprint
Housing for gypsies and travellers and travelling showpeople	<ul style="list-style-type: none"> • Demonstrate the need identified based on the relevant housing strategy • Justification for the selected site considering the impact on neighbouring land uses

Meeting the requirements of the policy

1. Most large scale housing development proposals should be located on allocated sites or within strategic settlements as identified in the Local Development Plan. Housing proposals on other windfall sites will also be considered. These are generally smaller sites which provide good opportunities for single or smaller scale housing developments. Existing houses may also be extended or altered to create the living space required by the occupant.

Housing in settlements

2. Your development must be located within the settlement boundary as set out in the Local Development Plan. It must be designed to ensure the character of the settlement is reinforced, making best use of the land available.

Housing development in existing rural groups

3. You must be sure that the site is within a defined rural building group. The group must include three or more buildings, one of which must be an existing house. Ancillary buildings to the existing house are not included in this calculation. These include kennels, outbuildings, garages and sheds.
4. Each building group has its own individual identity. Where both natural and man-made boundaries exist, natural boundaries take precedence over man-made boundaries when defining the extent of a building group. You should ensure that your development fits

with the group and adds to the cohesive pattern of built form within its landscape setting. Your development must not extend the existing group by expanding into previously undeveloped fields; particularly where a definable natural boundary exists between the field and the existing group.

5. Where a group consists of a row of houses fronting a road, infill or additions using gaps of an appropriate size may provide opportunities for new dwellings. In such cases, new houses should be of a scale appropriate to the others in the locality.
6. Your application must include a description of the group which you are adding to, detailing the number of buildings in the group and an explanation of how your development adds to the relationship between the buildings. You must not extend the boundaries of the group past any existing defensible boundary or feature.
7. New development must not cause a group to increase in size by more than one third during the Plan period. This includes extant permissions which are yet to be completed.

Other housing in the countryside

8. If your development proposal is located outwith a settlement boundary, and is not within a rural building group then you must consider:
 - why the proposal is necessary for, or improves, the operational and economic viability of an active business. This business must demonstrate a valid locational need to be in the countryside. This includes land management operations, and tourism and recreation pursuits; or
 - whether the site is on rural brownfield land; and
 - how it conserves the existing pattern of development. It should not erode the settlement hierarchy, and should not create a new form of development in the landscape which is at odds with existing built and landscape character.
9. You must include information to support the need for the house in the chosen location.
10. The contribution the house makes to the business it is to support will be considered by the planning authority. This can be either a new business venture or an existing one. However, you must be clear in the information provided that the business will rely on the house to ensure its economic success. In the case of a new business, it is required that the business element of the proposal is in place prior to the construction and completion of the house.
11. In the design of the development you must show how your proposal helps conserve the existing built form in

the area. You should not propose a development which is at odds to the existing built form. You should also ensure that the settlement hierarchy is not eroded. This includes adequate consideration of alternative locations for your development, particularly where there is an existing building group in close proximity to your proposed development site.

Contributions towards affordable housing provision

12. All residential development must make a contribution towards affordable housing provision.
13. In the case of applications for Planning Permission in Principle where the finalised layout and content of a development proposal may not be known, then a rate for the site, normally on a rate per house unit, based on its location will be used. This will form the basis of a Planning Obligation, so that the planning application may be determined and a decision notice issued following completion of that obligation. All applications for full planning permission for housing development must be accompanied by details of the number of affordable units, and details of who will provide the affordable housing units – whether this is a private developer, registered social landlord or other party.
14. If a developer knows that the site on which they are seeking planning permission is included in either a Council or Registered Social Landlord investment programme, evidence of this must be submitted with the planning application.

15. If significant extraordinary development costs occur at a later stage which could not have been known at the start of the development, a pragmatic approach will be taken to the payment of contributions. Supporting evidence will be required.
16. Developments of four or more dwellings will be expected to provide a benchmark of 25 per cent affordable units within the development. However, if it can be demonstrated that an offsite contribution would better meet a community's housing needs, then an alternative solution will be negotiated with the developer. This may include a cash payment towards the provision of affordable housing at another location.
17. Where proposals are made for the development of less than four open market dwellings, a financial contribution will be sought that will be put towards the delivery of affordable housing in another location. This finance will be ring-fenced for the provision of affordable housing. The contribution will be put towards the provision of affordable housing in the relevant secondary school catchment area or housing market area if appropriate. In the first instance, this will be sought in the same settlement.
18. The value of the financial contribution will be specifically related to the value of the site being developed. The guide for this financial contribution is £25,000 per unit for developments of four houses or more. This may however vary due to the location and value (higher value sites requiring higher contributions) of the development, or the specifics of the site.
19. Where a development is of less than four houses, it is not reasonable to expect such a large contribution to be made. Therefore, a percentage of the £25,000 benchmark will be paid. In these cases the following will act as a guide:
- One house**
5% of the £25,000 benchmark = £1,250
- Two houses**
10% of the £25,000 benchmark = £2,500
- Three houses**
15% of the £25,000 benchmark = £3,750
20. Where assessments demonstrate that the provision of affordable housing is more suited on a different site, this will be considered. A proposal that incorporates an element of offsite provision of the affordable housing will only be granted planning permission when details of methods of delivery have been agreed. The development of both sites will be subject to a legal agreement to ensure that the affordable housing element of the development is built within an agreed timeframe.

Affordable housing developments

21. All 100 per cent affordable housing developments will be supported where they meet an identified local need. Applicants and those eligible for any form of affordable housing must be taken or nominated from the housing waiting lists of the local housing authority, housing associations or from another organisation with an allocations policy appropriate to the Cairngorms National Park.
22. Developments must meet an identified need within the local community. This need will be shown through local assessments, formal information from the local housing authority, or by any other robust information available. Affordable housing is broadly defined as housing at a reasonable quality that is affordable to people on modest incomes.
23. Independent assessments will be made of the required information to ensure the affordable development is required by the applicant, is of an appropriate size, and is in a location which is justifiable. You must provide the necessary information to allow an independent assessor to carry out an assessment in a timely way which does not delay the process of determining the application.

This includes:

- details to confirm the residents of the new development are in housing need. You may be asked for detailed financial information. This information will be considered in confidence by the independent assessors and will not be passed to the planning authority;
- details to confirm the residents of the new development have a need to live in the locality chosen;
- how the development is meeting a recognised need for affordable housing in the area;
- explanation of why existing properties or sites which are for sale on the open market do not meet the need identified. Personal preference is not considered to be a valid material consideration;
- floor plan details to allow comparison with Scottish Government benchmarks on house size standards;
- comparison costs to justify the affordability of the new development against the cost of existing housing stock;
- information from the relevant authority/ Registered Social Landlord to confirm the development will result in a reduction in their waiting list.

Affordable housing provided using cross subsidy from other housing

24. Affordable housing which includes an open market element will also be supported. This open market element can provide an important subsidy to securing the affordable element. As with proposals for 100 per cent affordable housing development, independent assessors will be used to carry out an assessment to ensure the affordable element of the development is of appropriate size, and is in a location which is justifiable. You must provide the necessary information to allow an independent assessor to carry out an assessment in a timely way which does not delay the process of determining the planning application.
25. You should initially seek public funding to meet the burden of development costs. In the event that this is not available you may then consider including an element of open market development to subsidise the affordable element of the development.
26. Evidence that any open market element is the minimum required to fund the affordable element will need to be submitted. All affordable houses must meet a local need. Your application must include:
- information to justify the need for all affordable housing. Refer to the local housing authority to gather most up to date information. Any other community based studies may also be considered;

- where you include an open market element, information to demonstrate that public funding or other forms of finance are not available;
- information to demonstrate that the open market element is the minimum required to close the funding gap. This should include information on the costs of land purchase and construction of the affordable element. It should not include the cost of the land nor any part of the construction of the open market element;
- a design which is cohesive and creates a new or adds to an existing group of buildings. There should be no discernible difference in the appearance of the affordable and open market elements.

Alterations to existing houses

27. When designing an alteration or extension to an existing building particular care should be given to ensuring that the proposed alteration complements the appearance and character of the existing building and its surrounding area. This means that you must consider the massing, proportions, materials and general visual appearance of the existing building, its neighbours and the wider area. You must ensure that the proposed alteration does not have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining householders. This means considering where windows are placed and how levels of daylight will be experienced throughout daily and annual cycles. You must also ensure that adequate outside space is maintained for private garden ground, parking and access to the property.

Conversions

28. Conversion of non-domestic buildings into housing not only brings buildings back to life but it also provides opportunities to conserve our built heritage and help to maintain the character and distinctiveness of places within the National Park.
29. The conversion and renovation of the buildings must be as faithful as possible to the existing scale, character and materials. Additions and alterations should generally be limited to those necessary to achieve Building Standards, the efficient use of space and an appropriate and coherent design concept.
30. You must consider how you will achieve adequate private garden space for the proposed domestic use of the converted building. Where the landscape setting is appropriate, and established boundaries such as walls and hedgerows relate well to the site, you may need to consider adjacent and intervening land for ancillary purposes, particularly to achieve adequate private garden space.
31. Where existing agricultural buildings are being converted away from agricultural use, you must provide information on any consequent need and proposals for siting new agricultural buildings to replace those which are redundant. Such buildings should not conflict with the residential use of the redundant buildings. If existing agricultural uses are to be retained in buildings close to the proposed residential uses, you will need to demonstrate that conflict or nuisance will not occur.
32. Conversion of traditional and vernacular buildings will be considered appropriate where the building is no longer required for its original use, and is unlikely to have a commercial or economic future in its current form. You must set out the case for this in your planning submission. Your conversion proposal should be designed to maintain the style and character of the original building in terms of form, scale, materials and detailing, where they contribute positively to the context and setting of the area. This means that the building, its setting and original design details must be carefully considered to ensure that the converted building remains in harmony with its setting.
33. You will need to demonstrate that:
 - the building is no longer required for its original use, and that it is unlikely to have a commercial or economic future in its current form; and
 - the development proposal maintains the original character of the building.

Replacement houses

34. Before a proposal for a replacement dwelling is considered, you will be required to investigate the feasibility of re-using or renovating the existing dwelling. Only once this has been shown to be unfeasible will a proposal for the demolition of an existing building and the construction of a replacement dwelling be considered. In the case of surviving traditional ruins, these should be used to form the basis of a renovation project appropriate to the setting, rather than considering their complete replacement.

35. The replacement house should be similar in scale to that which it replaces and the setting of the new house should be similar to that of the existing house in terms of orientation and distance from road unless individual site conditions suggest that another position (within the site boundaries) would create a better landscape fit.
36. If the proposed new house does not occupy the footprint of the previous house, that footprint will not be accepted as a site for a future house-building proposal.
37. Your proposal will need to demonstrate that the existing house is located within an established site with a good landscape setting and landscape fit; has site boundaries capable of providing a suitable enclosure for a new house; and is in other respects acceptable in planning terms.
38. Your development must:
 - ensure that the original building is not a listed building;
 - demonstrate that the original is incapable of rehabilitation, being demonstrably unsound structurally or is of a non standard form of construction. This will usually be in the form of a qualified structural engineers report and financial appraisal;
 - be designed in such a way that the new development incorporates the original footprint of the building to be removed. The only exception to this is where an

alternative location close to the original would minimise any negative effects which exist or would result from the new development. If the proposed new house does not occupy the footprint of the previous house, that footprint will not be accepted as a site for a future house building proposal;

- incorporate existing buildings and/ or materials where possible. If such materials are not to be incorporated into the proposed dwelling then you must demonstrate (again through a qualified structural engineers report) why these materials cannot be salvaged and re-used on-site.

Housing for gypsies and travellers and travelling showpeople

2. If your development is for housing specifically to meet the needs of gypsies and travellers and travelling showpeople you should consider site selection carefully. You must also demonstrate that the development is needed, and has been identified as such by the local housing authority.
3. In designing the development you should consider the impact on neighbours, and the needs of the residents, both in terms of access and amenity. Screening may be required depending on the nature of the site.
4. In your application you must include:
 - information on the need for the development;
 - clear justification for the site selection which matches the identified need.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 2 - SUPPORTING ECONOMIC GROWTH
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy 2 – Supporting Economic Growth
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 2 – Supporting Economic Growth** in the Cairngorms National Park Local Development Plan 2015.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 2 Supporting Economic Growth

Planning Guidance

Policy Requirements	Information Required
Retail development	<ul style="list-style-type: none"> • Demonstrate a sequential approach to site selection • Detailed explanation of the impact on neighbours and affected settlement/centre • In exceptional circumstances, demonstrate social or community need for the proposal – include any cumulative impact in this case
Tourism and leisure development	<ul style="list-style-type: none"> • Demonstrate the physical impact of the proposal including the impact on the surrounding area • Detailed explanation of the positive contribution which will occur as a result of the proposal • Information on any seasonal elements of the proposal
Other economic development	<ul style="list-style-type: none"> • Demonstrate compatibility with the surrounding businesses • Detail on how your proposal will support local and broader economic vitality and viability
Reduction of economic opportunity	<ul style="list-style-type: none"> • Justification that there will be no adverse impact on the local economy or visitor experience based on economic viability and lack of need for the existing business or facility

Meeting the requirements of the policy

Retail development

1. Retail development will normally be expected to locate in identified settlements. In the first instance you should consider locating your proposal within the settlement core. If this is not appropriate for your business needs, you must demonstrate why this is the case. You should then consider looking for a suitable site elsewhere within the settlement boundary. Outside settlements you must explain why you have selected your site, and demonstrate how your proposal supports the wider economy of the local community. A retail impact assessment may be required depending on the scale of the development.
2. Your application must include a statement explaining the sequential approach to site selection which you have followed. You must also demonstrate that your proposal will have no adverse impacts on neighbours or the economic success of local settlements.

Tourism and leisure development

3. The tourism and leisure sector is vital to the wider economy of the National Park, with both direct and indirect benefits. The impact of your proposal on these benefits is a key factor in the consideration of the acceptability of adding to or changing the range of facilities. Your proposal must therefore add to the range and quality of facilities and opportunities which exist.
4. Your proposal must demonstrate how it achieves best practice in terms of facility development and future management. It must have no adverse impact on the environment, both on site and on the neighbouring area.
5. In the case of large developments, a future management plan may be required to clarify the sustainable credentials of the proposal into the future. A visitor management plan may also be required. The level of detail provided in the Visitor Management Plan should be appropriate to the scale of the proposed development. As a minimum, where relevant, it should include the following:
 - how the proposal has been designed to extend the tourist season;
 - how the proposal will improve the availability of facilities for local communities; and
 - what arrangements have been put in place for the long-term maintenance of the completed development.

6. It may also include the following:
 - access arrangements to/from/within the proposed development site, including non-car modes;
 - proposed parking arrangements;
 - signage to and within the proposed development site;
 - additional facilities such as toilets, reception and storage facilities; and
 - the impact of the development on adjacent sites and/or facilities, and any management requirements required to mitigate any negative impacts.

granted where you can demonstrate that your proposal supports and promotes sustainable economic development. The level of information required should be proportionate and relevant to the scale and nature of the business development. It may include information on matters such as the number of jobs to be created, hours of working, transport requirements, environmental effects, noise levels and the layout and design of buildings. For example, a Retail Impact Assessment may be required to support a new retail business proposal or a business plan for an economic development proposal.

Other economic development

7. For other forms of economic development your proposal must, primarily, support the economy. This can be achieved by:
 - adding to or extending the range of economic opportunities or facilities in a community;
 - by improving the quality of existing facilities; or
 - extending the range of facilities including extending the time frame over which the facilities are popular (non seasonal).
8. Your proposal must be compatible or complementary to existing businesses in the area. You must demonstrate how your proposal achieves this. It must support the vitality and viability of the local and wider economy. It may also help broaden diversification of the economy in a way which meets all previous criteria.
9. The impact of your development on the wider economy is an important consideration. Permission will only be

Reduction of economic opportunity

10. Supporting local communities is also key to the economic sustainability of the National Park as a whole.
11. Over time it is inevitable that circumstances may change and lead to applications to change the use of existing economic developments. In considering the closure of an economic enterprise, the impact this will have on local people and the need to protect the local centres which service their needs will be a primary consideration. Where possible these centres will be protected to ensure a viable hierarchy of settlements is maintained.
12. The loss of an existing business or tourism facility will only be considered acceptable where it is no longer needed, where it is not economically viable and where the loss will have no adverse impact on the local economy. You must explain how your proposal to reduce existing economic opportunity meets these criteria.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 3 - SUSTAINABLE DESIGN
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy 3 – Sustainable Design
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 3 – Sustainable Design** in the Cairngorms National Park Local Development Plan 2015.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 3 Sustainable Design

Planning Guidance

Policy Requirements	Information Required
All developments	
Minimise effects on climate change	<ul style="list-style-type: none"> • Details of the developments layout to demonstrate how you are taking advantage of solar gain • Details of energy efficiency measures included in the design and method of construction – including use of power and water
Sympathetic to local vernacular, local distinctive and traditional pattern and character	<ul style="list-style-type: none"> • Details of the existing topography and vernacular built form found in the surrounding area • Reasoned justification for your site selection to show how your proposal is sympathetic to the local vernacular/character
Use complementary materials	<ul style="list-style-type: none"> • Details of all construction materials to be used in all external parts of the proposal including assessment of local materials found in surrounding area
Make sustainable use of resources	<ul style="list-style-type: none"> • Layout details which demonstrate how the use of land has been minimised • Details of design and materials used which maximise energy efficiency – include energy, waste, water • Details of any recycled materials to be used
Facilitate recycling	<ul style="list-style-type: none"> • Details in layout plan to show where recycling facilities will be sited
Promote sustainable transport	<ul style="list-style-type: none"> • Details in layout plan of options for storing bicycles • Assessment of how your development links to the public transport network • Assessment of efforts made to reduce the need to travel for users of the development
Improve provision of open space	<ul style="list-style-type: none"> • Layout details of open space associated with development and information of links to public open space
Maximise opportunities to link to existing paths	<ul style="list-style-type: none"> • Annotated site map of existing paths surrounding the development site • Details of methods to link to these • Demonstrate compliance with the Core Paths Plan

Policy Requirements	Information Required
All developments <i>continued</i>	
Protect amenity of neighbours	<ul style="list-style-type: none"> • Assessment of impact of development on all neighbours • Methods of accessing the site both during construction and on completion
Provision of private amenity space	<ul style="list-style-type: none"> • Site plan to indicate amount of open space sufficient to meet the needs of the form of development • Details of parking arrangements for users and visitors
Enhance biodiversity	<ul style="list-style-type: none"> • Measures taken to enhance opportunities for wildlife and biodiversity
Replacement buildings	
Unsuitability of existing building	<ul style="list-style-type: none"> • Full structural survey or confirmation of method of construction
Not a listed building	<ul style="list-style-type: none"> • Confirmation that the building is not listed
Use of original footprint	<ul style="list-style-type: none"> • Site plan to indicate the part of the original footprint to be incorporated; or • Reasoned justification for alternative site
Conversions	
Existing use	<ul style="list-style-type: none"> • Economic justification to clarify efforts made to retain the original use
Design requirements	<ul style="list-style-type: none"> • Description of how your proposal reflects the design of the original building
Alterations	
Design requirements	<ul style="list-style-type: none"> • Description of how your proposal reflects the design of the original building
Maintenance of private amenity space	<ul style="list-style-type: none"> • Site plan to indicate existing and proposed open space • Details of current and proposed parking arrangements

Meeting the requirements of the policy

1. All development must adopt a sustainable approach to design in order to minimise long-term damage to the natural environment and to support the social and economic fabric of the National Park. To ensure this, a design statement must be included as part of your application which addresses the following issues.

Minimise effects on climate change

2. The changing weather, rising energy costs and a global acceptance that a more considered approach to climate change is needed, means that new development must be designed in an environmentally-conscious way. Thought needs to be given to incorporating design features that can help adapt to and mitigate the impacts of climate change.
3. To enhance energy performance, you should look to utilise natural ways of optimising energy efficiency through the design and position of your proposal. This can be done by ensuring the building takes advantage of passive heating and lighting from solar gain as well as cooling and ventilation. Keeping the main glazed orientation of the building to within 30 degrees of south will maximise the potential for the sun to heat and light the building or for example to position solar panels. Internal layout can also take advantage of solar gain – for example by placing the most used rooms on the south side of the building.
4. In addition, incorporating components of green infrastructure within a development can further support

climate change adaptation and mitigation. Green infrastructure comprises woodland and individual trees, open space, parks, core paths, as well as green roofs and Sustainable Urban Drainage Systems (SuDS) which can facilitate natural flood management, carbon sequestration, shading and cooling, improve water quality, promote active travel and enhance biodiversity.

5. Energy performance has become an increasingly important factor for property owners. Improving standards of energy efficiency can reduce carbon emissions as well as energy costs for both domestic and commercial premises. Incorporating passive designs and low carbon technologies are a significant attraction for potential purchasers, providing improved energy performance and security for the lifetime of the development.
6. All new developments must meet the minimum energy standards set out by the Building (Scotland) Regulations in the Building Standards Technical Handbook. It is mandatory for all buildings to achieve a bronze level of the sustainability labelling scheme, however opportunities to achieve bronze active and above through good design and the use of low and zero carbon generating technologies (LZCGT) are actively encouraged.
7. There are other environmental assessment methods that require higher energy performance standards in buildings. BREEAM is one of the most widely used and accreditation by the scheme demonstrates improved standards of energy efficiency and

performance which are actively encouraged. Further information can be found at: www.breeam.org.

8. The design, use of green infrastructure and LZCGT's need to be tailored to the individual circumstances of the building/s to optimise energy performance. Factors such as the site, topography, aspect, proposed use, scale and materials should all be taken into account. In addition, the availability of different technologies and their practical application to different scales and types of development will also influence what may be possible.

Sympathetic to local vernacular, local distinctive and traditional pattern and character

9. What we build today will still be here long after we are gone, if it is well designed and built well. This means ensuring that all new development makes a positive contribution to its location. Buildings which are responsive to context and local distinctiveness and which understand the local landscape can be designed to work with, rather than against, the natural environment.
10. Each site should be looked at as a series of spaces which relate to the existing topography and surroundings. These spaces then dictate where access, landscaping and buildings fit together within an overall framework.
11. Buildings should be sited to reflect the gradient and topography of the landscape and the scale of the landscape features.

Traditionally, buildings were located within the natural contours of the landscape. Existing ground levels should be maintained wherever possible in order to avoid the development appearing intrusive and more exposed to the elements.

12. Flexibility is also important in sustainable design – buildings which are built to be adaptable to future uses will provide a good long-term financial and social investment. The way we live and work is changing, as is the way we access services and community facilities. Addressing this in the design and location of new development is essential to maintaining and enhancing the National Park's varied and distinctive communities. Buildings should therefore be fit for purpose but able to function effectively, even when our lifestyles change.
13. You should therefore demonstrate how your proposed development is sited and designed to allow for future changes to internal layout or external extensions which will result in a longer, more useful lifespan of the building. Using construction techniques which enable significant changes to be made easily to the building will help to extend the building's use – for example non-structural partitions which can be easily removed or re-positioned to create new spaces.
14. Some buildings are deliberately built for short-term use. In this case the building should be designed to enable effective re-use or recycling of its components.
15. Flexible design should also allow for home working, whether in traditional industries and supporting services or from new opportunities which are possible with the increasing range of communication technology now available.

16. Within the development site you must include information on access, egress of vehicles, amenity space and other open space.

Use complementary materials

17. New development should reflect the traditional materials and workmanship evident in the National Park, and take on board innovation, contemporary design and modern methods of construction. In choosing the materials for your development you will need to strike a balance between sourcing materials locally and bringing in specialised products which will optimise the sustainability and long-term performance of the development.
18. Whilst new developments do not need to copy past styles, the imposition of standard off-the-shelf designs (found across the country) will increasingly erode the unique characteristics for which the National Park is renowned. New development within the National Park should therefore be designed with its setting firmly in mind.
19. You should demonstrate that your development will include low impact building materials. This may include recycled or previously used materials, for example secondary aggregates, or new materials which have used minimal energy in their production and transportation to the site such as local timber.

Make sustainable use of resources

20. All new development should incorporate the most sustainable systems of energy, water and waste management to reduce pressure on the infrastructure within the National Park. Most importantly this

means reducing use of resources through the design of the development, and minimising reliance on resources during the life of the building.

21. Using development land efficiently is an important part of this. You should therefore site and design your proposal in a way which does not waste the land available.

Facilitate recycling

22. Scotland's Zero Waste Plan seeks to minimise waste in general and reduce the amount of waste going to landfill. Developers are therefore required to provide for the segregation of waste and space should therefore be provided for the storage of appropriate waste containers. You should also consider options to carry out composting within the development site.

Promote sustainable transport

23. New development usually creates the need to travel, including the delivery of materials to a construction site or the need for residents to travel to reach services and community facilities.
24. New development should be located to allow people to use existing sustainable transport initiatives (both motorised and non-motorised initiatives), and to create new multi-use links where appropriate. Consideration should be given to local and national cycle action plans and Active Travel Audits where available (such as the HITRANS Aviemore Active travel Audit). It may also be possible to create a design which helps reduce the need to travel – for example incorporating features to allow home-working. You should also consider innovative options, for example through 'community cars' and car sharing, or making it easy for users of the development to recharge electric vehicles at convenient points.

25. When considering approaches to transport for any development, personal travel should be placed in a hierarchy which puts motorised modes of travel after walking, cycling and public transport. Your proposal should also include adequate consideration of means to store cycles, either within the building, or within the amenity space associated with it.
26. A Transport Assessment prepared in consultation with Transport Scotland will be required, where transport impacts of the development are considered significant.
27. If a new or improved made-up public road is required then the proposed development must not be occupied until the road is constructed to a standard which satisfies the relevant roads authority. It is therefore recommend that you discuss the access requirements for the proposed development at an early stage with the relevant roads authority to ensure that the appropriate design criteria are addressed in your proposal.
29. In the case of residential development, a typical standard of 20 per cent of the overall site area will be required for open space. The actual types and mixtures of open space for a particular development will depend on the potential and needs of the site and the most appropriate way of complementing or improving what already exists.
30. The required open space should be carefully designed to ensure that it is integral to the overall design concept. This should include ensuring that it complements existing landscape character, is accessible and incorporates appropriate provision for children and wildlife.

Maximise opportunities to link to existing paths

31. You must demonstrate that you have considered how you will link your proposal to the existing path network. This should include an assessment of the current network, including core paths, the distance of your site to it, and the means by which users of the development would access the existing paths, including any external links from the site. Your proposal must be consistent with the Scottish Outdoor Access Code and the Core Paths Plan.

Core path network

32. The Core Paths Plan identifies a network of paths which offer a wide range of high quality outdoor access opportunities.

Improve provision of open space

28. Where your proposal impacts on existing public or other open space, you must consider how best to link to this, and take all opportunities to improve existing provision. This may include designing your proposal to allow easy access to existing space; protecting that space from adverse impacts as a result of the new development; and where possible, adding to existing provision with any land which is not required by the development.

33. In ensuring your development is consistent with the Core Paths Plan you must consider how you can contribute to its vision and objectives by:
- taking opportunities to link and expand the existing path network to the wider countryside and help to provide safe off-road access to local services;
 - avoid moving or re-routing core paths where possible. If your proposal will affect the line of a core path you must discuss alternatives with the Access Authority prior to the submission of your planning application.
34. The Core Paths Plan can be found at: www.cairngorms.co.uk

Protect amenity of neighbours

35. A new building should be a good neighbor to existing buildings in two ways. Firstly, its siting should take account of and be sympathetic to the existing layout of other buildings in the area. Secondly, the new building should not detract from the setting, aspect or privacy of existing buildings. This is particularly important where housing development is proposed near to existing farm buildings which are in use because of possible problems of nuisance.
36. It is important that new development is compatible with the existing uses on and adjacent to the proposed development site.
37. You must consider the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking and loss of privacy. Whilst the majority of residential properties are overlooked to a certain degree the extent of this depends on a range of factors. You should consider these factors in your development proposal, ie the proximity, height and orientation of other properties, visibility from public spaces and the existence of boundaries and potential for screening.
38. To enable a reasonable level of privacy and amenity to be achieved you should ensure that your proposed development is located within a reasonable distance of the existing properties within a building group. The space between the new development and existing properties should complement and be guided by the spacing between existing properties within the group. In the case of residential development, a minimum 18m privacy zone should be maintained between windows of principle rooms when directly opposite. This distance can be reduced when the windows are at an angle to each other.
39. Where this distance cannot be met then overlooking may be reduced by the erection of screening such as walls or fences, use of obscure glazing to windows and doors, or using high level windows or roof lights.
40. These distances may also not be appropriate if your proposed development is set where dwelling frontages are already exposed to public view. Any new development in such settings should follow the established line and spacing of existing dwellings to complement its setting.
41. Overlooking and overshadowing of adjoining gardens can also impact on privacy and enjoyment of amenity. You should take this into account when deciding on the location of your proposed dwelling on the development site. Access to sunlight is an important consideration and differs according to the time of day and year. Your development proposal

should not result in a significant loss of sunlight to existing buildings at any time of year.

Provision of private amenity space

42. The amenity space associated with your development should be sufficient to meet the needs arising from the specific development proposal. It should be integral to the design of the built elements of the proposal, and should not be designed as an afterthought.
43. New houses in building groups and in infill situations must be sited and designed to provide adequate curtilages, to ensure both an appropriate 'fit' with the group and the provision and maintenance of an adequate level of residential amenity for the existing and new dwellings.
44. In the case of housing development, the amount of private outdoor space provided should reflect the size of the proposed dwelling. As a guide for a 3-bedroomed dwelling, 70-90 square metres is required; for a 2-bedroomed property 40-60 square metres will be required.
45. The design and landscaping of the amenity space can also help ensure a good fit with the landscape, and can improve shelter on exposed sites.
46. It must have a site sufficient to provide adequate parking and manoeuvring of vehicles to allow forward facing egress from the access. The amount required will be dependent on the nature of the development. You must therefore ensure that you have considered this prior to the submission of any application, and incorporated the requirement into the overall design of the site.
47. In the case of housing developments, each single house should have a minimum of two car parking spaces. A garage will not be accepted as contributing to the number of parking spaces for the development. Where access is direct on to a classified road, a turning space will also be required within the site and a lay-by may be required for visiting service vehicles where the public road might otherwise be obstructed.
48. Where an access is to serve five or more houses, the standard of access must be constructed or upgraded to that of a public road. As part of this standard, street lighting will normally be required. However, your development proposal should seek to minimise light pollution and other visual impacts from lighting infrastructure.
49. For all housing developments you must demonstrate that your design provides for amenity and neighbourliness. It must accommodate appropriate public open space and private amenity space including garden ground, space for drying clothes and storage of refuse and recycling bins. It must also include the required parking and turning areas.

Enhance biodiversity

50. There are often opportunities in, on and around a development site to enhance biodiversity. Some can be quick and simple, others more complex and require design and construction. Ideas range from the provision of a pond on site to creation of permanent nesting for bats, birds and invertebrates.
51. Your proposal must consider how best to exploit the opportunities which come as a result of the development, and what measures are to be included to further biodiversity.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 4 - NATURAL HERITAGE
Supplementary Guidance

**Cairngorms National Park Local Development Plan
Supplementary Guidance
Policy 4 – Natural Heritage**

This Supplementary Guidance provides further information and detail on how to comply with **Policy 4 – Natural Heritage** in the Cairngorms National Park Local Development Plan 2015. It forms part of the Local Development Plan and carries that weight in decision making. This Supplementary Guidance should be read alongside the Local Development Plan policy.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 4 Natural Heritage

Supplementary Guidance

Policy Requirements	Information Required
<p>Principle 1 Ensure no net loss of natural heritage value</p>	<ul style="list-style-type: none"> • A description of the natural heritage on the site and possibly the surrounding area, including its significance and value • A survey which considers as a minimum: <ul style="list-style-type: none"> Site designations Protected species / habitats Other priority species / habitats Landforms and geodiversity Soils and soil carbon Connectivity of habitat and fragmentation Invasive non-native species Bio security • An assessment of any effect the proposed development will have on the natural heritage • If adverse effects are found within this assessment, details of mitigation or compensation measures to avoid or minimise these effects, including management and maintenance information • An assessment of any residual effects
<p>Principle 2 Enhance existing natural heritage value</p>	<ul style="list-style-type: none"> • Identify any opportunities to enhance the natural heritage of the development site
<p>Principle 3 Manage and maintain natural heritage value</p>	<ul style="list-style-type: none"> • A monitoring and maintenance programme
<p>International and National Designations</p>	<ul style="list-style-type: none"> • Supply sufficient information to allow the planning authority to carry out a Habitats Regulation Appraisal for any qualifying interests including: <ul style="list-style-type: none"> • where relevant, criteria setting out necessary mitigation associated with recreational disturbance to capercaillie caused as a result of your development; • where relevant, criteria regarding necessary mitigation associated with water flow and quality and the impact of development on otters.

1. All planning applications are assessed against the impacts that the proposed development will potentially have on the natural, cultural and earth heritage resources of the National Park. You will therefore need to consider the impact of your proposed development on the natural heritage as an integral part of your design and planning processes. Your planning application should include information on how your development proposal has been designed to accord with the three natural heritage principles set out below.

How to meet the requirements of the policy

2. Planning application will be assessed using the three principles set out in the following checklist which must be addressed in turn. You should provide evidence of how your proposal meets all three principles. If you cannot achieve any of the three steps for Principle 1 your development proposal will not be considered appropriate. The sequence by which this hierarchy will be applied is shown in Figure 1 (p6). All decisions will be informed by the Cairngorms Nature Action Plan (2013).

Principle 1 – ENSURE NO NET LOSS

3. There is a presumption that all development should meet Principle 1. It comprises a hierarchy of three steps on which you should base your decisions regarding development design and site layout considerations. All development should meet the terms of Step 1. Only where evidence confirms this is not possible should you consider trying to achieve the requirements set out in Step 2. If this is not possible evidence must be provided to explain why it is necessary to use Step 3.

Step 1 – Protect

4. Development should result in no net loss of the natural heritage interest of the National Park. This includes natural heritage interests that may be outside the boundaries of the development site. Your development proposal should therefore be designed to protect existing natural heritage features within the development site and its surroundings.
5. Clear justification as to why any development cannot meet Step 1 of the first principle will be required. Without such justification a proposal will be recommended for refusal. The validity of such justifications will be assessed in line with all current policies.

Step 2 – Minimise and mitigate

6. In any situation where loss of, or damage to, natural heritage interest is unavoidable from a proposed development then the loss or damage must be minimised as far as possible through appropriate design. Where loss of or damage to the natural heritage is still unavoidable then this loss must be fully mitigated on the development site.

Step 3 – Compensate

7. If full mitigation is not possible on-site then it must be achieved using off-site compensation.
8. Compensation must be appropriate and proportionate to offset the likely impacts of a development proposal on a specific habitat. Compensation measures must reflect the quality, amount and type of the habitat being compensated for and the length of time it will take to re-instate a habitat of equal value on an alternative site. This is likely to require a larger area to offset the loss over time. All proposals requiring compensation will be assessed on a case by case basis.

Principle 2 – ENHANCE

9. You must then assess and deliver the potential to enhance the natural heritage as an integral element of the design of your development proposal.
10. Many habitats and species within the National Park whilst not benefiting from protection through a designation are important to the overall biodiversity and ecosystems of the National Park. The enhancement and restoration of such habitats, habitat networks and species is encouraged in line with the first aim of the National Park to conserve and enhance the natural and cultural heritage of the area.
11. As well as providing important natural heritage benefits, this approach will often also contribute towards a high quality, and aesthetically pleasing development. You must therefore demonstrate how you have sought to conserve and enhance the existing natural heritage value of the development site and its connections with its wider surroundings.

Principle 3 – MANAGE

12. Essential to the success of any mitigation, compensation, or enhancement scheme is routine management and maintenance. An agreed monitoring and / or maintenance programme will need to be put in place. This must include monitoring to identify whether the proposed scheme has been successful and mechanisms whereby should it be shown that the scheme is not successful that appropriate action will be taken in a timely manner to rectify the situation.

Precautionary principle

13. In line with the first aim of the National Park, a precautionary approach to the assessment of impacts upon a site will be applied. Where there are gaps in knowledge or uncertainty about mitigation or compensation proposals then additional information may be requested. Where uncertainty remains, the precautionary principle will be applied and planning permission will not be granted.
14. The level of information required will depend on the significance of the proposal. For example, in some instances a professional survey may be required. For European protected species, surveys must be submitted along with applications for planning permission in principle, as well as full planning permission. It is strongly advised that other required surveys are submitted with the application in order to avoid delays in the determination process.

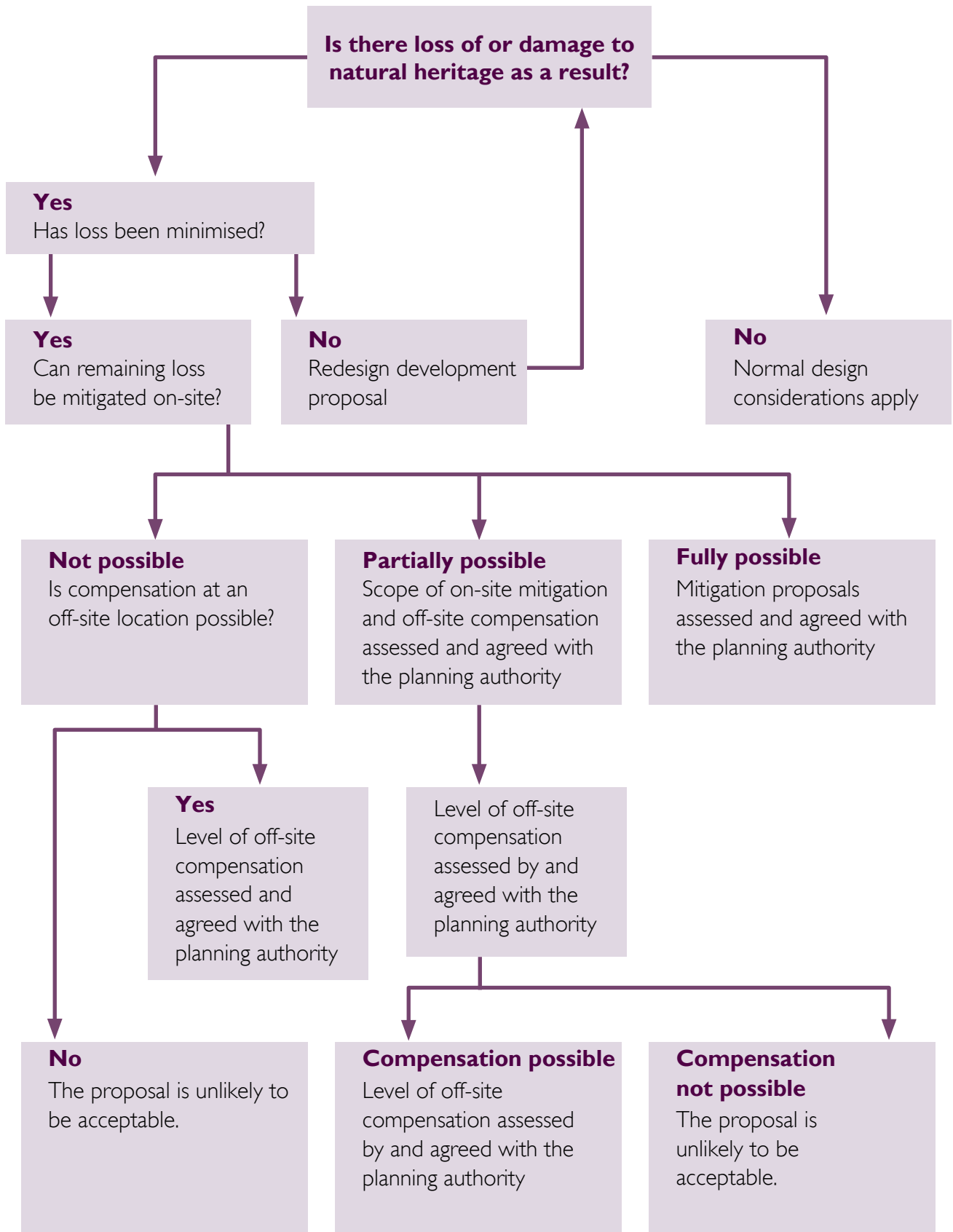


Figure 1: Principle 1 - Hierarchy of steps to be applied

How to compile the required survey evidence

15. You are required to submit evidence with your planning application which demonstrates that you have identified the habitats and species on and adjacent to the development site and have assessed the effects of the proposed development on the natural heritage. In order to do this and when preparing a planning submission, you may follow the following approach to ensure you comply with this requirement.

Step 1: Survey and assess impacts

16. Conducting an initial site audit will help you to determine the scope of any formal surveys and assessments that will be required to describe the natural heritage on the site and surrounding area, including its significance and value.
17. You should look at existing sources of information in the first instance, for example – historic records held by regional record centres. Others include: (SNHi) www.snh.org.uk/snhi and www.nesbrec.org.uk.
18. Ensuring that the survey for a particular species is carried out at the right time of year is crucial to ensuring that appropriate information can be collected. Table 1 (p12) shows the best time of year to carry out surveys for important species in the National Park. These must be completed at the times of year shown.
19. It is recommended that biological and ecological surveys are carried out by members of the Chartered Institute of Ecology and Environmental Management (CIEEM) and Chartered Environmentalists.

Surveys for other natural heritage interests, such as geology, geomorphology and soils, must also be undertaken by a suitably qualified and / or experienced person. Surveys should be carried out according to current best practice for the habitats or species being surveyed. For some species a licence will be required from Scottish Natural Heritage (SNH). A CIEEM accredited surveyor will be able to advise you on this. For more details, please see: www.snh.gov.uk.

20. It is expected that surveys for various species and habitats may be required over a number of seasons, and possibly up to one year before applications can be considered, for example to reflect the lifecycle of fish. Therefore it is strongly recommended that surveys required are agreed with us in advance of carrying them out. This will help you to ensure that you are able to provide the necessary natural heritage information with the minimum of survey work. It will also eliminate or limit the need for more surveying at a later stage and consequently reduce time taken in determining the application. In certain circumstances, for example where there has been a time lag since planning consent was granted, resurveying prior to commencement of works may be required.
21. Site surveys should consider the following eight issues as a minimum:

1. Site designations

22. There are a number of designated sites in the National Park that carry UK and European natural heritage designations. SNH hold up to date information on the boundaries of these designated areas - www.snh.org.uk/snhi.
23. Information and assessments for designated sites, or developments close to one, must pay particular attention to notified and qualifying interests of their designation. Other natural heritage interests also need to be considered. Good information is essential to assess the development. This information must be submitted when you lodge your application.

2. Protected species

24. UK and European legislation protects a number of species found in the National Park. The presence of these species will affect the level of information required, how the application is considered and the criteria by which decisions are made.
25. Where a European Protected Species is present on or adjacent to the site, the planning authority will require a Species Protection Plan (SPP) that contains survey information and details of mitigation measures before it is able to make a decision. European Protected Species (EPS) found in the Cairngorms National Park are:
- bats – nathusius, soprano and common pipistrelle, Daubenton's, Natterer's and brown long-eared
 - Scottish wildcat
 - great crested newt
 - otter
 - yellow marsh saxifrage
26. In addition to European Protected Species, development must avoid adverse impacts upon species listed in:

- Schedules I, 5 and 8 of the Wildlife and Countryside Act 1981 as amended;
- Annexes II and V of the EC Habitats directive;
- Annex I of EC Birds Directive;
- Protection of Badgers Act 1993 as amended; and
- Conservation (Natural Habitats, & c.)

27. A species licence may be obtained from SNH to permit activities that may affect protected species. Information about this can be found in the planning advice note at www.cairngorms.co.uk and www.snh.gov.uk.

3. Other priority habitats and species

28. Within the National Park there are a range of habitats and species that are nationally and / or locally important, but that are neither European Protected Species nor notified features of designated sites. These priority habitats and species will be given greater weight by the planning authority when determining an application. Examples include native pine forest, mixed birch and aspen woodland, juniper woodland, oak/hazel woodland, lowland heath, lowland species, rich grassland both riparian and otherwise, groundwater dependent wetlands, red squirrel, lapwing oystercatcher, osprey, capercaillie, salmon, fresh water pearl mussel, crossbill and crested tit. Your survey must pick up any impact made on these priority species.

4. Landforms and geodiversity

29. The National Park has the largest collection of different glacial landforms outside arctic Canada some of which are within designated sites. Some sites are designated as a Site of Special Scientific Interest or a Geological Conservation Review site, and in these circumstances a full assessment will be

required. This should include survey, assessment and mitigation measures. Further information can be found at: www.snh.org.uk/snhi and www.jncc.gov.uk. For large development and extraction applications, applicants are advised to employ a qualified geologist or geomorphologist to prepare the required information.

30. The planning authority will take these landforms and other geological features into account when determining applications.

5. Soils and soil carbon

31. The National Park contains a diversity of soils and the principles applied to biodiversity apply equally to soils. Developments on peat soils in particular will require a soil survey and assessment. Mitigation and residual effects following all potential mitigation measures must also be identified within the assessment. This may include removal and temporary storage of soils where long-term damage is likely to occur.
32. Soils must be assessed for:
 - functional role in supporting habitats and species;
 - rarity of their intrinsic physical, chemical and biological features;
 - contribution to ecosystem services such as water purification, flood mitigation and carbon storage; and
 - peat depth and basic peatland characteristics, where appropriate.
33. You should adopt an approach which minimises disturbance or disruption to peatland areas and other organic soils where possible, as these soils are valuable for carbon storage and habitat support.

34. By adopting this approach, the volume of excavated peat can be minimised and the commonly experienced difficulties in dealing with surplus peat waste reduced. The generation of surplus peat waste is a difficult area which needs to be addressed from the outset, given the limited scope for re-use. Landscaping with waste peat (or soil) may not be of ecological benefit and consequently a waste management exemption from SEPA may not apply.

35. Further guidance, in relation to peat can be found in SEPA's Regulatory Position Statement – Developments on Peat, and early consultation with SEPA should be undertaken on sites which contain peat soils or potential Groundwater Dependant Terrestrial Ecosystems. Guidance in identification of peat bogs can also be found in a Functional Wetland Typology for Scotland. See www.sniffer.org.uk.

6. Connectivity of habitat and fragmentation

36. Habitats are often linked to each other and are usually of greater ecological value as a consequence. Developments should maintain existing connections and seek to create more wherever possible. The movement of species along these habitat networks should be considered, and creating barriers to movement avoided. Fragmentation of existing habitats and habitat networks must be avoided. The assessment of a site must include analysis of the connectivity.

7. Invasive non-native species

37. The National Park has populations of some invasive, non-native species, which include: Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*).

38. If a survey shows these or other invasive non-native species are present on a site, the developers must remove them and ensure that they do not spread from the site. There are also a number of invasive non-native species in Scotland which are not currently in the National Park. You must ensure no invasive non-native species are introduced into the National Park as a consequence of development works. This commonly occurs through soil contaminated with seed or root material. Where large volumes of soil are moved or introduced to a site, you may be required to submit a soil management plan to guard against this possibility.
39. Japanese knotweed, giant hogweed and Himalayan balsam are regarded as controlled waste. It can be controlled or disposed of on-site but if plant, material or soil polluted with this species is sent for disposal elsewhere it must be accompanied by appropriate Waste Transfer documentation and disposed of in a licensed, lined landfill site. Developers should seek advice on the disposal of these plants from the Scottish Environment Protection Agency (SEPA), see www.sepa.org.uk and www.netregs.gov.uk.
40. If a development is responsible for the introduction of an invasive non-native species either within or outwith the site, the developer will be required to remove the species and dispose of material. You must set out how you intend to do this in information supplied with your planning application.
41. There are particular bio security issues associated with proposals close to standing or running water. Applicants must take care not to introduce invasive non-native species such as plants or parasites.
42. Equipment and machinery should be cleaned away from the water course, especially if it has been used in another water body within 14 days or has recently been used overseas. You must set out how you intend to deal with this issue in information supplied with your planning application.

Step 2:
Factor in constraints and opportunities

43. The information provided in the survey must be assessed against the possible effects of the development on the natural heritage interests identified. If adverse effects are found, the assessment must include details of steps to be taken to minimise and mitigate any damage arising. The assessment must also consider any leftover effects to be addressed.
44. Opportunities for natural heritage enhancement or restoration should be sought at this stage. You are encouraged to identify as part of the supporting information submitted with your application, steps to be taken to restore or enhance the existing natural heritage value of the site.
45. Most developments are suitable for the incorporation of a range of measures for positive effects on the natural heritage. It is expected that such measures are incorporated and early discussions on your proposals are welcomed. Examples include the incorporation of swift nest spaces or bat roost sites, use of local provenance trees and seeds or maintaining and enhancing wildlife corridors through sites and buffer strips around developments.

8. Bio security

41. There are particular bio security issues associated with proposals close to standing

Step 3:
Plan for monitoring and management

46. All mitigation, compensation and enhancement measures, whether on-site or off-site, will need ongoing management. You should draw up schemes for monitoring and management and include these with the development proposal. This might for example include landscape management plans.

Examples of developments and requirements for natural heritage




47. The following examples explain what information is required by the planning authority in support of your planning application. They are not exhaustive, but simply reflect frequently received applications for development.

Development on greenfield site	Phase I survey, notable species and mammal survey
Development close to or on Ancient Woodland sites	National Vegetation Classification Survey* Insects Fungi Bryophytes Nesting Birds Notable species and mammal survey
Conversions of old or abandoned buildings including barns and steadings	Bat survey, barn owl survey
Domestic extensions for example conservatories, outhouses, etc	Bat survey
Conversion of loft space or change to roofs	Bat survey
Other surveys which may be necessary depending on the nature of the site, the development, and its setting	Reptile Amphibians Invertebrates Nesting birds National Vegetation Classification Survey*

* In accordance with the "Inspire" Directive (2007/2/EC) of the European Parliament where an NVC survey is required EUNIS coding must be attributed to each NVC community type.

Table I: Survey calendar for natural heritage interests in the Cairngorms National Park

This survey calendar is a general guide only. The timing of surveys can be affected by weather and may be specific to location (particularly vegetation surveys). Certain bird species, for example raptors or waders will require species specific surveys at defined times of year. Surveys should be conducted during suitable conditions, i.e. other surveys undertaken during normal or low flow and not when water is high.

KEY	
	Optimum survey period
	Sub-optimal survey period
	Unsuitable survey period

Species	January	February	March	April	May	June	July	August	September	October	November	December
Habitats/ Vegetation	Phase I		Phase I & NVC Survey						Phase I			
Amphibians	Hibernating		Pond surveys-eggs in April			Larvae surveys		Terrestrial habitat survey		Hibernating		
Badgers	Sett survey	Bait marking			Sett survey and bait marking			Bait marking		Sett survey		
Bats	Hibernation roost survey				Emergence surveys, summer and maternity roost					Hibernation roost survey		
Birds	Winter species		Breeding birds					Migrant species		Winter species		
Fish	Timing dependant on migration and breeding of species concerned											
Fungi								Survey period				
Invertebrates			A number of surveys may be required in this period									
Lichens	Surveys can be carried out all year											
Mosses & Liverworts	Fruiting bodies may be required for identification-species dependant											
Otter	Limited by vegetation cover and weather rather than seasons											
Pine Marten			Surveys all year - Optimum survey period is spring									
Red Squirrel			Surveys all year-optimum spring/summer									
Reptiles						Reduced basking time						
Water vole		Habitat survey		Habitat, field signs and activity surveys						Habitat survey		
Wildcat	Surveys can be conducted throughout the year											

This information should be used as a guide only and some surveys may be required to be undertaken outwith specified months.

Requirements for applications affecting an International or National Designation (Natura 2000) site

48. Specific issues must be addressed where your application has, or may have, an impact on a Natura site. These issues are specific to the relevant site, the reason for its designation and its qualifying features. The tests for considering proposals affecting Natura sites are strict and the planning authority must be satisfied that the proposal will not have an adverse effect upon the integrity of any Natura site.

49. Natura Sites are:

- Special Area of Conservation (SAC and pSAC) – a European designation which protects natural habitats and wild flora and fauna other than birds
- Special Protection Area (SPA and pSPA) – a European designation which protects wild birds
- Ramsar Site – an international designation which protects wetlands through the accompanying SPA/SSSI designation and is given equivalent protection as Natura as a matter of policy

How to comply with the requirements of the policy

50. Almost half of National Park's area (49 percent) is covered by Natura designated sites. In addition, river SACs are extensive throughout the National Park. For maps and details of all Natura sites, please see SNH's website www.snh.gov.uk. Many developments have potential to affect them, both directly as a result of site specific impacts, and indirectly as a result of impacts of development on

the qualifying features beyond the boundary of the designated sites. You must ensure that you consider all possible impacts as a result of your application.

51. While each designated site has its own qualifying features which must be appropriately considered and managed, there are two particular issues which affect many sites and therefore communities as a result of their wide ranging and, often, off site, impacts. These are impacts on river SAC sites and impacts on SPAs with capercaillie as a result of recreational disturbance. Both these types of Natura site and their qualifying interests extend throughout much of the National Park where development is likely to occur. In addition, some non designated woodlands host capercaillie that are the qualifying feature of SPAs nearby. The impact of development can in certain circumstances be mitigated to ensure no adverse impact on the integrity of Natura site/s. Your proposal must therefore comply with the mitigation measures set out here, in addition to any other measures required to ensure no adverse impact on the qualifying features of the site.

52. A suite of possible mitigation measures to address these potential impacts has been devised for developers to provide the necessary information to allow the determination of their application. To comply with the policy you must provide the following information and meet the requirements of the criteria listed. Please note that you must consider similar effects of other developments (approved or submitted) in combination with your own development where necessary.

Impact on the river SAC sites

1. Pollution and siltation from construction sites

53. Contamination of a protected water course can arise from chemical pollutants or particles washed into it from construction sites.
54. Mitigation required: that site operations are managed in a way that the likelihood is removed. This should be achieved through safe handling of potential pollutants and provision of interceptor drains, filters and other measures on site. These measures must be set out in a construction method statement (CMS) which should be submitted with your planning application and must follow recognised guidelines and best practice. The CMS must clearly demonstrate that risks to water courses and ground water are eliminated through application of good site management in accordance with accepted best practice and guidelines. Development may not commence until it has been demonstrated to the planning authority that the measures in the CMS have been adopted for onsite management. Where required through statute controlled activity regulations (CAR) must be complied with.

2. Requirement for Sustainable Urban Drainage Scheme (SuDS)

55. The use of hard impervious surfaces within development is likely to increase the speed that rainfall enters watercourses. This can increase flood events causing damage to river habitats. This rainfall may also bring particles from these surfaces which may cloud water and reduce its quality.
56. A Sustainable Drainage Scheme (SuDS) must be submitted with your planning application and thereafter implemented. The SuDS will intercept water and either allow increased infiltration rates by using porous surfaces or slow runoff rates through storage mechanisms.

3. Pollution from waste water

57. Waste water from development contains a number of chemicals that could pollute water courses.
58. Mitigation required: All waste water from developments must be treated at waste water treatment works to remove harmful levels of pollutants. There must be capacity within water treatment works for the volume of material generated by developments and the facilities needed to remove pollutants to a level where there will be no adverse effects upon the integrity of Natura sites. Development may not commence until it has been demonstrated to the planning authority that there is sufficient capacity in local waste water treatment works in terms of capacity and ability to remove pollutants to recommended standards at the time of commencement.

4. Water extraction

59. Water for developments will be supplied from public or private systems. The increase in water extraction may reduce water level in protected water courses and this may affect the integrity of the site, through changes in temperature, water level itself, or other effects of a reduced flow.
60. Mitigation required: the water supply must be available for the development from known sources and these must have a demonstrated capacity to supply the required water without adverse effects that would affect the integrity of the Natura site. If the capacity has not been demonstrated then development will be refused until it is in place.

5. Disturbance to otter

61. Otters may be disturbed by construction activity, noise, lighting and other features of the development design or by activity from the development following its construction.
62. Mitigation required: a full survey is undertaken, in accordance with a recognised methodology, to determine if there are otters in the vicinity of the development or its provisions. An appraisal will be required of the construction activity, design and use of the development to see if there would be any effect upon otters. Any identified effects must be eliminated through modifications to proposals and detailed within a Species Protection Plan (SPP). Survey, appraisal and SPP must be submitted with planning application.

Impact on SPAs with capercaillie as a result of recreational disturbance

6. Disturbance to capercaillie

63. Capercaillie are particularly sensitive to disturbance caused as a result of people recreating in pine woodland where their ground based lifestyle makes them particularly vulnerable to dogs. Capercaillie move between forests in a particular locality, so that they may also need to be protected in non-designated woodland as part of the protection for SPA's.
64. Mitigation required: the mitigation measures must include an approved on-site Recreation Management Plan and an agreed contribution (assessed on a case by case basis) to off-site mitigation works through the Cairngorms Capercaillie Action Plan, to comply with the following criteria. Such mitigation must be assessed as sufficient to ensure that there would be no adverse effect on the integrity of the site/s, either alone or in combination with other plans or projects.

Criteria 1: Current and estimated recreational use and provision

65. The mitigation proposals should be based on a detailed and evidence-based understanding of current recreational use of the area, (both spatially and over time) in terms of numbers, distribution, behaviour and reasons and take account of the predicted future recreation demand arising from the proposed development.

Criteria 2: Capercaillie population and site issues

66. The mitigation proposals should be based on a detailed and evidence-based understanding of current recreational use of the area, (both spatially and over time) in terms of numbers, distribution and behavior and take account of the predicted future recreation demand arising from the proposed development. This should give an understanding of current capercaillie population within the affected sites and within connected non-designated woodland.

Criteria 3: Best practice

67. The mitigation proposals should be built on best practice as agreed with the local planning authority and Scottish Natural Heritage.

Criteria 4: Location and time-specific

68. The mitigation proposals should be designed to avoid an increase in disturbance throughout different times of the day and year, alongside adequate consideration of current and likely future levels and patterns of recreational use.

Criteria 5: Deliver targeted site specific mitigation

69. The Recreation Management Plan should include a detailed package of on-site mitigation measures that address the issues raised in criteria 1-4. They must clearly demonstrate that the combination of mitigations will ensure that there is no adverse effect upon the integrity of any Natura site. The measures for mitigation are likely to include:

- awareness raising through ranger activity, leaflets, signage and media communications
- provision of alternative footpaths, other routes or green space
- path removal to increase core refuge areas
- habitat improvement
- habitat expansion
- screening within woodland areas
- specific measures to increase dog control

Criteria 6: Community engagement and support

70. The proposals should demonstrate effective engagement with the community and recreational users and a sufficient degree of support to ensure the proposals are effective.

Criteria 7: Practical enforcement

71. The mitigation proposals should demonstrate that the measures will be practically and legally enforceable and maintained for the lifetime of the development.

Criteria 8: Phasing

72. For development of more than 50 units a phasing approach should be adopted. The delivery of subsequent phases will be conditioned upon the successful delivery of mitigation proposals for the previous phases. The criteria for success will be part of the Appropriate Assessment and conditioned to any approval. The mitigation proposals should identify how mitigation measures will be effective at the appropriate time in line with the construction and development phasing.

Criteria 9: Monitoring, review and adaptive management

73. The mitigation and management measures must be monitored and reviewed in a manner agreed with the local planning authority and Scottish Natural Heritage to ensure effectiveness for the lifetime of the development and a mechanism put in place to take further management measures to reduce disturbance if necessary.

Criteria 10: Co-ordinated action

74. Mitigation measures must demonstrate awareness of other developments and projects proposed, submitted for permission and approved but not yet built, that may affect the same designated sites and to ensure that in-combination effects are included. Any conflicts in effectiveness or delivery must be managed within the mitigation measures to ensure no adverse effect upon any sites integrity.

Criteria 11: Proportionality

75. The evidence base, information and subsequent mitigation measures must be proportionate to the level of potential effect and size of development, always however having regard to the fact that they must be sufficient to demonstrate that there would be no adverse effect on the integrity of any Natura site, either along or in combination with other plans or projects.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 5 - LANDSCAPE
Non-statutory Planning Guidance

Cairngorms National Park Local Development Plan
Policy 5 - Landscape
Non-statutory Planning Guidance

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.

This document contains mapping data reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number 1000040965. Any unlawful use or copying other than for the purposes of viewing and printing is prohibited. The document is for reference purposes only. No further copies may be made. The representation of features or boundaries in which the Cairngorms National Park Authority or others have an interest does not necessarily imply their true positions. For further information please contact the appropriate copyright holder. The maps in this publication are for information only and should not be used for navigational purposes.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

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

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 interest¹;
- 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

¹ 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.
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)

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.

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

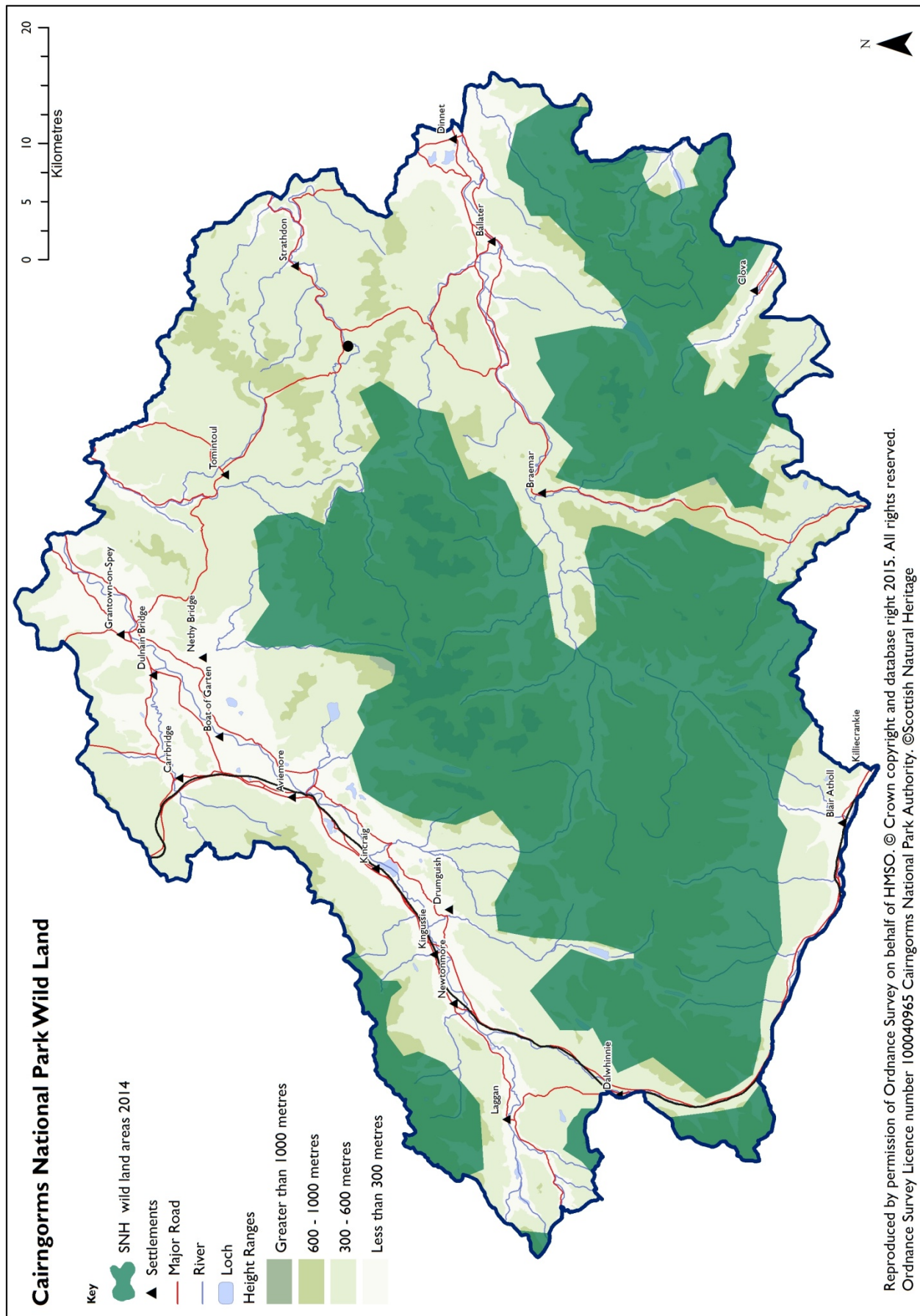
21. Any form of development is likely to reduce the quality and character of the landscape and the wild experience it offers. This will include hill tracks, fencing, telecom masts, turbines, artificially impounded water, plantation forestry, pylons and signage. Other potential impacts include noise from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

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;

- 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

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 7 - RENEWABLE ENERGY
Supplementary Guidance

**Cairngorms National Park Local Development Plan
Supplementary Guidance
Policy 7 – Renewable Energy**

This Supplementary Guidance provides further information and detail on how to comply with **Policy 7 – Renewable Energy** in the Cairngorms National Park Local Development Plan 2015. It forms part of the Local Development Plan and carries that weight in decision making. This Supplementary Guidance should be read alongside the Local Development Plan policy.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 7 Renewable Energy Supplementary Guidance

Policy Requirements	Information Required
All Development	
All renewable energy developments	<ul style="list-style-type: none"> • Locational information including reasons for technology, specific equipment proposed; location; proposals to minimise impacts during construction, operation, restoration and for longer term • Design assessment including all ancillary development • Access and traffic management assessment including access to and around the site during construction, operation and decommissioning of the proposal which should be agreed with the relevant roads authority • Cumulative impact assessment
Additional technology specific planning requirements	
Hydro developments	<ul style="list-style-type: none"> • Locational assessment –landscape character assessment; visual impact assessment; a CMS; restoration method statement; ZTVs and photomontages • Impact on water environment – demonstrate no detrimental impact on other hydro schemes in the catchment, any private water supply in the catchment and aquatic hydrology of the site and surroundings • Impact on recreational interests – results of contact with recreation groups and steps taken to minimise/mitigate impacts identified • Impact on peat and soil – information on local topography along length of scheme including peat depths; location of key rock heads; location of glacial-fluvial deposits
Wind energy developments	<ul style="list-style-type: none"> • Locational assessment – provision of required information (ZTV map covering appropriate radius; list of agree viewpoints; wireline drawings and photomontages from those viewpoints; design statement for multiple turbines; 8 figure grid reference for each turbine); a CMS • Noise assessment – results of contact with Environmental Health authority and steps taken to minimise noise impacts identified • Shadow flicker – detailed information on flicker disturbance minimisation; design including turbine of minimum of 10x blade length from sensitive properties • Other interests – results of contact with MoD and Civil Aviation Authority
Biomass developments	<ul style="list-style-type: none"> • Traffic management arrangements associated with biomass delivery and transfer
Energy from waste	<ul style="list-style-type: none"> • Feedstock information • Market information for generated power • Traffic management arrangements associated with feedstock deliveries which ensure no detrimental impact on neighbours

Meeting the requirements of the Policy

1. Proposals will be assessed to ensure that adequate consideration has been given to the impact on the site, the wider impacts on the surroundings, the impact on the National Park and its special qualities, and the impact on local communities. You must therefore include, as part of your application, information on how your development will contribute to the conservation and enhancement of the special qualities of the National Park.

All renewable developments

Locational assessment

2. You must consider the technical feasibility and capacity of the site chosen and provide a reasoned justification for this, both within the context of the local setting, and at a National Park-wide scale. Supporting information should include the reasons for the choice of technology, the specific equipment being proposed, the location, and the proposals for minimising impacts during construction, operation, restoration and for the longer-term.
3. Details of plans for restoration and reinstatement at the end of the lifespan of your development should also be submitted along with your planning application.
4. The assessment of the location chosen will be a key determining factor in gaining planning consent. Key to the success of any scheme will be the impact the proposal has on the special qualities of the National Park. Only once this has been fully justified will the other elements of the proposal be assessed. The Landscape Toolkit will be used in the assessment of all relevant applications.
5. When requested you must be prepared to supply locational information in GIS shape file format.

Design assessment

6. You must include within the information supplied, details of the specific equipment being proposed, the location, and the proposals for minimising impacts during construction, restoration and for the longer-term.
7. You must include within the assessment all ancillary development. This should include borrow pits, river crossings (including bridges where required), turbine houses, car parking, construction compounds, control buildings, substations, and grid connections. You must also include detailed plans to restore and reinstate the site at the end of the lifespan of your development.

Access and traffic management

8. All new tracks and means of access required to service the development site must be included in the application. This includes the route of any tracks required, details of any river crossings and design of bridges where necessary, design of the track itself, details of any borrow pits required for the track construction, mitigation measures to reduce potential impacts on any water courses present, and finally information on reinstatement arrangements as appropriate.
9. Where access to the site during construction and operation is not possible from the existing road network, detailed access arrangements and traffic management plans may be required. In the event that road improvements are required, these will be undertaken before construction commences.
10. Details of any deliveries associated with the operation of any renewable energy scheme must also be considered to minimize disruption and reduce the impact on neighbouring residential amenity.

11. All access arrangements should be agreed with the relevant authority roads division. You should also contact Transport Scotland where there are any potential impacts on trunk roads.

Cumulative impact

12. All renewable energy developments have the potential to have cumulative impacts when assessed against other developments in the locality. All proposals must ensure that the cumulative landscape and visual impacts of the development have been assessed and identified impacts minimised.
13. A cumulative assessment of potential landscape and visual effects should be undertaken based on established routes through the landscape (including public roads and recreational routes) and destination (including key summits, waterfalls etc).

Additional technology specific planning requirements

Hydropower

Locational assessment

14. The landscape and visual impacts associated with hydro schemes are not necessarily proportionate to the size of the energy output of a scheme, but more to the degree and extent of disturbance and long-term change. As all hydro power developments will have a landscape and visual impact, the level of this impact is a critical factor in determining any application.
15. Applications should include an assessment of landscape character and visual impact in the construction phase, restoration phase (1-5 year), in the long-term operational phase and decommissioning. This should be measured against the best available information regarding landscape sensitivities.
16. The assessment of construction impacts should be supported by information on soils and topography, an evidence based construction method statement (with reference to other schemes and similar conditions) that includes detailed plans and cross-sections for all component parts of the scheme, and an assessment of the effects of disruptions on access and amenity. A Construction Method Statement (CMS) is likely to be required.
17. You must demonstrate that your proposal has no unacceptable detrimental impact or that impacts are adequately minimised on the water environment, including other hydro schemes in the catchment, the hydrology of the site and surroundings and any private water supply in the catchment and groundwater dependent wetlands.
18. The assessment of restoration effects should be informed by a restoration method statement (again with reference to successful and unsuccessful restoration in similar situations) that includes plan and section information, details of plant and seed materials and the ongoing protection and management of restored and reinstated areas.
19. The assessment of longer-term landscape and visual impacts should be informed by details of ongoing scheme management (access in particular) and include Zones of Theoretical Visibility (ZTVs) and photomontages of key components that will have a long-term effect, such as access tracks, turbine houses, intake weir and impoundment, and the effect on water features.

Impact on water environment

20. You must demonstrate that your proposal does not have a detrimental impact on, and will not be affected by:
- other hydropower schemes (planned or operational) in the same catchment; and
 - any private water supply in the source catchment; and
 - the water environment and hydrology of the site and its surroundings, including soil and peat: and
 - aquatic ecology (eg as a result of reduced flows).
21. You must consider the cumulative impacts of your proposal on water flows during and after construction and morphology of river systems.

Impact on recreational interests

22. Many hydro power developments will have an impact on recreational interests in the National Park, and it must be ensured that this impact is minimised and/or managed. In designing your development you must demonstrate that you have contacted the relevant interest groups, and made appropriate provision that enables recreational interests to continue alongside your development.

Impact on peat and soils

23. Reducing the impact on landscape and ecology of any hydro power development is dependent on working with the soils and drainage of the location. Information on local topography, hydrology and soils is required to enable a realistic assessment to be made of the impact and to inform any mitigation required. Soils information

along the length of the scheme should include peat depths and the location of key rock heads and glacial-fluvial deposits.

Other information

24. A Controlled Activities Regulations licence is likely to be required for hydro power developments.
25. Noise assessments should achieve acceptable levels. You must check with the relevant authority's environmental health service for details of what is required for your development and then submit that information with any planning application
26. An Environmental Impact Assessment may also be required.

Wind energy

Locational assessment

27. The landscape and visual impacts associated with wind energy schemes are often the main determining factor for any proposal. These impacts will be assessed on the degree and extent of disturbance and long-term change. As all wind energy developments will have a landscape and visual impact, the level of this impact is a critical factor in determining any application.
28. For wind turbines under 15 metres height to blade tip, a basic photomontage and information from the supplier about the turbine should be submitted.
29. For wind turbines of between 15 and 30 metres height to blade tip, a basic level of Visual Impact Assessment should be carried out and submitted. This should include:
- ZTV map covering an area up to 20km (radius) from the turbine;
 - wireline drawings and photomontages from a limited number of key viewpoints;

- viewpoints to be agreed with the planning authority, and Scottish Natural Heritage where appropriate;
- design statement in the case of multiple turbines; and
- eight figure grid reference for each proposed turbine.

30. Developments involving wind turbines over 30 metres height to blade tip are not compatible with the special qualities of the National Park and are not considered to be appropriate. Existing wind turbines can be a significant constraint to further potential wind energy development. You should avoid contributing to a situation where multiple single turbines are visible from settlements, visitor sites, and where multiple turbines are visible in combination or in sequence.
31. A construction method statement is likely to be required.

Noise assessment

32. You must demonstrate that you have minimised the noise impacts of your development. Noise assessments should achieve acceptable levels. You must check with the relevant local authority's environmental health service for details of what is required for your development and then submit that information with any planning application.

Shadow flicker

33. All wind energy developments can cause shadow flicker. You must demonstrate that you have minimised the impacts of shadow flicker associated with your development. Turbines should be a minimum of 10 times the rotor diameter from sensitive properties¹ to avoid shadow flicker.

Other information

34. Military Aviation interests – The MoD defence infrastructure organisation must be contacted if a proposed wind turbine is 11 metres to blade tip or taller, or has a rotor diameter of two metres or more. You must demonstrate that your development meets any requirements that are forthcoming.
35. Civil Aviation Interests – you must demonstrate that your development meets the requirements of civil aviation interests as set out in Scottish government Circular 2/2003.
36. An Environmental Impact Assessment may be required.

Trunk road considerations

37. When siting wind turbines in the vicinity of a trunk road, turbines should:
- be set back a minimum of 1.5 times the height of the wind turbine (from ground level to the uppermost tip of turbine blade) away from the nearest kerbline of the trunk road carriageway;
 - not form a distraction to trunk road users particularly where drivers are required to manoeuvre, react or make decisions (eg junctions, bends etc); and
 - be sited to ensure that vehicles on the trunk road would not be facing towards it with a low sun behind it, such as on early winter mornings, otherwise the turbines should be sited at a distance 10 rotor diameters away from the carriageway.

¹ Sensitive properties include: residential properties, care homes, educational buildings, hospitals, cemeteries, some visitor facilities and accommodation, and land allocated for future development.

Biomass developments

38. Details of the type of biomass to be used in the development will be considered, along with any associated transportation and amenity issues. The means of transferring the biomass product from its transport into the storage facilities at the site will be an important factor in assessing any biomass development.
39. An Environmental Impact Assessment may also be required.

Energy from waste

40. The National Park is not near any significant sources of waste and any energy from waste plants would therefore necessitate significant transport of waste from outwith the National Park. The National Park is therefore not considered to be the place for large-scale energy from waste plants. Energy from waste schemes will only be acceptable where they make use of a local source of waste, and where the energy/heat being produced is used in the locality of the development.
41. You must demonstrate where the feedstock for your development comes from, and where the resulting heat/power will be used. You will also need to consider other regulatory constraints on the storage and management of waste. Further information available at www.sepa.org.uk.
42. You must demonstrate that any transport movements related to your scheme and the means of getting the feedstock from its transport and into its storage facilities, do not have detrimental impacts on the amenity of neighbouring properties/activities. A traffic management plan may be required.

43. Biomass/Anaerobic digestion developments must comply (as appropriate) with the Waste incineration Directive and Local Air pollution Control.

Solar power

44. Solar energy proposals are required to be assessed against all other policies.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 8 - SPORT AND RECREATION
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy 8 – Sport and Recreation
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 8 – Sport and Recreation** in the Cairngorms National Park Local Development Plan 2015.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 8 Sport and Recreation

Planning Guidance

Policy Requirements	Information Required
New developments or extensions to existing facilities	<ul style="list-style-type: none"> • Design considerations for construction and future maintenance which demonstrate best practice in sustainability terms • Visitor Management Plan • Community or visitor need to support the proposal • Details of impact on path network
Reduction of facilities or opportunities	<ul style="list-style-type: none"> • Proof that the development is ancillary to the principal use of the site • Confirmation that the reduction or removal of the facility will not affect the use of the principal use or facility • Details of compensatory provisions • Details of impact on path network

Meeting the requirements of the Policy

New development

1. Where a development proposal relates specifically to the provision of a new facility, you should include a Visitor Management Plan in support of your planning application. The level of detail provided in this Plan should be appropriate to the scale of the proposed development. As a minimum, where relevant, it should include information on the following:
 - how the proposal has been designed to extend the tourist season; and
 - how the proposal will improve the availability of facilities for local communities; and
 - what arrangements have been put in place for the long-term maintenance of the completed development.
2. Depending on the scale of the proposed development, contributions may be required by the planning authority to ensure sufficient protection of sport and recreation. Information may also be required on other infrastructure needed to support the proposed development i.e.:
 - access to and/or within the proposed development site (including non-car modes);
 - proposed parking arrangements;
 - signage to and within the proposed development site; and
 - additional facilities such as toilets, reception and storage facilities.

3. All new development should also be designed and located to ensure that existing and potential public access routes are protected, and to utilise appropriate opportunities to promote walking and cycling as a means of transport to/from/within the development site.
4. New development should not restrict future opportunities for the extension of the public access network.
5. In addition, all new developments should maximise opportunities to secure and retain outdoor access, including public access rights, proposed and adopted core paths, wider path networks, rights of way and other public open spaces. All new developments should contribute to enhancing and improving this infrastructure by ensuring that new development proposals do not result in a loss of existing public open space provision; making new physical links to existing paths and open spaces; and putting in place management schemes to ensure these new elements are cared for in the future.
8. It may also be acceptable to re-develop an entire sporting facility where it will be replaced – either on site or on a more suitable site – with a sporting facility of equal or greater benefit, standard and capacity. Ensuring the provision of sporting facilities is a priority.
9. The partial re-development of a facility, field or pitch will only be acceptable where it is ancillary to the existing use of the sports facility or the proposal involved the re-development of a minor part which will not affect the overall function of the facility or space.

Reduction in facilities

Re-development

6. The re-development of sports and recreation facilities, playing fields or pitches will only be acceptable where the proposal meets the criteria set out in Policy 8 of the Local Development Plan.
7. If your proposal seeks to re-develop an entire recreational facility, field or pitch, it must be demonstrated that there is an over-supply of recreational or sporting facilities of this nature within the surrounding area. A playing field strategy prepared in consultation with SportScotland will be required to evidence this.
10. Recreation facilities play an important role across the National Park in supporting local communities and the wider economy. The way in which key facilities and more informal access routes embed communities in the wider landscape is key to their success and should therefore be protected.
11. If your proposal suggests a reduction in the facilities which exist you must justify why its loss will not result in an adverse effect on the local community. Where you propose a reuse of the site you must include an assessment of alternative sites you have considered and discounted.
12. Where such justification is not available, proposals to reduce existing facilities will only be supported where the facility is ancillary to the main use of the site and where the removal of the facility will not adversely impact this principle use.

13. To ensure that the overall range of facilities is not undermined, you must provide an alternative provision of at least equal size, or upgrade the principle facility on the site to maintain the provision as a whole.
14. Where your proposal has an adverse impact on the public path network you must provide appropriate or improved alternative access, so the overall network is maintained. In considering how best to achieve this you should consult the Core Paths Plan which sets out the principle paths across the National Park.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 9 - CULTURAL HERITAGE
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy 9 – Cultural Heritage
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 9 – Cultural Heritage** in the Cairngorms National Park Local Development Plan 2015.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 9 Cultural Heritage

Planning Guidance

Policy Requirements	Information Required
National designations: listed buildings; scheduled monuments; inventory gardens, landscapes; battlefields	<ul style="list-style-type: none"> • An assessment of the key characteristics and features of the resource including their significance • Demonstrate no adverse effect • Details of works to preserve the remains or building in situ • Measures which demonstrate conserving and enhancing • Materials used in the proposal • In the case of a significant adverse impact, details of the social and economic benefits secured as a result of the proposal; and mitigation/ minimisation measures included in design
Conservation areas	<ul style="list-style-type: none"> • Compliance with conservation area appraisal or management plan • Measures which demonstrate conserving and enhancing • Materials used in the proposal • Submission of detailed planning application only to accompany application for Conservation Area Consent
Other cultural heritage	<ul style="list-style-type: none"> • Measures which demonstrate conserving and enhancing • Where this is not possible, measures which avoid, minimise and mitigate adverse effects
Enabling development	<ul style="list-style-type: none"> • Measures taken to try and secure the future of the listed building • Demonstrate the measures are the minimum required
Furthering our knowledge	<ul style="list-style-type: none"> • Supply required specialist information/surveys which demonstrate minimal impact • Measures in place to excavate, record, analyse and publicise information gathered
Demolition – removal of an asset	<ul style="list-style-type: none"> • Measures taken to try and secure the future of the building • Evidence that the building has been actively marketed • Submission of detailed planning application to accompany application for Listed Building Consent and/or Conservation Area Consent

Meeting the requirements of the Policy

1. Cultural heritage includes 'structures and other remains resulting from human activity of all periods, language, traditions, ways of life and the historic, artistic and literary associations of people, places and landscapes'. It comprises buildings, structures, areas, landscapes, archaeology as well as features such as wells, caves, veteran trees, traditional meeting places, ancient routes and places mentioned in folk lore. It can be of international significance or a personal perception of something valued.
2. Part of the first aim of the National Park is to conserve and enhance the cultural heritage found in the National Park. The National Park Authority is under an obligation to deliver the aims in a collective way and it is clear that conservation and enhancement of our cultural heritage should be at the forefront of all that happens in the National Park. Further information supporting this can be found in the guidance notes 'Managing change in the historic environment' – available at www.historic-scotland.gov.uk.

All forms of development

Intervention

3. The key to preserving the cultural heritage of the National Park is managing change in an appropriate way. The aim should be to preserve the cultural heritage asset in a way which preserves its special qualities, and takes every opportunity to enhance it for the future.

4. Intervention will normally fall somewhere between preservation, adaptation, retention and redevelopment. It is often a balance to achieve the right outcome, but in the first instance you should consider preservation and reuse.
5. The best way to conserve a building or structure of cultural significance is to keep it in active use. Every effort should be made to find a solution allowing adaptation to a new use without unacceptable damage to the character and special interest of the asset.
6. Redevelopment should only be considered where the works are compatible and necessary to further the conservation and enhancement of the wider cultural heritage in the area.
7. All interventions must be compatible with the historic context, not overwhelm or impose it. They must be planned with a comprehensive understanding of the historic context of the development, and must demonstrate a reasoned justify for their need.

Repair rather than replace

8. In the first instance you should maintain your property in a way which protects the special qualities of that building and the contribution it makes to the conservation area. Early action can often prevent decay and avoid the need for major intervention later.

Honesty in repair and alteration

9. Repairs and alterations should generally be carried out without attempt to disguise or artificially age them. However they should

not be obtrusive, nor should inappropriate materials be used to provide a dramatic contrast. They should not detract from the visual integrity of the building or structure. They should instead leave a clear history of the works undertaken in a way which does not confuse the historical record that is the building or structure.

New design in historic setting

10. New development need not necessarily replicate its surroundings, but it should respect, enhance, and have a positive impact on the building and its setting. Proposals must take advantage of the opportunities which exist in the conservation area as a catalyst for economic, community and environmental regeneration. Further guidance on this can be found in the 'New Design in Historic Settings – available at www.historic-scotland.gov.uk.

Materials

11. The highest standards of materials and workmanship will be required. Materials and techniques used will respect traditional practice, unless modern substitutes are proved to provide significant and sustainable advantage.

Reversibility

12. Processes which are reversible, or substantially so, should always be considered first. This allows for correction or future alteration should the need arise. Reversibility in itself is not a justification for proposals which may be physically or aesthetically inappropriate.

13. Where applications for development are required, the applicant must prepare drawings and other related documents as required. The scope of the information required will vary considerably depending on the circumstances of the case. You may be required to submit the following additional information in support of your application:
 - drawings illustrating the relationship of your proposal to its setting;
 - evidence of the structural condition of the building/structure;
 - a repair schedule;
 - specification of materials
 - annotated photographs
 - historic records of building/structure
14. Outline applications will only be considered where the development does not contain any matters relating to design.
15. Proposed change should be managed to protect the special qualities of the asset, while enabling it to remain in active use. Continuation of the original use for which the building or structure has been designed will be encouraged. If this is not practicable, applicants will be required to show that efforts have been made to continue its present use. Where changes of use are proposed you should ensure:
 - The architectural features, original plan form and layout will be preserved; and
 - The historic value and setting of the original asset are not adversely affected.
16. The aim is to guard against unsympathetic alterations and prevent unnecessary loss or damage to historic fabric.

17. Where a proposal involves alteration or adaptation which will have an adverse or significantly adverse impact on the special interest of the asset, the planning authority will consider:
- the relative importance of the asset; and
 - the scale of the impact of the proposals on that asset; and
 - whether there are other options which would ensure a continuing beneficial use for the asset which would have less impact on its special interest; and
 - whether there are significant benefits for economic growth or the wider community which justify a departure from the presumption against works that adversely affect the special interest of the asset or its setting.

National designations

18. In the case of Scheduled monuments you must demonstrate how your development will preserve known and formally recognised, or scheduled, archaeology in situ. You should also ensure no adverse effect on the setting occurs. The planning authority will notify Historic Scotland who are a statutory consultee and will have an input into the decision made on that application.
19. For unscheduled sites, you must demonstrate what efforts have been taken to preserve them in situ. Where this is not possible give full justification for this as part of your application. You will then be required to make appropriate provision

- for archaeological excavation, recording, analysis and publication, in advance of the development.
20. If you discover archaeological remains during the process of development you must inform the planning authority at once. You must then consider appropriate mitigation to ensure appropriate excavation, reporting and analysis if preservation in situ cannot be achieved. Failure to notify the planning authority will result in a temporary stop notice being issued.
21. Planning applications for development must include sufficient information to allow a full assessment of the impact of the development on the archaeology. You may have to supply an archaeological appraisal as part of your application to support the development proposed.
22. Applicants must consult Historic Scotland prior to submission for any application for Scheduled Monument Consent. Applications are required in addition to other consents, in advance of any works and should be submitted to Historic Scotland, not the planning authority.
23. For development affecting a Listed Building, you must demonstrate how the design of your development ensures the protection and enhancement of the listed building, ensuring no adverse effect on the building, its curtilage and its setting. Where possible the development should have a positive effect on the building.
24. In addition you may need Listed Building Consent. This will not normally be required for like repairs.

Where repairs involve alterations which would affect the character of the building, consent will be required.

25. If your proposal affects a scheduled monument, category A listed building, Inventory battlefield or Gardens and Design landscapes and their setting, you must highlight this in your planning application. The planning authority will notify Historic Scotland who are a statutory consultee and will have an input into the decision made on that application. Your proposal must demonstrate how the development is being undertaken to the benefit of the asset. Managing and enhancing the asset should be at the forefront of any management arrangements put in place, and in working up any proposals for development.

Conservation areas

26. For proposals affecting a conservation area you must demonstrate how your development makes a positive contribution to the character of the conservation area and is consistent with any relevant appraisal or management plan. The development should protect any trees on the site, unless notification procedures to the planning authority have been made and completed.
27. Conservation Area Consent is also required for proposals involving the demolition of an unlisted building in a conservation area. Some exceptions exist and you should check with the planning authority. You must also give six weeks' notice to the planning authority of any intention to cut, lop, top, uproot,

wilfully damage or destroy a tree in a conservation area.

28. Ballater, Braemar, and Inverey Conservation Areas are covered by an added level of protection (Article 4 direction). Aberdeenshire Council can advise on what the additional protection means for you.

Other local cultural heritage

29. If your proposal affects a building or structure considered to be of local cultural heritage significance, or its setting, you must highlight this in your planning application. No separate permission is required. You must demonstrate how your proposal has taken reasonable steps to conserve and enhance features and assets of local cultural significance. Where this is not possible, demonstrate the measures you have taken to avoid, minimise and mitigate the effects made. Demolition or removal of any feature which contributes to an asset of local cultural heritage significance will not normally be given permission.
30. You may be required to include evidence assessing the significance of the site or feature. It will not however extend to the need for specialist survey work or additional detailed investigations unless initial surveys reveal information which implies a greater interest in the asset which may lead to its formal recognition as a listed building, scheduled monument or other formally designated site.

Enabling development

31. Enabling development can be a valuable way to secure a listed building which would otherwise fall into a state of irrevocable decay. However, it should only be used once all other means of securing the future of the building have been exhausted. You should therefore include with your application details of all measures taken to try and secure the future of the listed building and detail the reasons why these measures have not succeeded.
32. Where enabling development is considered an appropriate way forward to secure the future of the listed building, the measures taken must be the minimum required to secure the buildings restoration. You must therefore provide sufficient information to demonstrate that the proposal meets this requirement.

Furthering our knowledge

33. In advance of any works, evaluation and recording of the existing structure should take place. This allows changes or developments to be carried out in a way which has been informed by the original structure. It also ensures that nothing of significant value will be damaged or destroyed. Where necessary, this analysis should be carried out by a suitably qualified specialist.
34. The Royal Commission on the Ancient and Historic Monuments of Scotland (RCAHMS) will be notified of all proposals to demolish listed buildings, and also non-listed buildings in conservation areas. Notification will also need to be made in appropriate cases of significant

alteration. In such cases it will be a condition of consent that applicants arrange suitable programmes of recording features that would be destroyed in the course of the proposal.

Demolition

35. Listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.
36. If you intend to demolish a listed building you must demonstrate clearly that every effort has been made to retain it. Permission will only be granted where it is demonstrated that:
 - the building is not of special interest; or
 - the building is incapable of repair; or
 - the demolition is essential to delivering significant benefits to economic growth or the wider community; or
 - the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period. For such proposals, an Environmental Impact Assessment may be required.
37. If you intend to demolish an unlisted building in a conservation area you must give reasons for the demolition and submit detailed plans of existing and proposed replacement buildings if any are proposed. Where the building makes a positive contribution to the character of the conservation area you must submit a survey of the building's structural condition to support the reasons for removal. Applications for the demolition of buildings or structures which would result in an unacceptable gap site will not be permitted.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 10 - RESOURCES
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan
Policy 10 – Resources
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy 10 – Resources** in the Cairngorms National Park Local Development Plan 2015.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 10 Resources

Planning Guidance

Policy Requirements	Information Required
Water resources	<ul style="list-style-type: none"> • Construction and operation method statements fulfilling best practice requirements • Appropriate supporting statements – justification of requirement of works, relevant technical documentation • Type and scale of proposals, construction and operation methods, details of any mitigation proposed and any measures to reduce impact on water resources • Drainage Assessment including foul drainage and surface water drainage showing sustainable drainage systems (SuDS) • A statement on water use and requirements including minimisation, demand management and a risk assessment for private water supplies if required • A hydrology survey covering both surface and groundwater including wetland habitats and natural flow regime, water quality with reference to existing Water Framework Directive classification status, existing public and private water supplies from abstractions and springs and amenity and recreational water use if required
Flooding	<ul style="list-style-type: none"> • Proximity to area at potentially significant risk of flooding (0.5% or 1:200 year probability) as shown on SEPA’s Indicative Flood Map • Flood Risk Assessment if required • Details of flood risk management measures if required
Connection to sewerage	<ul style="list-style-type: none"> • Confirmation of connection to public system, or • Justification of need for private system, and demonstration that this will be to an adoptable standard if required
Waste management and minimisation	<ul style="list-style-type: none"> • Demonstration of measures taken to minimise waste generation during construction and in operational phases of the development • Details of all waste management and recycling measures included in the proposal • Demonstration of best practice in design • A Site Waste Management Plan (SWMP) if required • For waste management facilities, details of method in which you accord with the Zero Waste Plan and the role of the development in delivering national need for waste management facilities

Policy Requirements	Information Required
Minerals	<p>Where your proposal affects a mineral reserve:</p> <ul style="list-style-type: none"> • Identify all viable reserves affected by the proposal and detail how they will be protected • If this is not possible, a method statement detailing how the mineral will be extracted prior to the start of the development <p>Where your proposal exploits a mineral reserve:</p> <ul style="list-style-type: none"> • Details of the market for the material and an explanation of the benefits of exploiting a reserve • What alternative sites have been considered • How the development will further conservation and restoration of the landscape affected
Carbon sinks and stores	<ul style="list-style-type: none"> • Determine if your proposal affects a carbon sink or store • Confirmation that site selection is located to avoid areas of high carbon sinks and stores • If unavoidable, identify the likely impacts and measures in place to minimise the impacts • Demonstrate best practice in construction and reinstatement
Contaminated land	<ul style="list-style-type: none"> • Assessments to clarify any risk – this should include the development site, and also the surrounding area • Further risk assessments where initial screening shows there to be a significant risk • Clear information on all remedial actions to be taken framed against the aims of the National Park and its special qualities – remedial actions may also be required on surrounding land
Landfill	<ul style="list-style-type: none"> • Details of all future restoration measures • Measures to secure self sufficiency • Recycling and waste treatment measures and waste minimisation measures

Meeting the requirements of the Policy

Water resources

1. The water environment is a key part of the National Park; its lochs, burns, rivers, wetlands and groundwater contribute to its special qualities, including the sense of wildness, amenity and distinctive places. It also provides valuable habitat and is important as a water supply for industries in the National Park such as distilleries and salmon fishing.
2. The National Park's water environment is in a good, natural condition and is mostly considered to be of excellent quality. However, there are a number of significant risks posed to our water environment including diffuse pollution, river modification, catchment processes and flood management. The availability of water for consumption must be ensured and the impacts of recreation and water abstraction considered.
3. Any works on or near the water environment can impact on water quantity and quality and change its natural behaviour and/or the habitat it can provide. It is important that the nature and scale of any impacts which may arise from proposed development are considered and assessed. Watercourses and their catchments are dynamic systems and in a state of constant change, for example flow and rate may change and rivers often need room to move position within their natural floodplains. Any development needs to ensure that it does not cause degradation of a watercourse or exacerbate bank erosion or deposition. Groundwater and wetlands are also important and impacts on these should also be fully considered, including the impact of development on water levels. Further guidance can be found in the Groundwater Protection Policy for Scotland at: www.sepa.org.uk.
4. Where engineering activities in the water environment are required, appropriate mitigation measures should be provided with an application. Where possible this should include the removal of redundant structures and the return of water bodies to their natural state.
5. There are a number of statutory and regulatory controls in addition to planning permission, such as the European Union Habitats Directives and the Water Environment (Controlled Activities) (Scotland) Regulations which need to be considered. The latter deals with engineering activities, pollution, water flow, quality and quantity. River Basin Management Plans provide information regarding the ecological status of watercourses and should be taken into consideration through the planning process. The granting of planning permission does not remove the need to ensure other licences, permissions or authorisations are in place, which is the developer's responsibility.
6. When considering your planning applications, you must take into account the direct and cumulative effects of the proposed development on the water environment. It must be demonstrated that any impacts on river hydrology, sediment transport and erosion, nature conservation, ecological status or ecological potential, fisheries, water quality and quantity and flow rate, recreational landscape, amenity and

economic or social impact can be adequately mitigated. You should utilise opportunities for enhancement and restoration, or other remedial works, wherever possible. Such works may be included in developer contributions and/or provision of open space associated with appropriate development proposals.

7. Your planning application must be accompanied by sufficient information on the following aspects in relation to the water environment:
 - construction and operation method statements detailing mitigation measures and pollution prevention including enhancement and restoration or other remedial works which meet best practice requirements;
 - details of and justification for proposals and nature and scale of potential impacts including direct and cumulative;
 - Drainage Assessment;
 - SuDS or Surface Water Drainage Statement;
 - Flood Risk Assessment (if required);
 - Risk Assessment for water supplies (if required).
8. For larger or more complex developments, it is recommended that you discuss your proposals with the Cairngorms National Park Authority and other relevant bodies in advance of submitting your planning application.

Surface water

9. CAR regulations require all surface water from new development to be treated by SuDS before it is discharged into the water environment, except for single houses. The aim of SuDS is to mimic natural drainage, encourage infiltration and slow down both the speed of rainwater runoff and reduce pollutant impacts to minimise adverse impacts on people and the environment. In addition to reducing pollution, SuDS also plays a role in flood alleviation.
10. Your development proposal should incorporate SuDS to the appropriate level and should also demonstrate how these systems will be maintained in perpetuity. The level of SuDS treatment required is dependent on the nature of the proposed development and the environmental risk which it poses. You should consult the Scottish Environmental Protection Agency (SEPA) website (www.sepa.org.uk) for the most up-to-date information on the levels of treatment required for your specific development proposal.
11. Surface water drainage measures proposed as part of a planning application should have a neutral or better effect on the risk of flooding both on and off the site. Where flooding is an issue, SuDS should be designed to mitigate the adverse effects of a storm inflow into the watercourse or sewer. The SuDS do not prevent on-site flooding from watercourses, although some SuDS, such as detention ponds, can slow the rate of runoff by temporarily storing the water.

12. For detailed guidance on design criteria for SuDS please see Sewers for Scotland 2nd Edition and SuDS Manual C697 (Construction Industry Research and Information Association, 2007) www.ciria.org.

Water Supply

13. Your development proposal should have no significant adverse impact on public or private water supplies. The EC Drinking Water Directive sets the standards for drinking water quality at the tap (including microbiological, chemical and organoleptic parameters). Private water can be supplied from surface water (rivers, burns, lochs) and this will normally need some form of treatment before being suitable for consumption, or from groundwater (springs, boreholes or wells) which can provide very clean sources of water.
14. If you intend to install a new private supply for your development this should be indicated as part of the planning application. You will need to carry out a risk assessment of the likely private water source to identify any real or potential contamination risks i.e. micro-organisms and chemicals and identify steps or measures to remove or reduce the risks. You should contact the relevant local authority's environmental health department for further advice on private water supplies.
15. New development must not have significant adverse effects on water resources. In designing your development you must therefore:

- ensure your proposal minimises water use and prevents pollution of the water environment;
- puts in place satisfactory systems for foul and surface water drainage and ensures that an allowance for any land-take required for this has been made;
- identifies the source of any proposed water supply (public or private); and
- establishes whether a flood risk assessment is required, and if so ensure that appropriate information is submitted with your planning application.

16. If your proposed development is in an area served by a public sewer you should connect to the public sewer for foul drainage. Whilst it is preferable that a public water supply and drainage system should be used, in many rural areas this is not always possible. Proposals for new houses in the wider rural area which cannot connect to a public service must be accompanied by adequate evidence to demonstrate that private facilities for water supply and drainage are available. This may require you to undertake survey work to test a water supply or a soakaway drainage system and demonstrate it is technically feasible to proceed with the proposal.

Water quantity

17. Minimising the need for water abstraction will help reduce the impacts of development on the water environment. This can be achieved by improving water efficiency through the conservation, re-use and reclamation of water such as the collection and recycling of water, the use of water efficient appliances, promotion of rainwater harvesting and sustainable

drainage systems (SuDS). Under the Controlled activities (CAR) regulations there is a duty for all abstractors to take reasonable steps to secure the efficient and sustainable use of water.

18. Your planning submission should demonstrate how you have sought to minimise water resource use and ensure that there is no deterioration in the quality of the National Park's water resource. This means managing the demand for a continuing supply of good quality water whilst balancing the needs of wildlife and the environment which rely on sufficient river flows.
19. Permission will not normally be granted which would result in the deterioration of the current or potential ecological status of a waterbody or which could have an adverse effect on the integrity of a Natura site. You must therefore demonstrate that the proposed works will not have an adverse effect on the integrity of a waterbody such as its natural flow regime, including low flow and drought conditions and impact on any habitats. You should also demonstrate how demand management has been taken into account.

Water quality

20. Your planning application should demonstrate how you have addressed water quality issues, including pollution prevention. This should include method statements for any development which is proposed within or near to a watercourse which should explain how SEPA's pollution prevention guidelines will be adhered to during construction and operation of the site, including the

management of surface water runoff from construction. Engineering activities in the water environment such as water crossings, bridges and culverts will require a licence under CAR which is regulated by SEPA.

21. Your development proposal should demonstrate that it prevents or limits the input of pollutants, including sediment, into watercourses and groundwater so that it does not result in the deterioration of the current or potential ecological status or prejudice the ability of restoration to achieve such status.
22. Pollution leading to the deterioration of water quality can be from one of two sources; point source or diffuse source. Point source pollution is associated with discharges from pipe systems such as industrial discharges and sewerage works. Diffuse sources of pollution include runoff from roads, houses and commercial areas, runoff from farmland and seepage into groundwater from developed landscapes of all kinds. Diffuse sources are often individually minor, but collectively significant. Diffuse pollution from both rural and urban sources is one of the major causes of poor water quality in Scotland today.
23. Your development proposal should not result in the deterioration of the current or potential hydromorphological status of a water body, i.e. the physical characteristics of the shape, boundaries and its content.
24. The ecological classification system required under the Water Framework Directive describes hydromorphological elements as 'supporting the biological elements'. These consist of the hydrological regime (quantity and dynamics of flow, connection to

groundwater); continuity (ability of sediment and migratory species to pass freely up/down rivers and laterally within the floodplain); morphology (ie physical habitat – compositions of substrate, width/depth variation, structure of bed, banks and riparian zone).

25. Almost all of the National Park lies within the catchments of five major rivers – the Don, Dee, South Esk, Spey and Tay. The latter four are designated as Special Areas of Conservation (SACs) under the EU Habitats Directive for their internationally important populations of protected species. The River Spey is also a Site of Special Scientific Interest (SSSI). In addition to this there are a number of other designations in place including Special Protection Areas (SPAs) and Ramsar sites. There are also a number of other SACs and SSSIs within the National Park with freshwater interests.
26. Proposals that could affect a SAC or SPA such as water abstraction and wastewater treatment must comply with the requirements of the Conservation (Natural Habitats) etc Regulations. In some instances this means that the Cairngorms National Park Authority, as the planning authority, will need to carry out an Appropriate Assessment on your development proposal to identify and assess its impacts on the conservation objectives and qualifying interests of the SAC.
27. River and other watercourse corridors with their associated bankside borders and vegetation can provide valuable habitats for a wide range of flora and fauna. The sustainable management of these areas as riparian zones to conserve or enhance water quality, habitat and

species diversity is encouraged. Such management may also provide suitable alternatives to hard engineering solutions, for bank reinforcement for example.

28. The provision of buffer strips in all developments which are adjacent to, or contain a waterbody is encouraged. The provision of buffer strips around or along water bodies can have multiple benefits including allowing for the maintenance of watercourses, reducing the risk of flooding, mitigating diffuse water pollution, providing valuable wildlife corridors and providing space for lateral movement of watercourses. They can also help to reduce soil erosion and help adaptation to climate change and flood risk. You should consider the inclusion of buffer strips within your application and provide reasoning for your proposal where this option has been discounted.

Drainage requirements

29. You may be required to submit a Drainage Assessment. You can confirm this requirement by consulting Drainage Assessment – A Guide for Scotland. A drainage assessment is site-specific and intended to clearly outline the impact that the proposed development has in both surface water and foul drainage terms. It should also consider flood risk where appropriate.
30. You will need to make appropriate provision for the collection, treatment, decontamination and disposal of all surface and foul water arising from your proposed development and the site within which it sits. Separate systems must be employed for the treatment of surface water and foul drainage. Adequate consideration must also be given to the impact of the proposed development on the drainage catchment area.

Flooding

31. Flooding is usually a natural process which can occasionally be hazardous to people, property and infrastructure. All watercourses are susceptible and functional floodplains should be expected to flood periodically. Development pressures often arise on vulnerable, low lying areas, which are prone to flooding, or where development could exacerbate problems which exist elsewhere within the same water catchment area. Some locations are already at risk of intermittent flooding, and climate change is expected to worsen that situation. In general, development should avoid flood risk. However, in exceptional circumstances, where the risk cannot be avoided, appropriate mitigation/ alleviation measures will be required. It should be noted that flood risk cannot be eliminated, only managed or avoided.
32. Flooding is a material planning consideration, and the probability of flooding from all sources – coastal, fluvial (watercourses) and pluvial (surface water) – and the risks must be taken into account when determining your planning application. Scottish Planning Policy (2014) states that ‘Development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere’ should be prevented. A precautionary principle must therefore be taken in decisions when flood risk is an issue. A piecemeal reduction of the floodplain must be avoided because of the cumulative effects of reducing flood storage capacity.
33. The management of floodplains is one of the key issues in the National Park, as parts of many rivers have been cut off from their river systems by flood walls. This results in flow being channelled in a much more intensive way than is natural, leading to erosion of river beds and loss of finer sediments. It also leads to the loss of wetland habitats that help to support the diversity and viability of the river systems. Flood waters that cannot spread out in the upper catchments can cause severe flooding downstream.
34. Likelihood of a site flooding is measured in terms of probabilities per annum, which range from little or no risk (less than 0.1 per cent probability) to Medium to High risk (annual probability is greater than 0.5%). For planning purposes the functional floodplain will generally have a greater than 0.5 per cent (1:200 year) probability of flooding in any year.
35. Development which would have a significant probability of being affected by flooding (i.e. is within or adjoining the 1:200 year probability area), or would increase the probability of flooding elsewhere, will not be permitted. Any development which requires measures (such as land raising or under-building) to address flood risk is only likely to be acceptable outside or adjoining these areas.

Flooding: what you need to consider

36. Alterations and small-scale extensions are generally outwith the scope of this requirement, provided they are unlikely to have a significant effect on the storage capacity of the functional floodplain or affect local flooding problems.

37. You should consult SEPA's Flood Risk maps to determine what action you need to take and whether you will be required to submit a Flood Risk Assessment in support of your planning application: www.sepa.org.uk.
38. These maps show indicative flood risk areas that should be avoided wherever possible. Whilst not an accurate information base about the likelihood of flooding on individual sites, they provide a guide and assist in identifying areas where more detailed information is required.
39. You must consult SEPA and the local flood prevention authority (typically the local authority) for proposals for new development within identified or adjacent to, potential flood risk areas. If the planning authority is considering approving an application contrary to the advice of SEPA, or the local flood prevention authority, the application will be notified to Scottish Ministers.

Undertaking a Flood Risk assessment

40. If any part of the proposed development site lies within or adjacent to SEPA's indicative flood map, you must commission a Flood Risk Assessment (FRA) to be carried out by a qualified professional. This should be done as early as possible in the process to inform the proposed development and identify constraints which may impact on:
- the developable area;
 - achievable capacity;
 - economic feasibility;
 - layout, scale and design.

Flood Risk Guidance for Stakeholders, is available from SEPA www.sepa.org.uk

41. The Flood Risk Assessment should adhere to the Technical Flood risk Guidance for Stakeholders, available from Preliminary or scoping studies may be undertaken prior to a fuller assessment. In exceptional circumstances, supporting information that demonstrates that the site is free from flood risk can be accepted. Discussions with the planning authority and SEPA prior to this are recommended, to advise on prevention and alleviation measures such as flood defences. You will need to include this detail with your planning submission.

Flood risk management measures

42. Flood protection measures are designed to protect against a specified height of flood water. The measures can reduce the probability of flooding in a particular area but cannot eliminate it entirely.
43. A development which requires additional flood protection measures will normally only be acceptable outside or adjoining the boundary of medium to high risk areas. Where flood protection measures are needed, a thorough justification, including an examination of alternative options, should be provided. Elevated buildings on structures such as stilts are unlikely to be acceptable
44. Flood risk management measures should target the sources and pathways of flood waters and the impacts of flooding. Where possible, natural features including woodland and trees and characteristics of catchments should be restored to slow, reduce or otherwise manage flood waters. Flood risk management measures should avoid or minimise detrimental effects on the ecological status of the water environment. In all cases, opportunities for habitat restoration or enhancement should be sought.

45. Land raising, which involves permanently elevating a site above the functional floodplain, may have a role in some circumstances where other alternatives are not practical. Proposals for landraising should be linked to the provision and maintenance of compensatory flood water storage. This should replace the lost capacity of the functional floodplain and have a neutral or better effect on the probability of flooding elsewhere.

46. Once complete, the land created by landraising will no longer be part of the functional floodplain. Engineering operations for landraising are a controlled activity under the Water Environment and Water Services (Scotland) Act 2003 and approval is required from SEPA before works can commence.

Connection to sewerage

47. Where the proposed development is in, or close to an area where there is a public sewerage system, foul drainage from the development should be directed to that system. If the system has insufficient capacity, you should contact Scottish Water to identify any programmed works which will address the issue(s). Alternatively, Scottish Water may advise on network mitigation and investment required by you as the developer. Further information on Scottish Water's Delivery and Investment Plan can be found at: www.scottishwater.co.uk.

48. Development which is not connected to the public sewerage system will only be permitted if it is not possible or is unreasonable to connect, due to lack of capacity or other constraints within the public system. Alternative or

interim measures may be permitted if they comply with best practice and relevant standards. This is relevant in larger settlements (population equivalent over 2,000) where connection is currently constrained but is within the Scottish Water investment programme and in small settlements (population equivalent under 2,000) where there is no, or a limited public system. In these cases a private or interim system may be permitted where it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses, or the amenity of the area. Systems must be designed and built to a standard to allow connection to the public sewer and/or adoption by Scottish Water at a later date.

49. If your proposal is for a large-scale development in an area already constrained or is otherwise problematic, your Drainage Assessment should include a comprehensive section on waste water drainage. This should examine the availability, both in terms of location and capacity, of public sewers and their ability to carry wastewater from the development. Where a public sewer is not available you should discuss with Scottish Water the possibility of providing a public sewer to carry wastewater to an existing wastewater treatment plant. Otherwise you will need to consider the provision of infrastructure for adoption. If you propose to make private drainage arrangements then you should consult SEPA in relation to authorisation of discharges of sewage effluent to land or controlled waters (a watercourse or loch).

Waste management and minimisation

Sustainable waste management in all new development

50. Waste management and recycling should be built into all new development to ensure that waste minimisation, efficiency of collection services and waste recycling are considered at the development design stages. You must include appropriate provision for recycling facilities for the collection and storage of all recyclable materials and/or composting facilities in your development proposal. This may include provision for kerbside collection and/or centralised mini-recycling centres and composting facilities.
51. In designing your proposal you must:
- demonstrate that you have sought to minimise the generation of waste during construction and operational phases of the development through the preparation and implementation of a Site Waste Management Plan (SWMP); and
 - include appropriate provision for recycling facilities, for the collection and storage of all recyclable materials, and/ or composting facilities; and
 - consult the relevant local authority waste management department to ensure that your proposal meets with their requirements.
- 10.52 You must demonstrate that the requirements to provide for waste minimisation and sustainable waste management practices have been met. You must therefore show that:
- facilities are sited in an accessible and convenient location;

- provision is made for the separation of wastes for recycling;
- impacts on neighbouring properties have been considered;
- facilities are secure; and
- negative visual impacts on the street scene and local landscape quality have been minimised through good design.

Site Waste Management plans (SWMP)

53. A SWMP should be submitted for all applications for major development (as defined in Circular 5 2009: Hierarchy of Developments. The SWMP should contain the following information:
- waste expected to be produced and how materials will be recycled/reclaimed;
 - steps to minimise waste and maximise the use of recyclates;
 - management practices for waste on-site and leaving the site;
 - relevant evidence of waste carrier/ waste transfer.
54. Additional information is contained in PAN 63 and at www.wrap.gov.uk

Waste management facilities

55. The provision of waste facilities necessary to meet the requirements of the Zero Waste Plan and its waste hierarchy which favours prevention over reuse, recycling, recovery of energy then final disposal of waste, needs to be planned for. The Grainish and Grantown-on-Spey waste management facilities along with the sites identified on the proposals maps within the Local Development Plan are to be safeguarded from incompatible neighbouring development to ensure that they are protected for the long-term provision of waste management facilities.

56. In applications for new waste management facilities the proposal will be assessed against the national need for facilities as set out in Annex B of the Zero Waste Plan.
57. If your proposal is for a waste management facility you will need to identify in your planning submission;
- how your development proposal accords with the Zero Waste Plan and;
 - the role which it will play in delivering the national need for waste management facilities.
58. SEPA's Waste Infrastructure Maps and Waste Data Digests contain further information on existing waste management facilities and their capacities.

Minerals

59. Mineral reserves are effectively finite and extremely limited. Those which are viable for future extraction must be protected or have been exploited prior to development occurring. You must consider:
- how best to protect a viable reserve for the future; or
 - how best to extract the reserves for the wider benefit of the National Park and its aims, prior to the start of development.
60. Where your proposal exploits a mineral reserve you must consider:
- the benefits of exploiting that reserve; and
 - alternative sites which may be appropriate; and
 - how the development will further conservation or restoration of that landscape character affected.

61. Applications that affect mineral reserves will be assessed on how they will protect the reserve for future exploitation. You must therefore:
- identify any viable mineral reserves affected by your proposal and show how you are protecting it for the future; or
 - where this is not possible, how the minerals will be extracted prior to the start of development and that this is done in a way that delivers the aims of the National Park.
62. Where your proposal exploits a mineral reserve you must:
- provide information on the market for the material to be extracted and the social or economic benefit secured as a direct result of the proposal; and
 - detail the alternative sites you have considered and provide information as to why these are not appropriate; and
 - consider how the works involved will further the conservation or restoration of that landscape character affected.

Carbon sinks and stores

63. The planning system can help increase resilience to climate risks by managing carbon rich soils in a way that ensures they remain as carbon sinks rather than becoming carbon sources. Associated with this the sensitive management of development, the restoration of degraded moorland, woodland and wetlands to create carbon sinks and stores, where appropriate is also encouraged.

64. Development proposals must therefore take into account the impacts on recognised carbon sinks and stores. Some types of development may adversely affect carbon sinks and stores through the disturbance of soils, particularly peat. This is particularly relevant to certain types of development:
- hill tracks and access roads, mineral and peat extractions, infrastructure, and telecommunications equipment;
 - carbon capture and storage (engineering works specifically not land use change);
 - wind turbine foundations or bases and hardstandings, and hydro power schemes;
 - any other engineering works.
65. This list is indicative, not exhaustive, and you must determine whether your development will affect carbon sinks and stores. If it affects woodland, moorland, wetland or carbon-rich soils it is likely that carbon sinks and/or stores will be affected.
66. Developments should not cause irreversible damage to carbon sinks and stores. The most effective mechanism to achieve this is to ensure that development is located to avoid such areas. If your proposal is likely to impact on carbon sinks and stores you must demonstrate in the first instance how you have located your proposed development in order to avoid areas with high carbon sinks and stores (peat, mature woodland).
67. If such disturbance is unavoidable, then you must identify the likely impacts of activities on carbon sinks and stores. Your planning submission should also demonstrate how you will adopt and follow best practice guidance during site construction and reinstatement.

Defining carbon emissions, sinks and stores

68. Carbon emissions are broadly defined as carbon dioxide (CO₂) that enters the atmosphere as a result of human activity, especially the burning of carbon-based fuels. Carbon dioxide is the most common greenhouse gas. These emissions are likely to have far-reaching and potentially adverse changes on our climate.
69. Your development should be designed and located so as to avoid disturbance of carbon sinks and stores. 'Carbon sinks' refer to the active form of carbon sequestered in soils, healthy peatland and vegetation while 'carbon stores' relate to older forms of carbon stock in geological formations, oceans, deep peat and mature vegetation biomass. Peat bogs, soils and woodland effectively 'lock in' and store carbon and prevent it from being released into the atmosphere. These deposits represent a substantial store for new sequestered carbon and a huge deposit of older carbon. Both are significant in terms of climate.
70. Moorland and peatland (particularly areas of deep peat) are important carbon sinks and stores and cover more than half the area of the National Park. Blanket bogs are an extremely valuable, active carbon sink. While blanket bog covers extensive areas of the National Park, peat accumulates very slowly under conditions of water-logging or exposure. Thus, once any damage or exploitation happens, it is a very slow and difficult process to restore this habitat. This sensitive habitat cannot be recreated or restored in the same way as others.
71. Carbon-rich soils such as peat and peaty soils commonly associated with semi-natural vegetation hold significantly more carbon than cultivated soils, and as such are a valuable resource in mitigating the impacts

of climate change. The National Park is exceptional because of its unusually large extent of rare, undisturbed soils compared to other areas of Scotland. However, these soils are particularly vulnerable. Soils on development sites can also be easily damaged during various stages of construction, leading to often substantial and irreversible loss of soil functionality and potential land contamination. You should follow good practice for the sustainable use of soil on-site. Commercial peat cutting raises particular environmental concerns, and new operations will not be permitted in the National Park.

72. Forests and woodlands are an important resource in addressing climate change. The extensive forests of the National Park can make a significant contribution to the storage of carbon. Forests can help mitigate climate change by off-setting carbon emissions through carbon sequestration. You should avoid removing trees and woodlands as part of your development proposal. Compensatory planting may be required in cases where removal of trees or woodland is justified.

Protecting carbon sinks and stores

73. All development proposals must demonstrate sound management practices of moorland, forestry, woodland and wetland, soil and woodland habitats to take account of carbon storage, alongside the biodiversity importance of the habitats. This should include outlining the pollution prevention and environmental management practices for the site during construction, operational and decommissioning stages of development. It may include for example avoiding woodland clearance, not altering active bogs and putting in place a pollution prevention plan.

74. All proposals should protect and enhance carbon sinks and stores including moorland, soils and woodland. This should be achieved through measures to conserve and improve, as well as reduce, any adverse impacts, through sensitive design, layout and construction of developments. These measures follow a hierarchy based on the three principles of avoid, minimise, compensate.
- Avoid – in all cases, development proposals must demonstrate a commitment to reducing carbon emissions by avoiding disturbance of carbon sinks and stores from initial design stages through to construction methods, operation and maintenance. The preferred approach is for development to avoid all areas that are recognisable as carbon sinks or stores and site development elsewhere. Developments which are time-limited must demonstrate sensitive decommissioning, site restoration and revegetation strategies are in place.
 - Minimise – in the event that an area recognisable as a carbon sink or store cannot be avoided, e.g. due to locational constraints of the proposed development or an overriding need has been demonstrated, you will be required to demonstrate a positive 'carbon balance and payback' for the development and minimise any impacts upon peat, hydrology and peat stability. Any proposal which impacts on carbon sinks and stores must demonstrate how the proposals will reduce waste of soil and soil carbon as by-products of site development. Further guidance is available from SEPA, Scottish Natural Heritage and The Macaulay Land Use Research Institute on this issue.

75. If the development cannot demonstrate a positive balance and payback, but the locational need is established, you must identify sufficient mitigation to minimise its impact by appropriate siting, layout and design; re-use of removed soil or peat on-site by careful storing to prevent decomposition; and re-use it in a way that maintains its carbon content.
- Compensate – where mitigation would be insufficient to avoid significant effects on carbon sinks or stores, off-site offsetting will be required as an integral part of the development proposal. This will normally be secured by a Section 75 Legal Agreement and may involve physical offsetting or payment into an appropriate fund, which is used to reduce carbon emissions.

Contaminated Land

76. Although the National Park does not contain a lot of contaminated land, it is still very important to consider it when developing your proposal. Assessments may be required where there is any risk that contamination exists. This applies not only to the development site, but also to the surrounding area.
77. Where assessments show there to be a significant risk, the appropriate risk assessments must be carried out and the results included with the application.
78. Remedial actions may be appropriate and where this is the case you must consider their impacts on the special qualities of the National Park, doing so in a way that looks at both the development site and the surrounding area.

79. You must include with your application:
- assessments to clarify any risk. This should include the development site, and also the surrounding area;
 - further risk assessments where initial screening shows there to be a significant risk;
 - clear information on all remedial actions to be taken framed against the aims of the National Park and its special qualities. Remedial actions may also be required on surrounding land.

Landfill

80. Where you propose any form of landfill, or your proposal affects an existing landfill site you must consider future site restoration; what self sufficiency measures are included in terms of the capacity of the site; the location to deal with its function as a landfill site; and the facilities that it will include to allow recycling and waste treatment, making clear efforts to minimise the volume of waste going to the landfill area.

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 11 - DEVELOPER CONTRIBUTIONS
Supplementary Guidance

**Cairngorms National Park Local Development Plan
Supplementary Guidance
Policy 11 – Developer Contributions**

This Supplementary Guidance provides further information and detail on how to comply with **Policy 11 – Developer Contributions** in the Cairngorms National Park Local Development Plan 2015. It forms part of the Local Development Plan and carries that weight in decision making. This Supplementary Guidance should be read alongside the Local Development Plan.

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**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

© CNPA 2015. All rights reserved.

Policy 11 Developer Contributions

Supplementary Guidance

Considering Developer contributions as part of your proposal				
	Small scale housing (Less than 4 units)	Medium scale housing (4-49 units)	Major housing Application (50+ units or 2 Ha)	Commercial development (Tourism, business & mixed-use)
Education	✓	✓✓	✓✓	
Libraries		✓	✓	
Healthcare		✓	✓	
Recycling & Waste		✓	✓	✓
Sustainable Travel		✓✓	✓✓	✓
Community facilities		✓✓	✓✓	✓
Landscaping & Open Space		✓	✓	✓
Natural Heritage	✓	✓	✓	✓
Affordable Housing	Refer to New Housing Development policy & Supplementary Guidance			

KEY

✓✓	Likely to be required if not directly addressed by planning application or consents.	✓	May be required subject to assessment of the individual proposal.
----	--	---	---

1. It is important that new development does not have an adverse impact on the local community by increasing pressure on local services or facilities.
2. The planning authority may seek a contribution from developers towards mitigating the impacts of the development. It can take the form of additional pieces of development or a cash payment. Cash payment is normally used only if a physical contribution is not possible. The contributions must be linked to the original development proposal.
3. There are differences in the types, methods of calculation and delivery of contributions in the five council areas. The contributions sought from development in different areas will therefore reflect local circumstances.
4. The Cairngorms National Park Authority set out the required contributions for affordable housing and guidance for Natural Heritage and Core Paths. Applicants should refer to the relevant local authority (and health board where applicable) for current contribution rates for:
 - education
 - libraries
 - healthcare
 - recycling & waste
 - sustainable travel
 - community facilities
5. The aim however always remains to deliver economic growth in a way which supports local communities and natural heritage whilst ensuring that planned development is economically viable and has been fairly considered for developer contributions.
6. As set out in the Scottish Government Circular 3/2012, contributions will be required to meet the following tests:
 - necessary to make the proposed development acceptable in planning terms;
 - serve a planning purpose and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans;
 - relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of the development in the area;
 - fairly and reasonable relate in scale and kind to the proposed development;
 - be reasonable in all other respects.

The forms of contribution

Education

7. Residential developments will be required to make a contribution towards education where the school roll is expected to reach or exceed capacity as a result of the proposal.
8. The contribution will be based on the likely proportion of additional school children over the schools capacity. The local authority in which the school lies will determine how the contribution will be calculated.
9. If required, the contribution may be required to:
 - provide temporary teaching accommodation where the school roll is expected to temporarily exceed capacity; or
 - provide new built accommodation where a school may already be over capacity and the development will significantly exacerbate this.

10. School roll forecasts are published annually by each local authority and will be used to determine whether a contribution is required.

Libraries

11. Contributions towards libraries will be required where it is considered that the scale of the proposal could have a detrimental impact on the function and service of an existing library facility.

Healthcare

12. A contribution may be required towards the provision of primary healthcare (including GP surgeries, dental facilities and community pharmacies) where development will result in the capacity of existing healthcare facilities being met or exceeded.
13. The level of contribution required will depend on what is needed to reasonably and proportionately mitigate the shortfall in healthcare provision. Contributions may be sought for;
 - new permanent accommodation;
 - a permanent extension; or
 - an internal re-organisation to provide additional capacity.
14. Smaller residential developments are less likely to create the need for new permanent accommodation. The contribution per housing unit will vary depending on the scale and impact of the proposal.
15. Contributions will be determined through direct negotiations with the relevant health board, the Council, planning authority and applicant.

Recycling and waste

16. Development may create the need for additional recycling and waste facilities to accommodate new households.
17. Contributions may be required towards the provision of:
 - waste recycling facilities;
 - bins for recycling; or
 - household recycling centres
18. Contributions may be required to upgrade or expand an existing waste facility where the development will cause the facility to meet or exceed capacity.
19. Each local authority within the Cairngorms National Park identifies priorities for waste management through their respective strategies. The contributions required will be assessed in accordance with these on a case by case basis.

Sustainable Travel

20. Contributions towards strategic and local transport networks will be required where a development is likely to impact on existing routes, road infrastructure or transport services.

Road infrastructure

21. The access to a development site and its connection to the local road network is the responsibility of the developer. Consultation with the relevant local authorities transport team may be undertaken as part of the application process.
22. Where a development proposal on its own or cumulatively, is likely to result in a more significant impact on a road

network, contributions will be required towards the cost of the infrastructure needed to address and mitigate the impacts.

23. The Trunk Roads Authority will determine any contributions required in relation to trunk roads or works to be undertaken by the developer, dependent on the scale and nature of interventions identified as necessary within the Transport Assessment.
24. The relevant regional transport partnership (HITRAN, NESTRAN and TACTRAN) and the local authority planning and roads departments may also be involved in identifying the contribution required.
25. The required contribution will take into account the impact of the development on the priorities detailed in the respective regional transport partnership strategies and local transport strategies.

Travel improvements

26. Opportunities to enhance the provision of sustainable travel options may be requested depending on the scale of the development and its location. These may include:
 - bus shelters, stopping lay-bys, turning areas or operating subsidies;
 - car parking/cycle parking at bus stops /rail stations serving the development;
 - secure cycle parking;
 - cycle ways or signs to rail stations;
 - travel plans for larger developments;
 - a contribution towards established community transport solutions that would experience increased use.

Connection to the path network

27. Policy 3: Sustainable Design and the Scottish Government’s ‘Designing Streets’ standards require developers to provide safe walking and cycling routes and maximise opportunities to provide links with existing path networks as part of their development.
28. Contributions may be required to establish or improve links to the core paths network where a development may have an impact or part of the network requires upgrading to accommodate the development. Improving links in, through, around and between communities may be required to improve accessibility and promote sustainable travel through walking and cycling. Access opportunities should cater for the needs of people of all abilities.
29. Developments should have regard for the Core Paths Plan Supplementary Guidance.

Community facilities

30. Community facilities include town and village halls as well as recreational and sports facilities. A contribution may be required where a proposed development will increase pressure on a facility and it requires to be upgraded or a new facility is required to accommodate the increase in use.
31. The contribution will be determined taking into account the capacity of the existing facilities along with the expected increase in population as a result of the development. This will be assessed on a case by case basis by the relevant planning authority.

Landscaping & Open Space

32. Strategic landscaping and open space should be delivered on-site where possible and should form an integral part of the design of the development. It is the responsibility of the developer to deliver this and make provision for on-going management.
33. If it is not possible to provide these within the application site, either wholly or partially, it may be acceptable to provide it on other suitable land. This will only be acceptable if the effects can be adequately mitigated off-site on land that is within the applicant's control.
34. The type and quantity of open space will depend on the nature and scale of the proposal and could include one or more of the following:
 - formal informal play space
 - amenity open space
 - natural/semi-natural spaces including green corridors
 - planted areas of trees/hedges to provide natural screening
 - paths
 - woodlands
 - allotments
 - public parks and gardens
35. Landscaping should be delivered as part of the development itself and contributions will only be expected if the relevant local authority is required to undertake the work. This will only be in exceptional circumstances and the developer will be required to pay an appropriate contribution to deliver the landscaping.

Natural Heritage

36. A contribution towards compensating or mitigating the impacts of a development on an element of natural heritage will only ever be acceptable where it is determined that mitigation out-with the site is acceptable in accordance with the Natural Heritage Policy and Supplementary Guidance. The Natural Heritage Supplementary Guidance establishes when mitigation measures would be acceptable and requires them to reflect the quality of the habitat being compensated for and the length of time it will take to re-instate a habitat of equal quality on an alternative site.