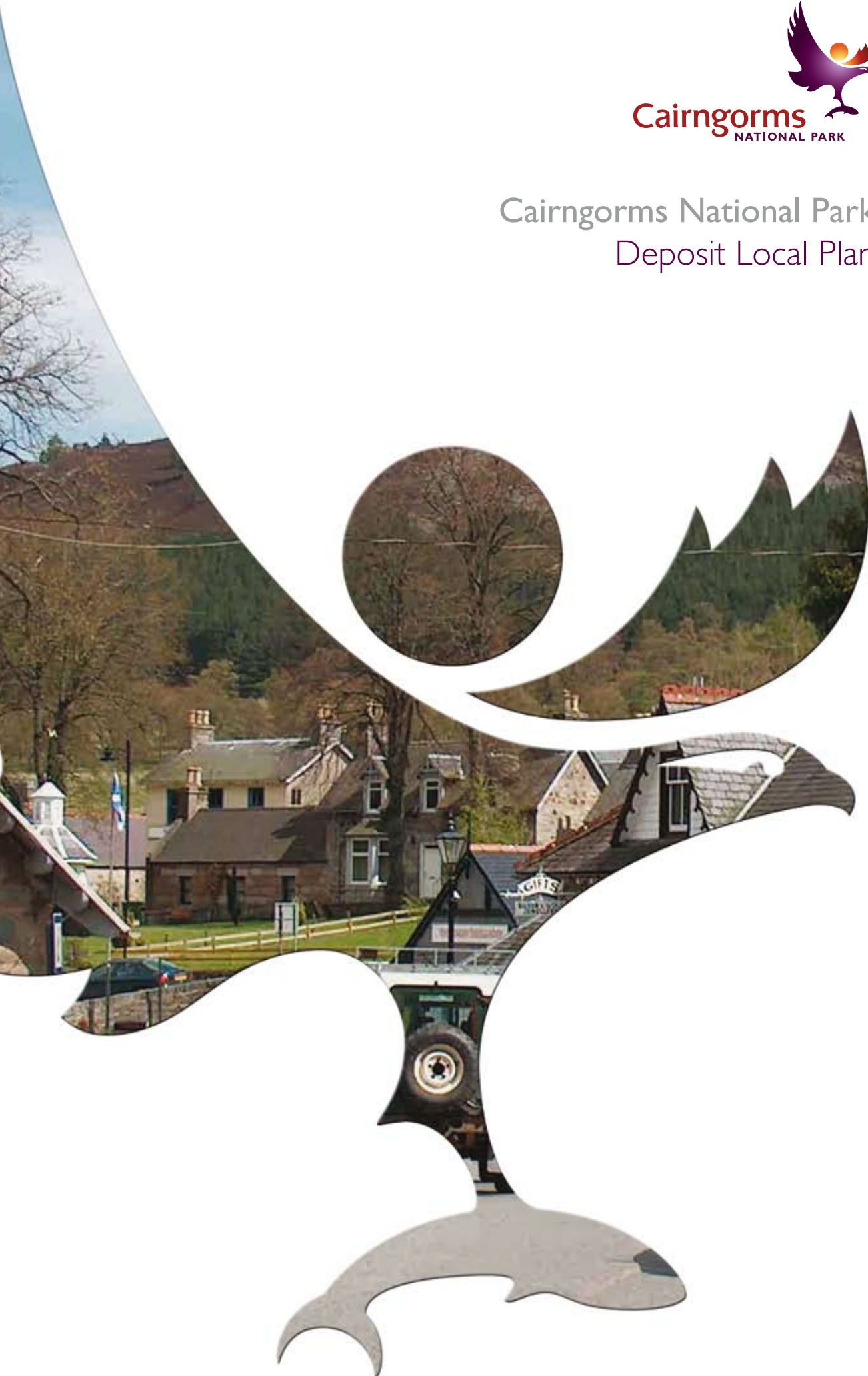




# Cairngorms National Park Deposit Local Plan



## Cairngorms National Park Deposit Local Plan

The Cairngorms National Park Deposit Local Plan has been prepared by the Cairngorms National Park Authority (CNPA) in accordance with the National Parks (Scotland) Act 2000 and the Planning etc (Scotland) Act 2006. It is placed on deposit commencing 9 July 2007, having been approved and ratified by the CNPA on 15 June 2007.

Representations on the Plan should be made in writing by 28 September 2007. An objection form is included with each copy of the Deposit Local Plan and a separate form should be completed for each representation. Further copies can be printed from the CNPA website.

Copies of the Deposit Local Plan are available for inspection at the address below during normal opening hours, at local libraries and the four local authority offices in the Park area and can be viewed on the CNPA website:  
[www.cairngorms.co.uk/planning/localplan](http://www.cairngorms.co.uk/planning/localplan)

### Contact Details

Local Plan/Policy Officer  
Cairngorms National Park Authority  
Ground Floor  
Albert Memorial Hall  
Station Square  
Ballater  
AB35 5QB  
Tel: 013397 53601  
Fax: 013397 55334  
E-mail: [localplan@cairngorms.co.uk](mailto:localplan@cairngorms.co.uk)

### How to make a representation or objection

- Please use a separate form for each of your representations making clear which part of the Plan the comment relates to;
- If you are using an agent, please indicate clearly to which address you wish all correspondence to be sent;
- All representations and objections should identify precisely which part of the Plan the comment refers to;
- Indicate clearly how you would like to see the Deposit Local Plan changed – this may be the deletion of a proposal, paragraph, a change in wording or a change to a map;

- Where a change to a map is suggested, please include a plan indicating the area and changes sought;
- In your representation please state clearly the reason for the objection or representation – this should relate directly to the planning process and the content of the Deposit Local Plan.

### *The next steps*

Preparation of Deposit Local Plan

#### **Deposit Local Plan –**

publish for representation and consultation  
July to September 2007

#### **Plan revisions –**

assess objections and make necessary modifications  
September 2007 to March 2008

#### **Modified Local Plan –**

publish modifications for further consultation  
September 2007 to March 2008

#### **Preparation for Public Inquiry –**

take forward all maintained objections and representations  
March 2008 to May 2008

#### **Public Inquiry –**

July 2008

#### **Reporter's Report –**

prepared and considered October 2008

#### **Modified Local Plan –**

publish modifications in light of Reporter's Report and consider any further representations  
October to November 2008

#### **Adopt and publish statutory Local Plan**

November 2008

For a large print version of this publication, please contact the Cairngorms National Park Authority on tel: 013397 53601. It can also be viewed on our website and is available in other formats on request.



Official Use Only Reference: Objection No:
--

## Form for objections to or comments on the Cairngorms National Park Deposit Local Plan

Please read the explanatory notes inside the front cover of the Deposit Local Plan before completing this form. The deadline for returning completed forms is 28 September 2007. The form can also be completed online at [www.cairngorms.co.uk/planning/localplan](http://www.cairngorms.co.uk/planning/localplan). Further copies of this form can be photocopied, obtained from the Cairngorms National Park Authority offices or printed from our website.

Please use this form to set out your objections to or representations in support of the Deposit Local Plan quoting the proposal/policy or paragraph reference where appropriate. Please use a separate form for each objection or representation you wish to make.

1. Name	.....
Postal Address	.....
	.....
	.....
Telephone	..... E-mail .....

2. If you are appointing someone to act as your agent please give their details:	
Name	.....
Postal Address	.....
	.....
	.....
Telephone	..... E-mail .....

To which address do you wish all correspondence to be directed (please tick) Own  Agent

3. Please identify the Policy, proposal, map or other aspect of the Plan to which you object.
---

4. Please state clearly and fully the grounds of your objection or representation to the Deposit Local Plan, using a continuation sheet if necessary
--

5. If objecting, please indicate what change(s) you are seeking in future modifications to the Local Plan which could resolve your objection

6. If there is a Public Local Inquiry, would you wish to prepare written representations or present evidence verbally at the Inquiry?

Written Representations only  Appear at Inquiry

*(note: only objectors have the right to appear at the Local Inquiry. If you do not wish to attend, your written representations will carry the same weight as those of objectors who do attend)*

7. If others have objected to the same part of the Local Plan would you be willing to present a joint case with them at any Inquiry? YES  NO

8. Signature

..... Date.....

Please return all completed forms to

Cairngorms National Park Authority  
Deposit Local Plan  
Ground Floor  
Albert Memorial Hall  
Station Square  
Ballater  
AB35 5QB

**Forms should be returned no later than 28 September 2007.**

After that date you will be contacted by a representative of the Cairngorms National Park Authority with regard to your objections.



# Cairngorms National Park



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 changes in the information given.

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# I. Introduction

## The Cairngorms National Park

- I.1 The Cairngorms National Park was designated in 2003 by the Scottish Parliament because it satisfied the conditions for a National Park set out in the National Parks (Scotland) Act 2000:

### National Parks (Scotland) Act 2000 section 2.2

- a. That the area is of outstanding national importance because of its natural heritage, or the combination of its natural and cultural heritage;
- b. That the area has a distinctive character and a coherent identity;
- c. That designating the area as a National Park would meet the special needs of the area and would be the best means of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.

- I.2 The Act also sets out four aims for National Parks in Scotland:

### National Parks (Scotland) Act 2000 section 1

- a. To conserve and enhance the natural and cultural heritage of the area;
- b. To promote sustainable use of natural resources of the area;
- c. To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public;
- d. To promote sustainable economic and social development of the area's communities.

- I.3 The four aims must be achieved collectively and in a co-ordinated way, and it is the statutory function of the Cairngorms National Park Authority (CNPA) to ensure this collective and co-ordinated approach. The Park Authority is required to prepare a National Park Plan setting out how this will be achieved.
- I.4 The Cairngorms National Park Plan was approved by Scottish Ministers on 15 March 2007. It provides the context for development planning and management in the Cairngorms National Park, with general guidance and specific direction for the Local Plan.

## Purpose

- I.5 The Local Plan provides one of the CNPA's tools to ensure the delivery of objectives of the National Park Plan and the collective and co-ordinated delivery of the aims of the Park. It is intended to promote sustainable development in the Park through sustainable economic and social development of its communities, the sustainable use of its natural resources and the conservation, and where possible, the enhancement of its outstanding natural and cultural heritage.
- I.6 The Local Plan provides a framework of policies and proposals to guide and manage the development and use of land for a five-year period. The Local Plan also identifies strategic sites and land for some development to provide certainty about the use of land in the medium to longer term beyond the next five years.
- I.7 Once adopted, the Local Plan will be used by the planning authorities of the Cairngorms National Park to assess planning applications for development. The planning authorities are the four Local Authorities as well as the CNPA when it acts as a planning authority in calling-in and determining planning applications.

## Development of the Deposit Local Plan

- I.8 The Deposit Local Plan has been prepared following periods of public consultation, community engagement and detailed discussions with key stakeholders and the four Local Authorities. The Cairngorms National Park Authority publicised its intention to prepare the Local Plan in September 2004. Between September and December 2004, the Park Authority held a period of 'blanksheet' public consultation and engagement with communities of the Park to find out what they wanted from a Local Plan.
- I.9 In September 2004, an area profile and questionnaire was sent to all households in the Park. Between October and December 2004, 44 meetings were held across the communities in the Park to allow people to provide their views about how they would

like to see their communities and the Park develop. Around 14 per cent of the questionnaires were returned to the CNPA and about ten per cent of the population of the Park attended the meetings. The information from the people who responded to the consultation helped to inform the development of a Consultative Draft Local Plan that was published in 2005 and consulted on between November 2005 and February 2006.

- I.10** The comments received on the Consultative Draft Plan helped to refine the policies, proposals and strategy of this Deposit Local Plan. The Deposit Local Plan has also been prepared with comprehensive new and updated information, and in the light of emerging national guidance and the approval and adoption of the Cairngorms National Park Plan.
- I.11** The Local Plan has been subject to Strategic Environmental Assessment (SEA) throughout its development. EC Directive 2001/42/EC and the Environmental Assessment (Scotland) Act 2005 (preceded by the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004) require that development plans are assessed to identify potentially significant environmental effects. The SEA of the Local Plan continues throughout its lifetime
- I.12** The SEA assesses the likely significant environmental effects of the Plan. It identifies opportunities to strengthen the positive environmental effects of the Plan and ensures environmental considerations are integrated throughout. An Environmental Report of the SEA accompanied the Consultative Draft Local Plan. A revised Environmental Report accompanies the Deposit Local Plan. It takes account of the changes to the Plan and comments on the previous Environmental Report. A copy of its non-technical summary is provided with the Deposit Local Plan and the full report is available separately as a hard copy or in electronic format.

## Structure of the Deposit Local Plan

- I.13** The Plan provides a set of policies to manage development and a set of specific proposals for development requirements and opportunities. The Plan outlines the context for these policies and proposals as well as a vision for the Local Plan in Chapter 2. Chapter 3 links the Plan to the aims of the Cairngorms National Park. This chapter also contains the first policy of the Plan to provide an overview of the decision-making framework in the Park and highlights the difference that the Park makes to the operation of the planning system. It sets out the role of the aims of the Park in planning decisions.
- I.14** The first policy is supplemented and strengthened by a range of policies dealing with particular interests or types of development. These provide more detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan and are outlined through Chapters 4 to 6 to provide a detailed policy framework for planning decisions:
- Chapter 4  
Conserving and Enhancing the Park;
  - Chapter 5  
Living and Working in the Park;
  - Chapter 6  
Enjoying and Understanding the Park.
- I.15** The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 7. These proposals, when combined with the policies in the Deposit Local Plan, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime.



## Implementing the Local Plan

- I.16** The Local Plan will be implemented by a wide range of organisations, individuals and groups. The planning authorities will implement it through the determination of planning applications. The Local Authorities have additional responsibilities as the providers of services and in administering the mechanisms to support the successful delivery of many policies. Developers will implement the Plan by obtaining planning permission and completing developments that comply with the Plan and contribute to the strategic objectives of the National Park Plan. Other organisations, such as Scottish Water, contribute to the implementation by providing the necessary infrastructure to allow development.
- I.17** The Local Plan will provide the basis for planning decisions but is supplemented by other policies, strategies, and guidance. The Park Plan is a material consideration in planning decisions and has component strategies such as the Cairngorms Outdoor Access Strategy and Cairngorms Sustainable Tourism Strategy that can also be relevant to individual planning applications.
- I.18** Some proposals contained in the Local Plan require additional detail to ensure development minimises any negative environmental effects and makes a positive contribution to the aims of the Park and objectives of the Park Plan. The Cairngorms National Park Authority will work with local authorities, landowners, developers, communities and other interested parties to create development briefs, masterplans and framework plans as appropriate for such sites.
- I.19** Similarly, some policies within the Local Plan will not provide sufficient detail for the long-term implementation of the Plan and will be supplemented by additional planning guidance. The Park Authority is committed to preparing a Sustainable Design Guide and sustainability checklist for new development proposals that will supplement

the Local Plan's Sustainable Development and Design Standards policies. Further supplementary guidance will be prepared to provide additional guidance on other key topics such as the development of micro-generation energy production.

- I.20** The planning authorities will use conditions and legal agreements to ensure that consented developments comply with the Plan's policies.

## How to Use the Local Plan

- I.21** Anyone who wishes to develop within the Cairngorms National Park should have careful regard to the whole Local Plan when considering a potential site or development. The settlement proposals maps identify sites proposed for particular types of development. However, **development proposals must comply with all the policies of the Local Plan.**
- I.22** Developers should incorporate measures in their proposals to comply with the policies and with any relevant supplementary guidance that has been published or referred to by the Park Authority. All developers should discuss their proposal with the Park Authority's planning team before submitting a planning application. This will help to ensure that developers obtain advice on:
- the most current information relating to planning policy;
  - other factors material to the determination of their proposal such as measures needed to avoid harmful environmental effects; and
  - what, if any, additional information they will be required to obtain and submit to the planning authority to allow their proposal to be determined.



## 2. Context

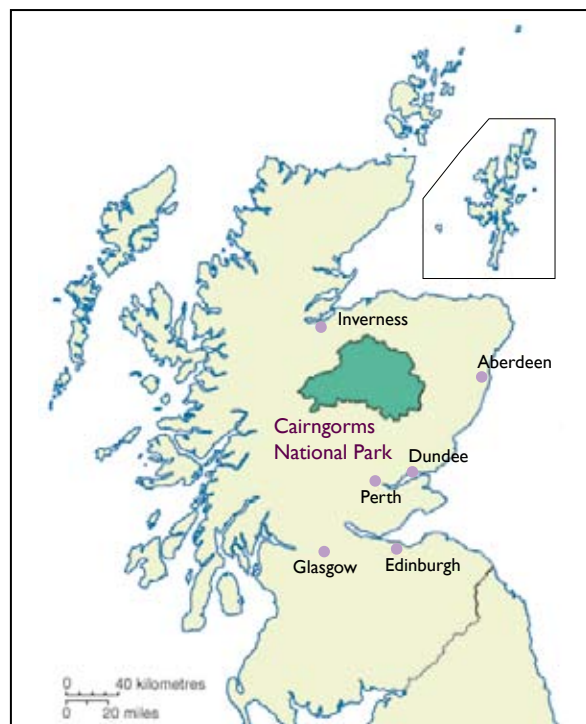
### National Context

2.1 The Cairngorms National Park is a special part of Scotland, and while it is important to the local economy, environment and communities, it also has an essential role in delivering national objectives, set by the Scottish Executive and its agencies. The National Park Plan lists the national policy context in which the Park is set, and the Local Plan has clear links to National Planning Policy in Scottish Planning Policies (SPPs), Planning Advice Notes (PANs) and Circulars.

### Regional Context

2.2 The Cairngorms National Park sits at a meeting point of many cultural and administrative boundaries. The Park includes areas within four local authorities – The Highland Council, Aberdeenshire Council, Moray Council and Angus Council. Being centred on a mountain massif, communities within the Park naturally look out to, and have strong links with, the surrounding areas. The transport and social links naturally tend to follow the major river systems.

2.3 The Park therefore looks out to the four cities of Inverness, Aberdeen, Dundee and Perth, as well as other regional centres such as Elgin. The major transport routes into the Park link to these cities and these links play an important part in the economic and social life of people in the area. Given this central position, the Cairngorms National Park has the potential to be a significant asset to the wider region.



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## The Structure Plans

- 2.4** Local plans normally take their strategic direction from structure plans. The Local Plan for the Cairngorms National Park should comply with the relevant structure plans but also takes its strategic context and direction from the Cairngorms National Park Plan. The Park Plan provides the overarching context for planning policy within the Park.
- 2.5** The structure plans pre-date the National Park Plan but the local authorities would be expected to use it to inform any revisions of structure plans overlapping the Cairngorms National Park. Under the terms of the Planning etc (Scotland) Act 2006, the development plan system in Scotland will change from a combination of structure and local plans to a system of Strategic Development and Local Development plans. The Cairngorms National Park Local Plan may take a different approach to that of the structure plans where the National Park Plan provides alternative guidance or direction that is material to the Local Plan.

## The Cairngorms National Park Plan

- 2.6** The Cairngorms National Park Authority has prepared the National Park Plan, which is a key way of bringing together the partnerships needed to work towards the aims of the Park and articulate a shared vision. Approved by Scottish Ministers on 15 March 2007, the Park Plan provides the overarching context for planning policy within the Cairngorms National Park, and is a material consideration in the determination of planning applications. The Park Plan's long-term vision for the Park also drives the Local Plan and its shorter-term implementation.
- 2.7** The Park Plan is the Cairngorms National Park's long-term management plan. It provides:
- A vision for the next 25 years and set of 25-year outcomes;
  - A set of guiding principles to underpin the Plan and guide its implementation;
  - Strategic Objectives that provide a framework for managing the National Park; and
  - Priorities for action for the period 2007-2012 and intended five-year outcomes.
- 2.8** The Park Plan's strategic objectives draw together national policy and strategy and relate them to the Cairngorms National Park. They provide the long-term strategic direction for planning in and management of the Park.
- 2.9** The Priorities for Action and five-year Outcomes are particularly important to the Local Plan as they provide the focus for its strategy and delivery of the strategic objectives.

### The Cairngorms National Park Plan's Vision for the Park:

Imagine a world-class National Park – an outstanding environment in which the natural and cultural resources are cared for by the people who live there and visit; a renowned international destination with fantastic opportunities for all to enjoy its special places; an exemplar of sustainable development showing how people and place can thrive together. A National Park that makes a significant contribution to our local, regional and national identity.

**This is our vision for the Cairngorms National Park in 2030.**

## Other Plans and Strategies

- 2.10** While the Park Plan provides an overview of the Park and its future management, it relies on the development and implementation of existing and new plans and strategies to deliver its objectives in particular areas. These include the Local Plan and other component strategies such as the Cairngorms Outdoor Access Strategy and the Cairngorms Sustainable Tourism Strategy.
- 2.11** In addition to its material link to the Park Plan and other plans and strategies prepared for the Park, the Local Plan has links to other plans and strategies, many of which are prepared for each Local Authority. They include Regional Transport Strategies, Waste Management Plans, Open Space Strategies and Housing Strategies.

## The Local Plan's Vision

- 2.12** The Local Plan takes its vision from the Park Plan. It is simply:

The Cairngorms National Park as an exemplar of sustainable development where people and place thrive together.

- 2.13** This vision is supported by the Park Plan's strategic objectives but it is the Outcomes for 2012 and Priorities for Action that provide the clearest indication of how this Local Plan must work towards the vision. The Local Plan is obviously only one of the delivery tools of the Park Plan, and is not itself enough to achieve the vision.
- 2.14** For a comprehensive list of the Park Plan's Outcomes for 2012 or Priorities for Action, the Park Plan itself is available from the offices of the Cairngorms National Park Authority or can be downloaded from:  
[www.cairngorms.co.uk](http://www.cairngorms.co.uk)  
Those Outcomes for 2012 and Priorities for Action that have a direct bearing on the Local Plan are shown in the Tables on pages 10, 11 and 12.

## **Selected National Park Plan's Outcomes for 2012 and Priorities for Action that guide the Local Plan:**

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### **Conserving and Enhancing Biodiversity and Landscapes Outcomes for 2012**

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- i. A Landscape Plan for the Cairngorms National Park will identify the natural, cultural and built landscape qualities, the factors influencing them and underpin actions for positive management.

---

- ii. The key areas for the experience of wild land qualities will be identified, protected and enhanced as a major source of enjoyment of the Park and wild land qualities throughout the rest of the Park will be safeguarded.

---

- iii. The location, scale, layout and design of all new development will make a positive contribution to the natural, cultural and built landscapes of the Park and the adverse impacts of some existing developments will be reduced.

---

- iv. Species and habitats identified as the highest priorities in the Cairngorms Local Biodiversity Action Plan, the UK and Scottish Biodiversity Strategies and Action Plans and the Scottish Species Framework will be protected and under active conservation management.

---

- v. There will be enhanced connectivity within habitat networks through practical implementation of a planned, landscape-scale approach, with early emphasis on lowland agricultural habitat networks and forest networks.

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- vi. All the designated nature conservation sites in the Park will be in favourable condition, or under positive management to bring them into favourable condition. This will be enhanced further by the appropriate management of the surrounding land to increase the ecological integrity and viability of these sites.

---

- vii. The habitat and water quality of rivers and wetlands will be enhanced through commencement of positive management initiatives guided by catchment management planning.

---

- viii. The diversity of rocks, minerals, landforms and soils of international, national and regional value will be safeguarded and more widely appreciated, together with the natural processes underpinning them.

---

- ix. An active programme will be underway to safeguard and manage priority historic landscapes and archaeology sites and to promote them to the public.

### **Action Programme 2007-2012**

- 1d Ensure that all approved developments are based on a site design plan to make a positive contribution to their local natural and cultural landscape setting and character.*
- 1e Provide guidance on design and encouragement for innovative design to enhance landscapes and townscapes as part of a Sustainable Design Guide.*
- 2d Safeguard the features and landscapes of archaeological, historical and cultural interest through planning and development control including design guidance and identification of buildings at risk.*
- 3d The Local Plan and development control procedures will ensure that all approved developments protect the Park's special habitat and species qualities and site design plans for development will make a positive contribution to biodiversity as appropriate to their location.*
- 4c Safeguard the Park's geodiversity and the natural processes underpinning them through planning policies and development and control.*

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**Providing High Quality Opportunities for Outdoor Access**  
**Outcomes for 2012**

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- i. A wider range of people will have the opportunity to enjoy the outdoors.
- iii. There will be a more extensive, high quality, well maintained and clearly promoted path network so that everyone can enjoy the outdoors and move around the Park in a way that minimises reliance on motor vehicles.
- v. There will be more effective connections between public transport and places with outdoor access opportunities.

**Action Programme 2007-2012**

- l g Identify and remove physical barriers that unnecessarily restrict opportunities for outdoor access or make appropriate modifications to encourage greater access.*
- l h Improve provision for horse riders through removal of unnecessary barriers and specific marketing initiatives to promote opportunities.*
- l i Provide more cycling opportunities through provision of off-road facilities, removal of unnecessary barriers and by developing specific marketing initiatives.*
- l j Improve access opportunities to water by providing low-key, appropriately sited infrastructure at popular access and egress points.*
- l k Improve availability and use of functional walking and cycling routes, especially near schools and work places.*

---

**Making Housing More Affordable and Sustainable**  
**Outcomes for 2012**

---

- i. There will be a reduction in the gap between housing need and supply in the Park to meet community needs.

---

- ii. There will be a reduction in the number of businesses identifying housing as a barrier to staff recruitment and retention.

---

- iii. There will be more good quality private rented sector accommodation available at affordable rents to meet local need.

---

- iv. New housing will be of a more sustainable design.

**Action Programme 2007-2012**

- 1b Increase the supply of quality, affordable private rented properties and privately owned housing for rent (for example through a rural leasing scheme).*
- 1c Use the full range of low cost home ownership mechanisms to increase the level of affordable housing that remains affordable in perpetuity.*
- 3a Prepare a sustainable design guide to encourage new development and infrastructure to complement the built and landscape character of the Park and meet high standards of energy efficiency and sustainable design.*
- 4a Make provision for effective land and policies for housing in the Local Plan and regularly review.*
- 4d Identify land and means of procurement for housing development, including private/public partnership.*



## 3. The Aims and Special Qualities of the Park

### Park Facts and Figures

- The Park covers 3,800 sq km and about 5 per cent of Scotland's land area;
- Approximately 16,000 people live in the Park;
- Approximately 1.4 million people visit the Park each year;
- 39 per cent of the area of the Park is designated for nature conservation;
- 25 per cent of the area of the Park is designated as being of European importance for nature conservation;
- The Park is home to 25 per cent of the UK's rare and threatened species;
- Approximately 75 per cent of the land in the Park is privately owned.

### The Park includes:

- Two National Scenic Areas;
- Extensive mountain areas including four of Scotland's five highest mountains and internationally renowned summer and winter climbing;
- Significant stretches of two of Scotland's major rivers, the Spey and Dee;
- Internationally important geological record and landforms;
- Most extensive area of arctic-alpine habitat in Britain;
- Most extensive area of Caledonian Forest in Britain;
- 424 listed buildings;
- 60 scheduled ancient monuments.

**3.1** The Cairngorms area is widely recognised and valued as an outstanding environment which people enjoy in many different ways. The Cairngorms National Park Plan acknowledges that people bring their own perceptions and interests to the Cairngorms, but that there are some special qualities of the area that are commonly recognised and referred to. It draws on the information gathered for the State of the Park Report to highlight some of the natural and cultural qualities that combine to give the Park its distinctive identity:

- Distinctive Landscape
- Rich Biodiversity
- Mountains
- Moorland
- Forests and Woodlands
- Straths and Farmland
- Rivers and Lochs
- Recreation and Enjoyment
- The Built Environment
- Culture and Traditions

**3.2** Many of these special qualities are reflected in the natural or cultural heritage designations within the Cairngorms National Park or through the number and range of features of natural and cultural significance recorded in the Park. The Local Plan takes its lead from the National Park Plan in directing development to the locations that will best deliver the Park's aims or avoid significant conflict with

the aims. However, it is recognised that not all developments will make equal contributions to all Park aims, and some developments may contribute to one or more aims whilst conflicting with others.

**3.3** The National Park Plan highlights the interdependence of the people, places and special qualities of the Cairngorms National Park. It takes an objective-led approach across the whole Park and seeks to establish a positive management approach for which all involved can take responsibility and which can be sustained in the long-term. The National Park Plan recognises that in managing this integrated approach, there will be differing views on many matters. It also emphasises that: *"The starting point must always be to work towards all four aims collectively, rather than to assume they are not mutually achievable. If, after taking this approach, there appears to the National Park Authority to be a 'conflict' between the first aim of the Park – to conserve and enhance the natural and cultural heritage – and the other three aims, greater weight must be given to the first aim"*.

- 3.4 This approach reflects the requirements of section 9 of the Act:

**National Parks (Scotland) Act 2000 section 9**

- (1) The general purpose of a National Park authority is to ensure that the National Park aims are collectively achieved in relation to the National Park in a co-ordinated way.
- (6) In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a).

**Policy I – Development in the Cairngorms National Park**

Development in the Cairngorms National Park will be permitted where it has been demonstrated that:

- a) The aims of the Park and overall integrity of the area would not be compromised; or
- b) Any significant adverse effects on the qualities for which the Park has been designated are clearly outweighed by social or economic benefits of national importance and will be mitigated to the satisfaction of the planning authority by the enhancement of qualities or features of equal importance to the National Park.

Development that makes a positive contribution to one or more aims of the Cairngorms National Park will be supported where it will not significantly conflict with any of the other aims or have any significant adverse effects on its special qualities.

Development that is likely to conflict with any of the aims of the Park, or lead to adverse effects on the Park's special qualities, will only be permitted where it is considered that these would be outweighed by the development's positive contribution to one or more aims and the Park's special qualities, and where appropriate measures are taken to minimise and mitigate the adverse effects of the development.

Where a development would be likely to lead to conflict between the first aim of the Park – to conserve and enhance the natural and cultural heritage of the area – and any other aim or objective, the decision on the development will give greater weight to securing the first aim than any other aim or objective.

**Implementation and Monitoring**

- 3.5 Policy I of the Local Plan sets out the role of the Park's aims and the special qualities in planning decisions, highlighting the need to give greater weight to the first aim in cases of conflict with it. It is the policy that will underlie all planning decisions within the Cairngorms National Park and will be the starting point and ending point in assessing planning applications.

- 3.6** Policy I does not override any other policies in the Local Plan. It is not intended to be the only policy by which development proposals are determined. All the policies in the Local Plan are intended to support the co-ordinated delivery of the Park's aims and to promote and protect its special qualities. The detailed policies will provide a clear justification for approval or refusal of planning applications in their own right. However, Policy I provides the foundation for all planning decisions and links the detailed policies back to the aims of the Park. This policy also provides a basis for the assessment of any proposals that have not been anticipated in the other policies of the Plan.
- 3.7** This policy will be monitored through analysis of planning approvals and how they impact on achieving the aims of the Park. Developments must comply with all policies in the Plan to comply with Policy I.



## 4. Conserving and Enhancing the Park

- 4.1 The National Park Plan acknowledges that the conservation and enhancement of the special qualities which underpin the National Park's importance and attraction, as well as much of its economy and communities, must form the basis of successful long-term management. To achieve this it identifies a number of key areas on which to focus attention: conserving and enhancing the natural and cultural heritage; sustainable use of resources; and integrated land management.
- 4.2 The Local Plan aims to address these key areas through policies which consider how best to encourage appropriate forms of development while also conserving and enhancing the special qualities of the Park.
- 4.3 Much of the Park is covered by national or international designations or areas of particular importance for natural, cultural or earth heritage reasons which developers must consider when making any new proposals. All planning applications will be assessed against the impacts made on any important natural, cultural or earth heritage resources that might be affected by the proposed development.

### Policy 2 – Natura 2000 Sites

Any development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. Development will only be permitted where:

- a) The appropriate assessment concludes that the development will not adversely affect the integrity of the site; or, exceptionally
- b) There are no alternative solutions; and
- c) There are imperative reasons of overriding public interest

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Biodiversity

- 4.4 Sites classified as Special Protection Areas (SPA) under the Wild Birds Directive and selected as Special Areas of Conservation (SAC) under the Habitats Directive form a European network of sites known as 'Natura 2000'. They are intended to maintain and restore the distribution and abundance of species and habitats that are endangered, vulnerable, rare or otherwise require special attention. Wetlands of international importance for birds listed through the Ramsar Convention on Wetlands are given the same protection as Natura 2000 sites in the UK.
- 4.5 The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) place a duty on public bodies to meet the requirements of the Habitats Directive. Detailed advice on the requirements of the Directive is contained in SED Circular 6/1995 (revised June 2000). The Habitats Regulations require that where a competent authority (either local authority or National Park Authority) concludes that a development proposal is likely to have a significant effect on a Natura 2000 site, it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated. Further guidance on assessment of proposals affecting Natura 2000 sites is set out in NPPG 14 Natural

Heritage and Appendix A of Annex E to Circular 6/1995.

- 4.6** Where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, the opinion of the European Commission should be sought through the Scottish Ministers unless development is necessary for human health or public safety reasons, or reasons of overriding environmental considerations (beneficial consequences of primary importance for the environment).
- 4.7** Map A of Appendix 1 shows SPAs, SACs and Ramsar sites within the National Park. Details of the sites can be obtained from the Park Authority or directly from Scottish Natural Heritage.

requirements resulting from Natura interests or the appropriate assessment of the Local Plan during pre-application discussions. The special requirements could include mitigation measures to avoid effects on Natura interests that would be imposed as conditions on planning consent, or particular information required by the planning authority to undertake an appropriate assessment of the specific development proposal.

### Implementation and Monitoring

- 4.8** This policy must be implemented by local authorities and the Park Authority wherever a proposal may affect a Natura 2000 site. Most development in the National Park takes place within the catchments of the rivers Dee and Spey which are both SACs. Many proposals will therefore have potential to affect those sites. However, in practice it is possible to avoid or mitigate the potential adverse effects of most developments so that the integrity of Natura sites is not adversely affected. Where this is not possible, planning permission can only be granted in the exceptional circumstance described by the Directive and the Habitats Regulations.
- 4.9** Planning authorities will consult SNH for advice on both the need for appropriate assessment, and the specific requirements of individual assessments. When considering the need for an appropriate assessment, and in preparing appropriate assessments, the competent authority will take account of potential cumulative effects of development proposals on Natura interests.
- 4.10** Policy 2 applies to development proposals on sites proposed through the Local Plan as well as development proposals on sites that are not zoned. The Local Plan itself must be subject to an appropriate assessment before it can be adopted. The planning authorities will inform developers of any special

### Policy 3 – Other National Natural Heritage Designations

Development that affects a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it has been demonstrated that:

- a) The objectives of the designated areas and overall integrity of the area would not be compromised; or
- b) Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance and are mitigated by enhancement of qualities of equal importance to the National Park's natural heritage.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Biodiversity and Landscape

**4.11** The Cairngorms National Park, itself a national designation for its outstanding natural and cultural heritage, contains examples of all three of Scotland's national natural heritage designations. Sites of Special Scientific Interest (SSSIs) are areas of land (and land covered by water) that are considered by Scottish Natural Heritage to be of special interest by reason of their natural features. They provide the foundation for a range of other natural heritage designations and are therefore at the core of national and international arrangements for the protection of species, habitats and geological or geomorphological features.

**4.12** Scottish Natural Heritage has a duty under Section 3 of the Nature Conservation (Scotland) Act 2004 to notify SSSIs and all public bodies must take reasonable steps to further the conservation and enhancement of SSSIs when exercising their functions affecting SSSIs.

**4.13** National Nature Reserves (NNRs) are areas where some of the best examples of Scotland's wildlife and landscapes are protected and

managed. It is Scottish Natural Heritage's policy that each NNR must achieve at least one of three key purposes:

- To provide opportunities for everyone to visit and enjoy the best of Scotland's nature;
- To allow specialised management for wildlife which depends upon it;
- To offer opportunities for long-term research into management for nature, and to demonstrate good practice to others;

**4.14** National Scenic Areas (NSAs) are Scotland's national landscape designation. They are those areas of land considered of national significance on the basis of their outstanding scenic interest, which must be conserved as part of the country's natural heritage. They have been selected for their characteristic features of scenery, comprising a mixture of richly diverse landscapes including prominent landforms, freshwater lochs, rivers, woodlands and moorlands. The Park contains two NSAs covering the Cairngorm Mountains and Deeside and Lochnagar.

**4.15** Map B of Appendix I shows SSSIs, and NNRs within the National Park. Map C of Appendix I shows the areas covered by the two National Scenic Areas in the National Park. Details of these sites can be obtained from the Park Authority or directly from Scottish Natural Heritage.

#### Implementation and Monitoring

**4.16** This policy protects nationally designated sites from development that would compromise their integrity or objectives, unless the development proposal would have social or economic benefits of national importance. When assessing the potential effects of development proposals on national designations, the planning authority will take account of potential cumulative effects on the designated natural heritage interests. The policy applies to developments affecting these sites, whether or not they are inside or outside the boundary of the designated area.

**4.17** The policy will be monitored by review of planning consents and refusals for proposals that could affect any of these designations.

### Policy 4 – Other Important Natural and Earth Heritage Sites and Interests

Development that affects an ancient woodland site, semi-natural ancient woodland site, Geological Conservation Review site, or other nationally, regionally or locally important site recognised by the planning authority will only be permitted where it has been demonstrated that:

- a) The objectives of the identified site and overall integrity of the identified area would not be compromised; or
- b) Any significant adverse effects on the qualities for which the area or site has been identified are outweighed by social or economic benefits of importance to the aims of the Cairngorms National Park and are mitigated by the developer providing features of equal importance to those that are lost.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Biodiversity and Geodiversity

**4.18** The outstanding natural heritage of the Cairngorms National Park is reflected in both the national and international designations in the Park and throughout the other habitats, species and geodiversity present within it. Many of these other habitats, rocks or landforms are also nationally important due to their rarity or fragility.

**4.19** Long-established woodlands provide some of the most ecologically diverse habitats in the UK and can take hundreds of years to develop. Once an area of long-established woodland has been lost, it is impossible to replace it with as diverse a habitat. It is therefore important that wherever possible, areas of long established woodland, which have the greatest capacity to support mature woodland habitats and species, are not lost to development.

**4.20** The Ancient Woodland Inventory records areas of woodland or plantation that are on sites where woodland or plantation was recorded on General Roy's 1750 Maps or

the Ordnance Survey's First Edition maps of 1860. The Semi-natural Ancient Woodland Inventory records areas of semi-natural woodland that were present during the 1970s on areas identified by the Ancient Woodland Inventory. Map D of Appendix I shows sites included in the Semi-natural Woodland Inventory and Ancient Woodland Inventory within the National Park. Details of the sites can be obtained from the Park Authority or directly from Scottish Natural Heritage.

**4.21** A number of sites within the Cairngorms National Park are considered to be nationally important because of their geology or geomorphology and have been recorded through the Geological Conservation Review (GCR). GCR sites are intended to highlight the best examples of a range of geological and geomorphological features in the UK. Some GCR sites are designated as geological Sites of Special Scientific Interest, or form parts of other SSSIs.

**4.22** In addition to these national records and inventories of sites, local authorities, NGOs and other organisations recognise a range of sites that have natural heritage interest or importance. These may include non-statutory Nature Reserves and Sites of Interest to Natural Science (SINS) in Aberdeenshire and Moray.

#### Implementation and Monitoring

**4.23** This policy is intended to prevent loss of nationally, regionally or locally important natural or earth heritage sites that are not afforded special protection by designation. However, many of these identified areas would not pass the rigorous assessment process to become designated sites and hence they are not all equally important examples or sensitive sites. When making decisions on proposals that would affect these sites, the planning authority will take into account the quality of the interests of the site and its contribution to the wider network of sites in addition to the direct effects of the development proposal.

**4.24** The policy will be monitored by review of planning permissions affecting sites and the impact they have on loss of areas of habitat or sites.



## Policy 5 – Protected Species

Development that would have an adverse impact on any European Protected Species will not be permitted unless:

- a) There are public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature, and beneficial consequences of primary importance for the environment;
- b) There is no satisfactory alternative; and
- c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

In addition to these, full consideration will be given to the protection of species listed in Schedules 1, 5 & 8 of the Wildlife & Countryside Act 1981, as amended.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Biodiversity

**4.25** A number of species are protected by law. They are listed through Schedules 1-8 of the Wildlife & Countryside Act 1981, Schedules 2, 3 & 4 of the Conservation (Natural Habitats, &c.) Regulations 1994 (known as the Habitats Regulations) and the Protection of Badgers Act 1992, which offers protection for the badger and its sett. For some species, a licence is required before it, or its habitat, can be disturbed. These licences are available from Scottish Natural Heritage (SNH) or the Scottish Executive for scientific, research or educational purposes.

### Implementation and Monitoring

**4.26** This policy ensures that the effects of development proposals on protected species are fully considered by the planning authority. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of SNH and the planning authority. The policy will be monitored by review of planning permissions and the impact they have on protected species, and through consultation with SNH.

## Policy 6 – Biodiversity

Development that would have an adverse effect on habitats or species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted where:

- a) The developer can demonstrate that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or populations of species; and
- b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and/or management measures are provided and new habitats of equal nature conservation value are created as appropriate to the site.

Where there is evidence or likelihood to suggest that a habitat or species may be present on, or adjacent to, a site, or could be adversely affected by the development, the developer will be required to undertake a survey of the area's natural environment to assess the effect of the development on it.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Biodiversity

**4.27** Protected areas and protected species play an important role in conserving biodiversity through giving legal protection to some of the rarest or best examples of habitats and species. However, the Cairngorms have many other habitats, networks of habitats and species that are not protected but that are just as important to the biodiversity and ecosystems of the Park.

**4.28** The Nature Conservation (Scotland) Act 2004 places a duty on all public bodies to further the conservation of biodiversity. It is therefore important that the value of habitats and species are considered in all planning decisions, and appropriate measures to conserve and enhance biodiversity are implemented through the planning process.

**4.29** The Cairngorms Local Biodiversity Action Plan, UK Biodiversity Action Plan and Scottish Biodiversity List, all note habitats and species that are of particular importance to the Cairngorms National Park, Scotland, the UK and Europe. The particular conditions in the Park mean some habitats and species may be frequent within the National Park but very rare elsewhere, making the Park even more important to the long-term survival of that habitat or species.

### Implementation and monitoring

**4.30** This policy is intended to ensure that development does not weaken the overall integrity of the ecosystems of the Cairngorms National Park. The planning authority will assess the direct, indirect and cumulative effects of development proposals on habitats and species. Developers should address issues of wildlife and biodiversity as soon as possible in their own planning of developments and incorporate suitable measures in their development. This will reduce the likelihood of delays in obtaining planning permission. The Cairngorms National Park Authority has published a leaflet titled 'Biodiversity Planning Guidance: Note for the Householder' that provides more information.

**4.31** This policy will be monitored by review of planning permissions and assessment of priority habitats and species affected by development.

## Policy 7 – Landscape

All development will be sited, laid out, designed and constructed of materials so as to make a positive contribution to the special landscape qualities of the Cairngorms National Park.

Development that would have an adverse effect on the special landscape qualities of the Park, including its distinctive landscape character, scenic qualities, natural beauty, amenity, historic landscape elements or qualities of wildness will only be permitted where the adverse effects:

- a) Are outweighed by social or economic benefits of primary importance to the aims of the National Park; and
- b) Have been minimised and mitigated to the satisfaction of the planning authority through appropriate siting, layout, design and construction.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape and Air

**4.32** The diverse and spectacular landscapes of the Cairngorms National Park are one of the area's key assets and the distinctive character of the Park is one of the reasons for the creation of the Park itself. Although the main landforms of the National Park have formed over hundreds of thousands or millions of years, most of the patterns, vegetation and development that are seen today are the result of human activity over the last few hundred years.

**4.33** The landscapes of the Park are attractive because of the mix of spectacular landforms, mosaics of semi-natural and man-made habitats and the sum of the patterns and buildings of human development. In some parts of the Park, only the most recent human activities are obvious in the landscape, but in many parts of the Park, the patterns of past human activity have left a clear imprint on the landscape.

**4.34** The Cairngorms National Park has been systematically surveyed and described in two

assessments. The Cairngorms Landscape Character Assessment<sup>1</sup> (LCA) identifies and describes the characteristics of the landscape in different parts of the National Park. The Historic Landscape of the Cairngorms<sup>2</sup> uses the Historic Landuse Assessment (HLA) and National Monuments Record of Scotland (NMRS) to identify general patterns in the historic parts of the landscape. It provides a tool to help record, understand and interpret the Park's cultural heritage.

- 4.35** In many parts of the Park people can experience a sense of wildness that is related to the landscape character, the habitats, views and location. Although people's perceptions of wildness may vary, there are clearly parts of the National Park where a combination of the landscape character, a sense of remoteness or a perceived absence of recent development can combine to create a sense of wildness. The quality of the dark night skies in the Park is highlighted in the National Park Plan as significantly contributing to the sense of wildness that can be experienced.
- 4.36** The National Park Plan highlights the importance of this sense of wildness that can be experienced in the Park and has a strategic objective for its conservation and enhancement. The Park Plan also recognises that some activities and forms of development can affect the sense and experience of wildness by introducing new sights, sounds, or patterns in the landscape.

### Implementation and Monitoring

- 4.37** The planning authorities will use the Cairngorms LCA and any revisions or additions to inform planning decisions using this policy. They will also use specialist professional advice as appropriate to inform the decision-making process. The planning authorities will also use the HLA to help identify potential issues with the historic environment and will seek appropriate advice where necessary. The Cairngorms National Park Authority will be conducting research during 2007 to identify accurately the key characteristics that contribute to qualities of wildness. This research will

inform assessments of the effects of development on qualities of wildness in the Park.

- 4.38** The planning authorities will ensure that developments are sited, designed and constructed of materials which make a positive contribution to the special landscape qualities of the Park. Developers should consider this requirement at the outset of a project and should seek appropriate advice on how best to choose a site and design their proposal. Relevant advice can be found in the Scottish Executive publications 'Designing Places. A Policy Statement for Scotland', PAN 72 Housing in the Countryside and PAN 68 Design Statements.
- 4.39** The planning authorities will ensure the consented development minimises light pollution by seeking the minimum level of light provision in developments for security, safety and operation, as well as minimising light spillage from consented developments.
- 4.40** The Policy will be monitored by review of planning permissions and assessment of cumulative effects of development on the landscape.

<sup>1</sup>SNH 1996, Cairngorms Landscape Character Assessment. Prepared by the Turnbull Jeffrey Partnership.

<sup>2</sup>RCAHMS & Historic Scotland 2001, The Historic Landscape of the Cairngorms.

## Policy 8 – Gardens and Designed Landscapes

Development affecting Gardens and Designed Landscapes as identified by Historic Scotland will protect, preserve and enhance such places and will not impact adversely on their character, on important views to, from and within them, or on the site or setting of component features which contribute to their value.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment

**4.41** The Cairngorms National Park contains many examples of gardens and estate policies that contribute to the historic and cultural interest and overall appearance of the landscape. Some of these sites are listed in the Inventory of Gardens and Designed Landscapes, maintained and updated by Historic Scotland, and last published March 2007. Under Article 15 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 as amended (circular 4/2007), planning authorities must consult Historic Scotland on any development proposals that may affect a site contained in the Inventory.

**4.42** Map C of Appendix 1 shows sites in the Inventory of Gardens and Designed Landscapes within the Park. Details of the sites can be obtained from the National Park Authority or directly from Historic Scotland.

### Implementation and Monitoring

**4.43** This policy will be implemented through consultation with Historic Scotland where required. The planning authorities will also consider the effects of a proposal on historic gardens and designed landscapes that are not listed in the Inventory and will apply the provisions of the policy to such sites.

**4.44** The policy will be monitored by review of the impact of planning permissions on historic gardens and designed landscapes and through consultation with Historic Scotland.

## Cultural Heritage and the Historic Environment

**4.45** The Cairngorms National Park has a rich cultural heritage, ranging from archaeological remains to internationally significant listed buildings and important architectural and historic townscapes. The Park also has other buildings, features or sites that have a historic importance or cultural heritage value which are not recorded systematically or officially.

**4.46** The conservation and enhancement of all these elements which contribute to the cultural heritage of the Park forms an intrinsic part of the first aim of the National Park. The National Park Plan recognises that physical records of the Park's cultural heritage are important to the Park, stating: *"This cultural record is one of the most valued qualities of the Park. The physical heritage needs greater repair and maintenance to secure its long-term conservation and enhancement of both sites and their settings"*.

## Policy 9 – Archaeology

Scheduled Ancient Monuments and other identified nationally important archaeological resources will be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting will not be permitted unless there are exceptional circumstances.

All other archaeological resources will be preserved in situ wherever feasible. The planning authority will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.

The developer may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer will be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.

other material factor in both the development planning and the development control processes.

### Implementation and Monitoring

**4.48** Planning authorities will take into account the potential effect of development proposals on all known archaeological sites in making decisions. They will follow the guidance of NPPG5, which recognises that not all remains are of equal importance, and will consider the various categories of archaeological remains (as described in NPPG 5) as well as specialist archaeological advice as appropriate.

**4.49** This policy will be monitored by review of planning permissions and the impact they have on archaeological sites. The impact made by conditions attached to consents and permissions will also be analysed.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment

**4.47** The Cairngorms National Park has many nationally important archaeological sites and monuments that are scheduled and protected by the Ancient Monuments and Archaeological Areas Act 1979. There are also many other sites and monuments of regional or local significance, which contribute to the cultural heritage found within the Park. Many of these sites, though not all, are identified in the National Monuments Record of Scotland (NMRS) and more still are identified through local authorities' Sites and Monuments Records. All of these sites, whether scheduled or not, are fragile and irreplaceable. It is important that the setting of archaeological sites is safeguarded in addition to their physical integrity. National Planning Policy Guideline 5: Planning and Archaeology (NPPG 5) states that planning authorities should ensure that archaeological factors are as thoroughly considered as any

## Policy 10 – Listed Buildings

Development affecting a listed building, or its setting, will preserve and where possible, restore the integrity of the building, its setting, or any features of special architectural or historic interest which it possesses.

The layout, design, materials, scale, siting and use of any development will be appropriate to the character and appearance of the listed building and its setting.

Proposals for the total demolition of a listed building, or substantial demolition of parts of it which have particular architectural merit, will only be permitted where it is demonstrated beyond reasonable doubt to the planning authority that every effort has been exerted by all concerned to find practical ways of retaining it, or where the demolition relates to parts of the building that do not have, or detract from the special interest of the building. This will be demonstrated by inclusion of evidence to the planning authority that the building:

- a) Has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible alternative uses without finding a purchaser; and
- b) Is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment

**4.50** Buildings of special architectural or historic interest are listed by the Scottish Ministers and divided into categories A, B or C(s). The purpose of listing is to ensure that any demolition, alteration, repair or extension that would affect the building's special interest is controlled. The Cairngorms National Park has more than 400 listed buildings that are an important element of its rich cultural heritage.

**4.51** When determining planning applications, Sections 14(2), and 59(1) of the Planning (Listed Buildings and Conservation Areas)

(Scotland) Act 1997 place a duty on planning authorities to have special regard to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest which it possesses. NPPG 18 provides the national policy context for listed buildings and is a material consideration in the determination of planning applications. The Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 provides advice on listed building consent matters and is supported by the Scottish Environment Historic Policy (SHEP) series produced by Historic Scotland.

### Implementation and Monitoring

**4.52** This policy will be implemented through the full consideration of the relevant provisions of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, NPPG 18 and The Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and the SHEP series. The planning authority will seek specialist advice on these matters as appropriate.

**4.53** This policy will be monitored by review of planning permissions affecting listed buildings, use of conditions in consents and how these impact on listed buildings and their integrity.

## Policy 11 – Conservation Areas

Development within a conservation area or affecting its setting will preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.

The design, materials, scale and siting of any development will be appropriate to the character of the conservation area and its setting. Trees within Conservation Areas are protected. Given the importance of assessing design matters, outline planning applications will not be considered appropriate for developments in conservation areas.

Where an existing building within a conservation area contributes positively to its character, demolition will only be permitted where it is demonstrated beyond reasonable doubt that every effort has been taken to secure its long-term future without success. Proposals for demolition will not be considered in the absence of a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment

**4.54** Conservation areas are areas of special architectural or historic interest where it is important to preserve or enhance their character or appearance. The main implication of designation is that consent will be required for specific types of development that would not otherwise require it. This level of control can, in certain circumstances, be further extended through the introduction of an Article 4 Direction. Control extends to trees within the boundary of the conservation area and prior notification may be required for works to such trees.

**4.55** There are four designated conservation areas in the Cairngorms National Park, at Ballater; Braemar; Inverey and Grantown-on-Spey.

The village centres of Tomintoul, Kingussie and Newtonmore are also of historic and architectural interest. The Cairngorms National Park Authority will consider and consult on proposals for the designation of conservation areas in these locations in the future.

### Implementation and Monitoring

**4.56** The policy will be implemented through full consideration by the planning authorities of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Town and Country Planning (Scotland) Act 1997, NPPG 18, The Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and the SHEP series.

**4.57** This policy will be monitored by review of planning permissions affecting listed buildings and use of conditions in consents.

## Policy 12 – The Local and Wider Cultural Heritage of the Park

Development that seeks to protect, conserve or enhance a site, feature or use of land of local or wider cultural or historic significance or its setting will be supported.

Any development that would adversely affect a site, feature or use of land of local or wider cultural or historic significance or its setting, will take reasonable measures to avoid, minimise and mitigate those effects.

4.60 The policy relies on information being available during the period when a planning application is being considered and will require a reliable form of documentary evidence for the importance or significance of the site, feature, or use of land. It will be monitored through analysis of planning permissions and their impact on recognised sites or features of cultural heritage significance, and on the future recording of such sites or features in a co-ordinated way.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Culture and Traditions

4.58 The National Parks (Scotland) Act 2000 defines cultural heritage as including “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.” The National Park contains many such examples that are not protected by designation or recorded systematically or officially. These include features such as wells, caves, trees, traditional places of recreation or meeting, traditional or vernacular architecture, ruins or places mentioned in folklore or local history. They clearly contribute to the cultural heritage of the Park and should be taken into account in planning decisions.

### Implementation and Monitoring

4.59 This policy reinforces the direction of the National Parks (Scotland) Act 2000 by ensuring that the cultural heritage of the Park is explicitly considered in planning decisions. It also provides a clear basis on which to employ Policy 1 of the Local Plan. The policy will be used to ensure that wherever a development proposal is likely to affect a site of local or wider cultural heritage significance to the Park, the importance of the site, feature or use of land is considered appropriately.



## Sustainable Use of Resources

### Policy 13 – Water Resources

New development will:

- a) Have no significant adverse impact on the current hydrology/water environment;
- b) Be free from significant risk of flooding, not increase the risk of flooding elsewhere, not add to the area of land that requires flood prevention measures, or affect the ability of the functional flood plain to store or move flood waters. Development in areas susceptible to flooding (as defined by SPP7's Flood Risk Framework, SEPA's Flood Risk maps, or other flood risk information) will require a developer-funded flood risk assessment;
- c) Treat surface water discharge separately from foul waters and in the most sustainable manner;
- d) Minimise use of water;
- e) Have no significant adverse impact on existing or proposed public or private water supplies, or waste water treatment services within or linked to the National Park; and
- f) Utilise public water supply and waste water disposal services where reasonable and comply with best practice standards for private water supplies and waste water treatment facilities where connection to public services is unreasonable.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Water

**4.61** The Cairngorms National Park Plan highlights the need for all development to make the most sustainable use of resources, including water resources. The need for management of the water environment has been reinforced by the EC Water Framework Directive, which established a legal framework for the protection, improvement and sustainable use of all water bodies across Europe. The Water Environment and Water Services (Scotland) Act 2003 implemented

the Directive in Scotland. The Water Framework Directive introduces a number of new measures to ensure a higher standard of care for the water environment, including the production of River Basin Management Plans (RBMPs).

**4.62** Additional guidance on planning and the water environment is provided through Scottish Executive planning policy and guidance, including Scottish Planning Policy 7 (SPP7) Planning and Flooding, Planning Advice Note 79, Water and Drainage, and Planning Advice Note 61, Sustainable Urban Drainage, all of which focus on improving the current situation for the future, and ensuring that new development has given proper consideration to the impacts of water, in terms of its provision, disposal, and management.

### Implementation and Monitoring

**4.63** The policy will be used to ensure that new development or engineering works requiring planning permission will not have significant adverse effects on the water environment of the Cairngorms National Park and areas around it. The water environment encompasses the water quality, quantity, hydrology, hydrogeomorphology and aquatic ecology of water bodies, river systems and groundwater.

**4.64** It is national policy that development should not occur on the functional floodplain (areas with a 0.5 per cent or greater chance of flooding per year or the 1 in 200 year flood). Developers should consult SEPA's Flood Risk Maps (available at <http://www.sepa.org.uk/flooding/mapping>) to help determine whether they will be required to fund a flood risk assessment. These maps show indicative flood risk areas that should be avoided wherever possible. However, the maps do not provide accurate information about the likelihood of flooding on individual sites and are used to guide development to suitable sites and identify areas where more detailed information is required.

**4.65** The Local Plan avoids allocating sites for development in areas at risk of flooding wherever possible. However, in some locations, the Local Plan identifies land

where there is uncertainty about the risk of flooding. The Local Plan highlights the need for developers to fund detailed flood risk assessments on these sites.

**4.66** Wherever reasonable, new development will be required to connect to public water supplies and waste water treatment networks. Where this is either not possible or is unreasonable due to a lack of capacity or other constraints within the public systems, alternative and or interim measures may be permitted where they are demonstrated to comply with best practice and relevant standards. Wherever possible, new or upgraded water supplies, fresh water treatment facilities and waste water treatment facilities should utilise the lowest impact solutions in terms of energy use and effects on the environment.

**4.67** To monitor the effects of this policy, and the impact it has on water resources within the Cairngorms National Park, development proposals will be assessed for their recognition of the importance of this resource, and in particular how new developments progress methods of conservation as identified through the Sustainable Design Guide.

## Policy 14 – Earth Resources

Proposals for new mineral extraction, processing or recycling developments, or extensions to existing mineral developments will only be permitted where:

- a) The developer can demonstrate the market within the Cairngorms National Park where the extracted or processed material will be used or provide other social or economic benefits; and
- b) No suitable and reasonable alternatives to the material are available.

Developers will incorporate measures to minimise potential effects on the environment and communities and ensure appropriate restoration, aftercare and after use. Bonds will be used where appropriate and secured by a Section 75 Agreement.

Development likely to prevent the future viable extraction of a workable mineral reserve will only be permitted where:

- i) There is no alternative site for the development;
- ii) The value of the development to the delivery of the aims of the Park is considered to outweigh the value of the mineral resource; and
- iii) The opportunity has been provided for the extraction of the mineral resource before the development commences.

Proposals for new areas of commercial mechanised peat extraction will not be permitted.

All development will avoid unnecessary disturbance of soils and will adopt best practice for the movement, storage, management and reinstatement of soils.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Geodiversity

**4.68** The resources found within the earth's surface, comprising soils, minerals and peat, are an important natural resource, essential to support all forms of biodiversity and provide the substrate for plant growth.

**4.69** The need to extract some minerals for development, and the economic benefits gained from extraction and processing minerals, must be carefully considered in the Cairngorms National Park. The Park and its immediate surroundings have a market need for a number of mineral products, principally aggregates for the construction industries, which can be met by local mineral workings. However, mineral extraction can have a wide range of negative environmental impacts that may harm the special qualities of the National Park. Although the main mineral resources currently extracted commercially are sand, gravel and hardrock, in the future other deposits may become commercially viable and the safeguarding of these deposits is an important consideration in any future planning.

**4.70** The Cairngorms National Park also has large areas of mire and fen which store and create peat. These accumulations of peat may be active (forming peat), or non-active, and occur both as blanket bog over gentle slopes on the hills and within topographic hollows and on valley sides on lower ground. The rarity and range of species and associated plant communities on these areas of mire, and their history of formation and use, make them both ecologically and culturally important.

**4.71** In addition to the direct ecological value of the peat-forming habitats, all areas of peat play a role in the world's climate through storing carbon. The removal or disturbance of peat allows release of carbon to the atmosphere which may contribute to global climate changes. Domestic peat-cutting has been a traditional activity in parts of the Park. The practice has declined, becoming a relatively small-scale activity with only a few participants.

**4.72** Commercial extraction of peat for sale involves large-scale stripping of layers of peat using machinery. The practice removes peat far faster than it can form, is ecologically destructive and releases a large amount of carbon dioxide into the atmosphere, which may contribute to global climate change. There is one commercial peat extraction operation within the National Park, and the

Cairngorms Biodiversity Action Plan notes that at its current level it is not a significant threat to the habitat within the Park.

**4.73** Soils support and form the habitats for many other organisms, including mammals, invertebrates and fungi. Healthy soil microbial communities also play a vital role in maintaining soil fertility, and in the environmental functions of soil which contribute to air and water quality. The Cairngorms National Park has a rich diversity of soils, from the agricultural soils that are confined to the more fertile valleys, to undisturbed patterns of often fragile soils extending under ancient woodland, moorland, mountain slopes and summits.

**4.74** Most forms of development and change in land use will disturb soils and impact on its physical, chemical and biological balance. In extreme cases, this can lead to permanent loss of soil or the destruction of soil biodiversity and environmental functionality through wash-out, sedimentation and pollution of water courses that can significantly increase the permanent footprint of a development. All developments must carefully consider their impact on this valuable resource.

### Implementation and Monitoring

**4.75** The policy will be used to ensure that mineral resources within the Cairngorms National Park are used in the most sustainable manner. In order to minimise potential negative effects on the environment of the Park and minimise the transportation of materials from the National Park to other areas, developments will need to demonstrate that there is a market within the Park or its surrounding areas, or that the Park will derive other social or economic benefits, and that there are no suitable alternative (and lower impact) solutions available. The policy will be monitored by reviews of planning permissions for minerals developments.

**4.76** The impact of any new peat extraction will be monitored to assess the environmental impact of works, both on the site and its surroundings.

**4.77** The planning authorities may use conditions to ensure that developments avoid unnecessary

disturbance of soils and employ best practice for the movement, storage, management and reinstatement of soils. Developers may be required to prepare a soil management statement to describe the soils management measures that will be adopted. The detail and complexity of the soil statement will be determined by the size and complexity of the proposed development.

### Policy 15 – Contaminated Land

Proposals for new developments on land that is contaminated, or suspected of being contaminated, will be approved where:

- a) Investigations and assessments are submitted with planning applications to identify actual or potential significant risks to human health and safety associated with the current condition of the site, and how contaminants currently interact with the surrounding ecosystem and the Park's special qualities;
- b) Assessments are undertaken to identify actual and potential impacts, on-site and off-site, of all stages of development proposals on the risks to human health and also to the Park's biodiversity, geodiversity, hydrology and other special qualities; and
- c) Effective remedial action, including action controlling and limiting the release of contaminant to the surrounding environment, is taken to ensure that the site is made suitable for the development proposal use and potential reuse by other development, and that there are no significant detrimental effects on the Park's special qualities on or off-site.

### Background and Justification

**4.78** National Policy is provided in PAN 33 Development of Contaminated Land, and in support of this the National Park Plan identifies the importance of conserving and enhancing landscape and natural heritage when considering new developments of all forms.

**4.79** Contaminated land is land where current or previous land uses have led to a local build-up of pollutants in the ground. There may be sites within the Cairngorms National Park where current or previous uses have led to contamination or suspected contamination. Wherever possible, contaminated land should be restored to remove potential threats to human health or natural systems within the Park. The local authorities have strategies for the identification and treatment of contaminated land, and SEPA can also provide advice on the identification and treatment of contaminated sites.

## Implementation and Monitoring

- 4.80** The assessment of contaminated land is key to ensuring that appropriate measures are included within designs to ensure the necessary mitigation steps are included from the outset. It is important that developers provide, at their own expense, the planning authority with adequate investigations and assessments of the impact their developments will have on the site, and the impact these may have on human health and safety and on the surrounding ecosystem.
- 4.81** The reclamation and improvement of contaminated land within the Cairngorms National Park is important to the overall enhancement of the wider landscape of the Park, and the success of this policy will be assessed against the local authorities' registers detailing contaminated land, and any amendments made to these registers.

## Policy 16 – Energy Generation

Proposals for small-scale renewable energy schemes and micro generation will be favourably considered where they contribute positively to the minimisation of climate change, and where they complement the sustainability credentials of the proposal. Developers will ensure that schemes are sited and designed to minimise any visual impact, including any cumulative impact, caused as a result of energy generation measures, and will not have an adverse impact on the amenity of neighbouring properties.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Energy
- 4.82** Nationally there is an increasing focus on small scale generation of energy and micro generation with individuals and communities realising the part everyone should play in efforts to slow climate change. This is supported through the second aim of the Park. Together with the sustainability credentials of all proposals, the inclusion of small scale energy schemes and micro generation promotes the careful use of resources generally, and the more sustainable use and generation of energy.
- 4.83** Whilst the Cairngorms National Park Authority is supportive of the drive to minimise climate change, it is considered that the National Park status of the Park, together with the numerous natural heritage designations contained within it, and the duty placed on the Park Authority under international and national statutory obligations to protect its many special qualities, make it an area unsuitable for large scale energy production schemes.

### Implementation and Monitoring

- 4.84** The key consideration in the implementation of this policy is the impact proposals will have in landscape and visual terms. In general there will be a presumption in favour of small scale energy schemes and micro generation proposals if appropriately sited, designed and serviced. The most current

guidance on the topic, currently through SPP6 and PAN 45 Annex 1, will be used to assess the appropriateness of proposals in terms of scale and output capacities. In taking forward schemes for small scale energy production and micro generation the CNPA will work closely with local communities to ensure their individual and collective aspirations to help in the minimisation of climate change are realised.

- 4.85** The success of this policy will be monitored in association with the use of the Sustainable Design Guide, to analyse the sustainability credentials of proposals presented. Supplementary guidance will be produced to support the development of small scale and micro generation schemes.

## 5. Living and Working in the Park

- 5.1 The Cairngorms National Park is a place of work and daily life for approximately 16,000 people, and the economic and social needs and issues faced by them are similar to those throughout rural Scotland. However, its designation as a national park brings a new focus to finding solutions to sustainable living in the long-term for the Park and tackling global issues of sustainability. As well as improving opportunities for people within the area, the National Park has the potential to contribute significantly to the wellbeing of the wider region and play its part in minimising the impacts of climate change.
- 5.2 Sustainable development means that the resources and special qualities of the Park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. The Local Plan aims to ensure that all forms of development are sustainable, and that on a wider scale, all proposals contribute to the development and promotion of sustainable communities for those living and working within the National Park.

### **Sustainable Communities and Development**

- 5.3 All developers must consider how they can best include the principles of sustainability in their proposals, looking at both the impact on the environment and on the community. All planning applications will therefore be assessed on the basis of the proposal's sustainability credentials and those making a positive contribution to sustainable design will be more favourably considered. The impact on the wider community, including the effect on public facilities, will also be assessed.

### Policy 17 – Sustainable Development

All proposals for new development in the Cairngorms National Park will include within the design integrated social, community, environmental and economic factors which:

- Ensure a healthy, affordable, resource efficient and functional building environment that respects the natural environment;
- Make a positive contribution to the minimisation of climate change; and
- Demonstrate sustainable use of resources ensuring the highest design standards throughout the construction and within the future maintenance arrangements and any decommissioning which may be necessary.

### Policy 18 – Design Standards for New Development

All new development will conserve and enhance the natural and cultural environment found within the Cairngorms National Park, and protect and enhance the landscape quality surrounding the development site. New developments will reflect and reinforce the pattern and character of the surrounding area, and reinforce the local vernacular and local distinctiveness. Materials used will complement the setting of the building and appropriate landscaping will be used in all developments. Proposals will be in accordance with design standards and palette of materials set out in the Sustainable Design Guide and any other supplementary guidance produced relating to design for new developments. The amenity enjoyed by neighbouring properties will be protected and all proposals will be designed to help create environments that can be used by everyone.

### Policy 19 – Developer Contributions

Where a development would give rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, it will be approved where the developer makes a fair and reasonable contribution in cash or kind towards the additional costs or requirements. Such contributions will be consistent with the scale and nature of the development proposed and may be secured through a Section 75 Agreement where necessary.

#### Background and Justification

These policies support the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Biodiversity
- Geodiversity
- Culture and Traditions
- Energy
- Water
- Air
- Sustainable Communities
- Economy and Employment
- Housing
- Transport and Communications
- Waste Management
- Sustainable Tourism
- Outdoor Access and Recreation

**5.4** A move towards sustainable development is a key aim of both the UK and Scottish Governments, thus ensuring that environmental concerns are at the heart of policy making within the public sector.

**5.5** National Policy through the revised Planning etc (Scotland) Act 2006 explicitly requires that planning authorities include, throughout all their policy development and decision making, measures which contribute to sustainable development. This is re-enforced through topic-based guidance and advice relating to all forms of development which are considered through the planning process.

**5.6** The Cairngorms National Park Plan sees a new opportunity to focus attention on sustainable development, in terms of building



on existing links between the economy, the natural environment and communities, and in the protection of the resources and special qualities of the National Park so that they can be used by current and future generations.

- 5.7** There is also a growing focus within Scottish Executive guidance on the importance of good design in all developments, and the need to ensure that developments respect their surroundings, and do not create a bland and featureless Scotland, which has had its traditions of vernacular architecture eroded. 'Designing Places, a Policy Statement for Scotland' puts a new focus on this, recognising the various benefits of good design, including economic investment, creating places that work and establishing and maintaining a distinct identity to the benefit of investors and users. It is key to achieving social, economic and environmental goals of public policy and can bridge the gap between aspiration and reality. The use of design statements is encouraged to ensure that sites selected are the most appropriate, following a sequential approach if necessary,

and have a design concept which will help achieve the quality of place which is desirable within the Park.

- 5.8** Any development may lead to additional infrastructure or service requirements that would need to be met to allow the development. If these issues cannot be resolved through planning conditions imposed on the planning permission then a Section 75 Agreement may be an appropriate mechanism to secure the development. Circular 12/1996 provides guidance on the use of planning agreements and states that planning authorities should only seek contributions from developers if, in land use planning terms, it would be wrong to grant planning permission without them. Developer contributions can help to overcome problems in granting planning by reducing, eliminating or compensating for some negative impacts.
- 5.9** Although it is unrealistic for the local authorities in the Cairngorms National Park to anticipate every situation where the need for a developer contribution will arise, a number of themes will generally need to be considered. These are listed below:

**Table 1 Developer contribution themes**

<b>Theme</b>	<b>Factors to be considered in calculating contribution</b>
<b>Secondary schooling</b>	The effect of a development on a school roll and the existing design capacity of the school.
<b>Pre-school and primary schooling</b>	The effect of the development on a school/pre-school roll and existing design capacity of facilities.
<b>Library provision</b>	The effect of the development on the adequacy of the existing public library service.
<b>Healthcare facilities</b>	Whether a development will have an effect on the relevant NHS trusts facilities considered to be 'under pressure' by the NHS.
<b>Recycling facilities &amp; waste management</b>	The effect of the development on existing recycling facilities
<b>Transportation</b>	The effect of the development on transport and infrastructure assessed against the relevant Local Transport Strategy.
<b>Community facilities including Care in the Community</b>	The effect of the development on existing community facilities and whether the development will increase the burden on care services
<b>Strategic landscaping, open space and outdoor access</b>	The need for new or enhanced strategic landscaping, open space or outdoor access nearby.
<b>Sports facilities</b>	The effect of the development on demand for facilities and the unmet demand in the settlements nearby.

## Implementation and Monitoring

**5.10** These policies are important to all developments taking place in the Cairngorms National Park, and will be taken into consideration when assessing all planning applications, to establish their environmental and sustainability credentials. To assist in this a design guide looking specifically at the sustainable aspects of all development will be developed to ensure that all applicants are aware of the expectations of the Cairngorms National Park Authority. This guide will generate a 'sustainability score' and all proposals will be expected to attain an agreed score as a minimum standard. Proposals which exceed this minimum will be encouraged. The average score of developments within the National Park will be used to monitor improvements in this field. Innovative and exemplar examples of sustainable design will also be highlighted within Park publications to help others learn from local best practice.

**5.11** In the case of applications requiring developer contributions, every Agreement will be negotiated on its own merits and the final level of contribution sought will be based on an assessment of the impacts on the recipient community undertaken jointly with the developer and planning authority. In some cases, contributions may be sought on the basis of the cumulative effect of a number of small developments. In such cases, the contributions would be held by the relevant Council until such time as sufficient funds became available to allow work to progress.

## Economic Development

**5.12** As the fourth aim of the Cairngorms National Park, the promotion of sustainable economic and social development is an important consideration in the analysis of any proposals for business and economic development. To maintain current population levels, and provide for the employment needs and aspirations of local communities, it is important that the pressures facing those living and working in the National Park are addressed. Policies within the Local Plan must therefore be flexible enough to ensure that enterprise can occur in harmony with the important natural and cultural environment.

## Policy 20 – Business Development

- a) Within existing settlement boundaries, new proposals for business development will be favourably considered, particularly where this consolidates existing business centres or estates. Any proposal which undermines the economic viability of that centre will be resisted unless there is a demonstrable social or community need for the proposal. The potential cumulative impact of similar proposals will be taken into account.
- b) Outwith settlement boundaries, proposals for business and economic development will be favourably considered where the proposal is for home based working or workshops which form an integral part of an existing development, or where there is a demonstrable locational requirement, where no suitable sites are available within settlements and where the proposal is supported by a detailed business plan. Where possible, proposals should be located adjacent to existing buildings and should have no adverse impact on existing business centres or any neighbouring land use. The potential cumulative impact of similar proposals will be taken into account.
- c) Proposals for development which support the viability of a rural business or promote diversification within that business will be approved where the proposal has no adverse impact on the natural and cultural heritage of the National Park or its landscape; where the proposal is complementary to the current rural business activity within the site; and where the proposal will be subject to conditions or legal agreements to secure the appropriate long-term management of the business.

### Policy 21 – Proposals for Retail and Commercial Development

- a) Within identified town centres, proposals for new retail/commercial developments, extensions to existing developments and forms of development which add to the economic and visual vitality and have no adverse impact on neighbouring properties will be favourably considered. Proposals should consolidate the traditional high street found within the centre in terms of visual impact and built form and take into account any settlement statement and supplementary guidance relating to that settlement.
- b) Outwith town centres, but within settlements identified within the Local Plan, proposals which undermine the existing commercial viability of that settlement will be resisted unless the development is in the wider interests of that settlement.
- c) Outwith town centres and settlements, proposals for retail/commercial development will only be permitted for proposals which have a specific and identifiable locational need and can demonstrate no adverse impact on existing retail enterprises within the area.

### Policy 22 – Settlement Improvements

- Within identified settlements, all development proposals will be required to demonstrate how they contribute to the following criteria:
- a) Developing attractions, eg by improved economic viability; increase the range and variety of shops and services; encourage housing provision; develop quality open spaces; include appropriate landscaping; safeguard existing services;
  - b) Increasing accessibility, eg encourage a range of transport options; provide adequate parking; provide for special needs groups; provide for delivery of goods; and
  - c) Improving amenity, eg make centres pedestrian friendly; introduce high standards of management and maintenance; promote good design; make the centre safe and secure.

#### Background and Justification

These policies support the National Park Plan's strategic objectives for:

- Economy and Employment

**5.13** The Local Plan has an important role to play in addressing the economic, social and environmental issues facing towns, settlements and rural areas within the Cairngorms National Park.

**5.14** National Policy guidance regarding areas characterised by a mix of urban and rural development supports the identification of a hierarchy of centres, and the use of policies which encourage the most appropriate scale of development within the areas identified in this hierarchy.

*“Experience from National Parks outwith Scotland indicates that their clean and attractive environment can be a positive influence on the locational decisions of some businesses. Developments should be accommodated where they are appropriate to the purposes and character of the Park. Their siting and design should be of a high quality and support the Park's image and appearance”.*<sup>3</sup>

<sup>3</sup>Scottish Planning Policy (SPP) 2: Economic Development; sec30.

- 5.15** Within the Cairngorms National Park the predominant land uses within the settled valleys are farming and crofting and the National Park Plan identifies objectives to maintain a productive and viable agricultural sector, encouraging the continued development of this sector and making land available for those who wish to farm. Within this sector, the importance of diversification is essential for long-term economic growth, and this is particularly successful where the new enterprise and existing uses within the site are complementary. Such development is likely to be most appropriate in locations where access and services can be provided at reasonable cost. Consideration should be given to the re-use of existing buildings within the site.
- 5.16** Town centres are also important, having economic, social, and cultural roles and catering for a wide range of people and their needs. The Scottish Executive supports initiatives which promote town centre development through the planning system. The policies contained within the Local Plan are therefore designed to encourage both economic opportunities as well as improvements to the public realm of meeting places and social spaces.
- 5.17** The Cairngorms National Park Plan identifies the importance of sustainable communities in social, economic and environmental terms. To service these communities, there is a hierarchy of settlements within the Cairngorms National Park and policies have been developed to encourage growth and prosperity within all centres. Where possible smaller centres supporting local people will be protected to ensure the hierarchy of settlements is maintained.
- 5.18** To ensure that town centres and other settlements are appealing, and support this economic function, the creation and protection of attractive townscapes is important. Policies seek to ensure that all development within them considers both the economic and visual impacts and any wider impacts on the centre as a whole. All developments, including new build and renovations, and works within the

settlements should have a sense of local identity and character.

## Implementation and Monitoring

- 5.19** The policies contained within this section of the Local Plan are important to the economic wellbeing of the Cairngorms National Park. They will be applied when considering planning applications relating to economic and retail proposals, developments which would affect the current economic status quo found in a locality, and those which will have an impact on the hierarchy of settlements within the National Park. Any relevant masterplans/settlement statements for the application area should also be referred to, to ensure that developments are in line with the most up to date guidance available from the Cairngorms National Park Authority. Additional information regarding site selection, and any sequential testing which has been carried out to ensure the development of the most appropriate site, should be included within the development proposals.
- 5.20** To monitor the success of these policies and the impact they are having on the vitality of settlements, 'health checks' will be used in line with best practice regarding town centre and retail developments. The quality of design and respect for the local character of all developments will also be assessed to monitor the impact being made on the built environment.

## Housing

- 5.21** The delivery of housing to meet the needs of the communities of the Cairngorms National Park is one of the key themes of the National Park Plan. The Park Plan's strategic objectives for Sustainable Communities and Housing are the most important for the Local Plan in this context.
- 5.22** In the introductions to these sections, the Park Plan acknowledges that the population of the Cairngorms National Park is expected to rise and that there are likely to be more households seeking accommodation. They also highlight an ageing population, the difficulties that many young people and those on low incomes have in accessing

housing, the need for sustainable design in housing, and the strategic role of the larger settlements in the Park.

### The Structure Plans

- 5.23** Although the Cairngorms National Park area is covered by four local authorities and four structure plans, only two areas within the Park are extensive enough for the structure plans to provide specific direction about likely housing requirements.
- 5.24** The Highland Structure Plan 2001 set a target of land for 1750 house units in Badenoch and Strathspey for the period 1998-2017. It acknowledged that in order to meet that land supply, a new community at Cambusmore (identified in the adopted Badenoch and Strathspey Local Plan) would require infrastructure investment.

#### Extract from the Cairngorms National Park Plan: Selected Strategic Objectives for Sustainable Communities:

- a. Encourage a population level and mix in the Park that meets the current and future needs of its communities and businesses.
- b. Make proactive provision to focus settlement growth in the main settlements and plan for growth to meet community needs in other settlements.

#### Strategic Objectives for Housing:

- a. Increase the accessibility of rented and owned housing to meet the needs of communities throughout the Park.
- b. Promote effective co-ordination and co-operation between all public and private organisations involved in housing provision in the Park and the communities living there.
- c. Improve the physical quality, energy efficiency and sustainable design of housing in all tenures throughout the Park.
- d. Ensure there is effective land and investment for market and affordable housing to meet the economic and social needs of communities throughout the Park.

- 5.25** North East Together (NEST) 2001-2016, shows the Cairngorms National Park at the periphery of its rural housing market area. NEST did not provide detail on numbers of houses required in the Park. However, the

plan did recognise that local plans might identify housing land in smaller settlements to support economic development or local services. It provided a target of 150 homes within the rural Marr area of which a proportion would be in the Cairngorms National Park area.

- 5.26** Both the structure plans pre-date the designation of the Park and the production of the National Park Plan.

### The Housing Issues in the National Park

- 5.27** Housing demand is related to the ability and interest of households to fund their aspirations for housing. Much of this demand is met through existing housing stock, but new housing can improve choice and provide for particular requirements that are not available in existing housing stock.

- 5.28** Increasing house prices over recent years have pushed up the costs of buying a home in the area. This means that many more households working in the Park have difficulty in purchasing a home than was the case previously. There is therefore a high demand for lower cost or affordable housing.

- 5.29** The Cairngorms National Park is not a housing market area in its own right. The Badenoch and Strathspey area of the Park has the greatest population. It has elements of its own housing market area but is also strongly linked to the Inverness and inner Moray Firth areas and their economic pull and housing markets. The other parts of the Park, in Moray, Aberdeenshire and Angus, are at the periphery of housing markets looking towards Elgin, Aberdeen and Dundee respectively.

- 5.30** For a variety of reasons, supply of new housing has been limited in the Cairngorms National Park area during the past five years. The limited supply of effective land has meant that, in Badenoch and Strathspey in particular, fewer homes have been built than were anticipated in the Development Plan. The limited supply of land has encouraged inflation of land prices and the market has been able to focus on the higher value and higher profit sales which are often unaffordable to those working in the area.

**5.31** The Park Authority commissioned work to assess housing need in the National Park<sup>4</sup> by drawing together the four local authority housing needs assessments. This concluded that there was likely to be a net need for between 99 and 132 new units per year in the National Park for people who would not be able to buy new or second hand open market housing. The bulk of people in this estimate were new younger households who would be unlikely to have sufficient income to purchase a home.

**5.32** Population and household projections for the Cairngorms National Park have been prepared for the Park itself and for the Badenoch and Strathspey part of the Park (the area with the largest population and most dynamic economy). These are based on past trends in society, and assumptions about likely future conditions, and give an indication of the likely changes that may occur and should be planned for. The projections suggest that the population of the National Park is likely to remain constant or rise slightly over the period 2006–2016. It is expected that over this period, more of the population will form smaller households of single persons, single parents and households of only 2 adults. This is likely to lead to an increase in the number of households in the Park of between approximately 750 and 950.

**5.33** New housing is important for a wide variety of social and economic reasons, but at its most basic, housing should provide comfortable, secure and healthy homes for people. The need for new housing comes from changes in the population such as new households being formed, the migration of new households into an area, and the movement of households within the housing market. New housing is needed to provide homes for a backlog of households who have been unable to access the open market, as well as for new households that will be formed in the future in the Park.

**5.34** For many people, home ownership is a practical and desirable option, while for others, renting is more attractive or practical. The most pressing need for new housing

comes through the combination of the reduced supply of social housing due to the sale of council owned property, and the increasing proportion of the population who have difficulty in accessing the open market due to its recent inflation. This means that new housing has an increasing role to play in providing the affordable housing for rent that a proportion of the population will always require. It must also provide a range of opportunities for those on modest incomes to enter the housing market through Low Cost Home Ownership (LCHO) or other mechanisms, and a balance of sizes of properties that allows realistic movement within the open market.

**5.35** The Cairngorms National Park faces a dilemma in its high need and demand for affordable housing from within the communities living and working in the Park. First, the Park is unlikely to attract enough public funding to build the numbers of houses required by those communities. Second, many of the communities require a wider range of housing options than conventional social housing provides, with a greater emphasis on housing those in need locally. The Cairngorms National Park Authority, local authorities, Communities Scotland, developers and housing associations need to work together to provide housing to meet everyone's needs.

### The Housing Land Requirement and Supply

**5.36** The Park Plan directs the Local Plan to provide enough effective land for market and affordable housing to meet the economic and social needs of the Park's communities, encouraging proactive settlement growth in the main settlements (Newtonmore, Kingussie, Aviemore, Grantown-on-Spey and Ballater) and the provision of land for housing growth to meet the social and economic needs of other settlements/communities. The Park Plan also encourages a population level and mix in the Park that meets the current and future needs of its communities and businesses and seeks increased accessibility of rented and owned housing to meet the needs of communities throughout the Park.

<sup>4</sup>Cairngorms Housing System Analysis. School of the Built Environment, Heriot-Watt University, 2006.

**5.37** There is no exact measure of how many houses will be required in the future, nor any accurate method of predicting how many houses will be built during the lifetime of a Local Plan. The planning authority must make an estimate of the likely need and demand, as well as the implications of its own housing or economic objectives, and zone appropriately. When making this estimate, it must consider the likely growth in households, the need for housing, demand for housing, any infrastructure or other constraints or risks to the effectiveness of land and the historical operation of the housing market.

**5.38** The Local Plan has identified a land supply that will, in combination with the housing and other policies of the Plan, provide for an improved supply of housing and a wider range of affordable housing options for the communities of the Park.

**5.39** Based on the estimates of household growth for the Park of around 950 between 2006 and 2016, the Local Plan has calculated that it needs to allocate land for approximately 1640 households for that period as shown in Table 2 below:

<b>Source of requirement and rationale for figure</b>	<b>No of units to 2016</b>
<b>1. Household projection</b> The upper household projection has been chosen to reflect both the backlog of demand for housing from recent years and the effect of workers from EU Accession Countries	950
<b>2b. A 50 per cent allowance for second homes and vacant property</b> It is expected that demand for second homes in the National Park will remain higher than historical rates so a 50 per cent additional allowance will be made to the household projection.	475
<b>3. Flexibility allowance for uncertainty</b> 15 per cent additional requirement	214
<b>Total</b>	<b>1639</b>

<b>Local Authority Area</b>	<b>5 years</b>		<b>10 years</b>	<b>Total</b>
	<b>Consented supply</b>	<b>New land supply</b>		
Highland – (Badenoch & Strathspey)	390	498	677	1565
Moray	0	12	13	25
Aberdeenshire	30	100	130	260
Angus	0	0	0	0
<b>Total</b>	<b>420</b>	<b>610</b>	<b>820</b>	<b>1850*</b>

\*The figure of 1850 differs from the 1639 shown in Table 2 as it is assumed that only half of the consented supply of 420 will contribute to the Park Plan's strategic housing objectives.

Table 4 Phased land supply by local authority area

Settlement or local authority	approximate consented supply not yet built	indicative capacity of additional sites identified	0-5 year target numbers of units LP (consented & new)	5-10 year indicative target	capacity for medium to longer term
Aviemore	220	80	250	50	0
An Camas Mor		1500	100	300	1100
Grantown-on-Spey		250	75	90	85
Kingussie		300	75	75	150
Newtonmore		220	75	75	70
Boat of Garten		70	50	20	0
Carr-Bridge	117	0	117	0	0
Cromdale		80	30	30	20
Dalwhinnie		25	12	12	1
Dulnain Bridge		40	20	20	0
Kincraig		40	34	6	0
Nethy Bridge	50	0	50	0	0
<b>Total Highland</b>	<b>387</b>	<b>2605</b>	<b>888</b>	<b>678</b>	<b>1426</b>
Target land supply		1175	888	677	not estimated
Ballater		250	90	100	60
Braemar	20	50	40	30	0
<b>Total Aberdeenshire 20</b>		<b>300</b>	<b>130</b>	<b>130</b>	<b>60</b>
Target land supply		230	130	130	not estimated
Tomintoul		40	12	12	16
<b>Total Moray</b>		<b>40</b>	<b>12</b>	<b>12</b>	<b>16</b>
Target new land supply		25	12	13	not estimated
<b>Total CNP</b>		<b>2945</b>	<b>1030</b>	<b>820</b>	<b>1502</b>
Target CNPA			1030	820	not estimated



**5.40** The land requirement translates to a land supply for each local authority area over ten years as described in Table 3 on page 43. Because the sites of the consented land supply were approved under different policies, they are assumed to make only a partial contribution to the strategy of the Cairngorms Local Plan.

**5.41** The Local Plan must therefore allocate land to accommodate the potential development of around 1000 houses during its five-year lifetime. It must also identify land for a further 800 houses to secure an ongoing five-year land supply during its lifetime. The rate of land use will be monitored through annual housing land audits. An indicative schedule of the housing land allocated through the Local Plan is shown in Table 4 on page 44.

### **The Local Plan Housing Policies**

**5.42** The policies within the Local Plan inform how allocated sites develop and how and where other developments occur. These policies also provide the basis for development briefs on many sites. The policies are integral to the delivery of housing for the Park's communities as they will secure the affordable housing required and manage the increased land supply.

## **Policy 23 – Sustainable Balance of House Sizes**

Proposals for housing development of four or more units will be required to demonstrate a balance of unit sizes based on a benchmark of 75 per cent two bed and three bed units.

### **Background and Justification**

This policy supports the National Park Plan's strategic objectives for:

- Sustainable Communities
- Housing

**5.43** This policy is intended to ensure that developments provide a range of house sizes that reflect the needs of the communities of the Cairngorms National Park. The household projections for the Park show that the increase in numbers of households are dominated by one-person households and two-person 'all adult' households.

**5.44** Many recent developments have focussed on the market's ability to develop higher value homes that are larger and more costly than the homes required by most households living and working in the Park. This policy will ensure that the supply of smaller units increases while still retaining the financial viability of developments.

### **Implementation and Monitoring**

**5.45** This policy will be used by planning authorities to ensure that house building reflects the housing requirements of the Park as well as providing market flexibility. The principle will apply to both affordable housing and open market housing. The exact proportions may be modified to reflect local circumstances where a community needs survey has been prepared within the previous three years, or where other information on local housing need has been collated by the Cairngorms National Park Authority or local authority within the previous three years. The planning authority will take into account any particular site constraints or conditions that would alter the prescribed mix.

**5.46** This policy will be monitored through the analysis of planning consents and housing completions. The effects of the policy will be reviewed against future housing needs surveys.

## Policy 24 – Contributions to Affordable Housing

Proposals for housing developments of two or more units will be required to incorporate a proportion of the total number of units as affordable housing. This housing will include social rented housing provided through Communities Scotland grants as well as low cost home ownership and/or rent options provided through public subsidy or by the developer.

Where public subsidy is available to help fund affordable housing, the overall affordable contribution of the development will be expected to be 50 per cent, with any shortfall between the public subsidised element and 50 per cent target made up by the developer.

Where no public subsidy is available, the developer will be required to provide all of the affordable housing on a site to a target of 30 per cent.

Proposals for single open market houses will also be required to make a contribution towards affordable housing in the Cairngorms National Park area. This will be a cash payment towards the development of affordable housing in the local area.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Sustainable Communities
- Housing

**5.47** This policy is intended to ensure the delivery of a wide range of housing options to a wide range of households in the Park.

The increased range of affordable housing options and numbers of units that would be delivered through this policy will change the availability of housing for a wide range of potential occupants who cannot currently access the open housing market.

**5.48** Research into housing need in the Cairngorms National Park<sup>5</sup> demonstrated that the numbers of households considered to be in housing need (including being unable to access housing on the open market) were greater than the numbers of houses being built through programmed

delivery of affordable housing by Communities Scotland, the housing associations and local authorities. This policy supports the proposed land requirement of the Local Plan by ensuring an increased rate of supply of housing for those in need in the Park.

**5.49.** For the purposes of the Policy and the Local Plan, affordable housing is defined as housing that costs less than market sale price or rent in perpetuity. It costs less than the market rate to the owner/tenant and subsequent owners/tenants. **It is offered to households in housing need who are unable to afford to buy or rent a home on the open market.** It can include:

- I. **Social housing for rent** provided by Registered Social Landlords;
- II. **Low cost home ownership properties funded by public subsidy** (eg Homestake, Rural Home Ownership Grant, Grant for Ownership) ;
- III. **Housing rented at affordable levels** agreed with Communities Scotland and based on local income levels, eg proposed Scottish Rural Property and Business Association (SRPBA) rent model;
- IV. **Low cost home ownership properties funded by developers.** The homes will be built to an agreed standard and sold at fixed prices (agreed with the planning authority and Communities Scotland to be affordable to a particular group) to buyers nominated by local authorities. The discount in the property is the difference between the fixed sale price and the market price of an identical property. If the owner wishes to sell the property, the subsidy and a proportionate share of profits are payable to the local authority who pass this on to another nominee to help purchase the home;
- V. Housing built on **serviced plots that have been discounted** so that the gross cost of land and a completed house would be less than or equal to the Communities Scotland benchmark costs for an equivalent house – plots of this type would normally be sold to self-builders; and
- VI. Any other housing that costs less than the market rate to the first buyer/tenant

<sup>5</sup>Cairngorms Housing System Analysis. School of the Built Environment, Heriot-Watt University, 2006

and subsequent buyer/tenants and is agreed by the Cairngorms National Park Authority, local authorities and Communities Scotland to offer a sustainable housing solution to groups in need within the Park.

- 5.50** The policy also requires a financial contribution from single open market houses towards the development of affordable housing within the local area (defined as the relevant secondary school catchment). This provision ensures that all developments of open market housing make a contribution towards affordable housing in the Cairngorms National Park.

### Implementation and Monitoring

- 5.51** This policy will be used by planning authorities to ensure that many house units built in the Cairngorms National Park will be for households in housing need who live and work in the Park and areas close to its boundary. Proposals for affordable housing alone will not be required to incorporate open market housing.
- 5.52** The range of tenures required in different developments will vary depending on site and time. The baseline assumption will be that between 15 per cent and 25 per cent of a development will be social rented housing, 15 per cent to 20 per cent will be forms of low cost home ownership housing and the remaining 5 per cent to 20 per cent will be affordable rented accommodation or serviced plots.
- 5.53** Within this context, and as long as the overall percentage of affordable units remains 50 per cent, any of these percentages may be negotiated up or down by as much as 5 per cent with the planning authority. This may depend on the availability of public subsidy or individual site considerations. Where a development is for two or three units only, the requirement will not include social rented accommodation but will be expected to incorporate an element of other forms of affordable housing. The planning authority will take into account any particular site constraints or conditions that would alter either the total affordable contribution or the target buyers/tenants.
- 5.54** If public subsidy is not available to assist development of a site, the developer will be required to provide all of the affordable housing on a site. In such cases, the affordable contribution will start at 30 per cent and would be expected to provide a range of low cost home ownership, affordable rent and serviced plots for the local market. The planning authority will take into account any particular site constraints or conditions that would alter either the total affordable contribution or the target buyers/tenants. This would include the implications of incorporating highly discounted or subsidised affordable housing options.
- 5.55** If a community needs survey (prepared within the previous three years) or other information on local housing need collated by the Cairngorms National Park Authority or local authority (also within the previous three years) shows a strong need for a community to have either additional affordable housing or very different composition of tenures, the planning authority will seek additional contributions from developers. The planning authority will highlight any additional requirements to developers during pre-application discussions.
- 5.56** The planning authority will make use of conditions and Section 75 Planning Agreements to secure the implementation of these policies with developers. In some cases, potential occupiers or owners of housing units will also be required to enter into Section 75 Agreements to ensure the longer-term affordability of properties to subsequent buyers or tenants.
- 5.57** It is proposed that applicants and those eligible for any of the forms of affordable housing developed under this policy will be taken or nominated from the housing waiting lists of the local authorities, housing associations or from another organisation with an allocations policy appropriate to the Cairngorms National Park. The Park Authority will continue to seek to influence the allocations policies operating in the Park

### How we plan to use the housing waiting lists and common housing register:

Policy 24 aims to increase the total supply of affordable housing for rent and for purchase. This means that more people will be able to rent or buy affordable homes. The Park Authority sees the extended use of the existing housing waiting lists or common housing register as the best way of ensuring a fair and effective selection of potential tenants and owners of affordable property within the National Park.

The tenants of social rented housing are initially selected from the housing waiting lists using an allocations policy that prioritises those people in the most housing need. However, anyone can put their name on to the housing waiting list, and it is proposed that all potential tenants and buyers of affordable housing in the Park do so in order to be nominated into an appropriate form of housing developed through the Local Plan's policies.

The waiting list or common housing register would be used differently for homes for sale as the potential occupants would need to have sufficient income to obtain a mortgage for a proportion of the property. This means that a different group of people would be targeted for these homes, and while nominations would still be ranked by housing need, the local connection would become a more significant factor. The need to house key workers could also be brought into the use of the waiting list and priority could be given to key workers in nominations.

### The Cairngorms National Park Authority will:

1. Continue to encourage local authorities and housing associations to modify their allocations policies and the way applicants are awarded points to better reflect the Park Authority's housing objectives;
2. Support the local authorities and housing associations in using the waiting list to identify tenants and nominate potential house buyers; and
3. Encourage all those people in housing need living and working in the National Park to put their names on the relevant housing waiting lists.

If this mechanism fails to work due to complications in the use of the waiting lists or lack of eligible potential tenants or owners, the Park Authority will be required to duplicate the work of the local authorities and housing associations and develop its own allocations policy and waiting list for non-social rented affordable housing options.

to ensure they are as responsive to the needs of the Park as possible.

- 5.58 The affordable element of proposals for housing development will always be sought in terms of physical contributions of on-site house units, land, services or other infrastructure. If it appears to the planning authority that an off-site contribution would better contribute to 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 in the same community.
- 5.59 The contribution towards affordable housing from single house developments will be based on the differential between the benchmark cost of a Communities Scotland home and the price of an equivalent unit on the open market. This model is currently employed in the Aberdeenshire Council part of the Park. The contribution would be waived where the developer can demonstrate that the occupant of the house would qualify to access a form of affordable housing within the Park by reason of their housing need and income.
- 5.60 The effects of this policy will be monitored through review of planning consents and housing needs surveys. Communities Scotland will be piloting a Homestake 'off the shelf' grant mechanism within the Cairngorms National Park from September 2007. This grant should provide assistance for buyers to purchase homes on the open market. The results of this trial and any implications for future housing policies will be reviewed as appropriate.

## Policy 25 – Housing Development in Small Rural Settlements

Proposals for new housing development as a part of existing small rural settlements where there is a cohesive group of 15 or more dwellings will be permitted where the proposal reinforces and enhances the character of the settlement.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Sustainable Communities
- Housing

**5.61** The policy is intended to allow for development of housing associated with small rural settlements in the Cairngorms National Park. These settlements may have existing services that can be used, supported or improved through sensitive new development. They are defined as groups of 15 or more houses that are clearly connected through their built form, settlement pattern, or landscape features. They include settlements such as Dinnet, Laggan Bridge and Gergask.

### Implementation and Monitoring

**5.62** The policy will be used to allow the development of housing attached to small rural settlements where it would reinforce and enhance the character of the settlement. For developments to reinforce and enhance the character of the settlement they will need to carefully reflect or complement the scale, materials and details of existing development. Development that would lead to growth of the settlement by more than 20 per cent is unlikely to enhance the character of the settlements.

**5.63** For a development proposal to form a part of a small settlement, it too must be demonstrated by the developer to be connected to the existing settlement through integration with existing built form, settlement pattern and landscape features. Proposals that are not demonstrated to be connected in this way to the satisfaction of the planning authority will not be determined using this policy.

**5.64** The effects of this policy will be monitored through review of planning consents and housing completions.

## Policy 26 – Housing Proposals Outside Settlements

Proposals for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements and/or they meet a demonstrable local need in the rural location.

Proposals for other new housing outside settlements will be permitted where:

- a) The proposal is for a worker in an occupation appropriate to the rural location;
- b) The presence of the worker on site is essential in order to provide 24-hour supervision of the rural business;
- c) There is no suitable alternative residential accommodation available; and
- d) The proposed dwelling is within the immediate vicinity of the worker's place of employment; or
- e) The proposed dwelling is for a retiring farmer or crofter, on land managed by them for at least the previous ten years, where their previous accommodation is required for the new main operator of the farm or croft business.

Where the proposal is for a location within or connected to a cohesive group of five or more houses, the proposal must not add more than 20 per cent to the existing size of the cohesive group (based on the size of the group on the date the Plan is adopted).

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Sustainable Communities
- Economy and Employment
- Housing

**5.65** The policy is intended to allow for the development of affordable and essential housing outside settlements and to maintain thriving rural communities.

### Implementation and Monitoring

**5.66** The policy will be used to allow the development of affordable housing outside settlements where there is a clear local need and no suitable sites exist within nearby settlements. Developments of affordable housing must still comply with all policies of the Local Plan.

**5.67** Developers may be required to enter into Section 75 Agreements to ensure that other houses built under this policy remain linked to the rural business and its workers. The effects of this policy will be monitored through review of planning consents and housing completions.

### Policy 27 – Conversions of Existing Traditional and Vernacular Buildings

Proposals for the conversion of existing traditional and vernacular buildings will be permitted where the following criteria are met:

- a) The building is redundant for its original use, and it can be demonstrated that it is unlikely to have a commercial or economic future; and
- b) The proposal is 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 character of the area.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment

**5.68** The policy is intended to allow for the conversion of existing traditional and vernacular buildings when they are no longer suitable for their intended original use.

#### Implementation and Monitoring

**5.69.** The effects of this policy will be monitored through review of planning permissions and housing completions.

### Policy 28 – Replacement Houses

The replacement of an existing house with a new house will be permitted where:

- a) The existing house is not a listed building;
- b) If the existing house is a traditional vernacular design, it is demonstrated to be structurally incapable of rehabilitation and cannot be retained;
- c) The existing house remains largely intact, with external walls and roof, or it has been permanently occupied within the previous five years;
- d) The proposal is for no more than the existing number of house units; and
- e) The new house is located on the site of the existing house unless an alternative adjacent site would minimise any negative environmental, social or economic effects of development. If an adjacent site is permitted, the planning authority will normally condition the demolition of the existing house prior to occupation of the new house.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Housing

**5.70** The policy is intended to allow for the replacement of existing houses when necessary or desirable.

#### Implementation and monitoring

**5.71** The policy will be used to allow the replacement of houses where reasonable. The policy only applies to houses that are in existence or have been permanently lived in during the recent past. Development proposals on abandoned house sites and ruins would be considered as new housing development.

**5.72** The effects of this policy will be monitored through review of planning permissions and housing completions.

### Policy 29 – House Extensions and Alterations

Development proposals for extensions or alterations to existing dwellings will be permitted except where the extension would:

- a) Adversely affect the appearance and character of the dwelling and/or the surrounding area – alterations and extensions should respect the design, massing, proportions, materials and general visual appearance of the area;
- b) Have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining households;
- c) Reduce the provision of private garden ground to an unacceptable level; and
- d) Result in inadequate off-street parking provision and/or access to property.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Housing

**5.73** The policy is intended to allow for extensions and alterations to residential property.

#### Implementation and Monitoring

**5.74** This policy will be implemented with the provisions of the sustainable design guide. The effects of this policy will be monitored through review of planning permissions and house extension permissions.

### Transport and Communications

**5.75** Within the Cairngorms National Park, transport infrastructure is recognised as being central to the future sustainability of communities and to the development of the Park as a sustainable tourism destination. Integration between transport and communications is vital to achieve this end. The policies developed therefore relate to all forms of transport, including those which occur specifically because of the rural nature of the Park, and the links required within the communications sector to ensure the best service to those living and working within the National Park.

### Policy 30 – Integrated and Sustainable Transport Network

All proposals should make a positive contribution towards the improvement of the sustainable transport network within the Cairngorms National Park. Where the transport impacts of a proposed development are considered to be significant, by virtue of its size, nature or location, developers will be required to submit a transport assessment covering the local transport impacts of the development, including those during the construction phase, and also where appropriate, submit a green transport plan indicating measures to reduce the impact of travel to the development.



### Policy 31 – Telecommunications

The siting and design of all proposals relating to radio telecommunication developments will demonstrate an established need, will minimise any visual and environmental impacts and will not have an unacceptable impact on the natural and cultural heritage of the Cairngorms National Park or its landscape. All related power-lines will be routed underground where this does not have an unacceptable impact on affected ecology, habitats, or archaeology. Alternative sites will have been investigated, and the cumulative impacts of developments considered.

The sharing of masts, sites and other structures will be used where it represents the optimum environmental solution and does not result in adverse visual impact on the surrounding area. A new mast should be structurally capable of being shared by additional telecom systems, without adversely affecting the visual impact of its design. Decommissioning of redundant sites will occur within six months and a bond may be required as part of any permission granted to cover reinstatement works.

#### Background and Justification

These policies support the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Air
- Transport and Communications

**5.76** Scottish Executive guidance (Scottish Planning Policy Guidance 17: Planning for Transport) aims to encourage a prosperous rural economy through stable and increasing communities who have reasonable access to good quality services.

**5.77** Integrated transport and communications are therefore vital to allow every community and visitor access to services, facilities and jobs within and outwith the Cairngorms National Park in the most sustainable way. New developments should ensure that they connect to any transport network which currently exists, and where this is not in place, make provision to improve the general provision for access to the development site. Efforts to reduce transport requirements

should also be considered, and within such a rural setting as is found within the Park, the opportunity exists to consider innovative options, for example through 'community cars' and car sharing.

**5.78** The National Park Plan identifies that within the Park, telecommunications are generally good in the main settlements, most of which are able to access broadband technology. For new telecommunications proposals, siting and design and the visual impact made on the landscape are the key issues to be addressed by the planning system. Consideration may also be given to the potential new and improved technology within this sector, and the use of temporary permissions may therefore be used to ensure the most appropriate long-term result.

#### Implementation and Monitoring

**5.79** The development of sustainable communities which have adequate access and communication provision is important, and these policies will be applied to ensure that all developments make an appropriate contribution towards this. Through the determination of planning applications, the Local Plan policies will be monitored to assess what effects they are having on improving both transport networks and communication coverage within the Park.

## Policy 32 – Waste Management

Proposals which are appropriately sited and designed and which assist local authorities to meet or surpass their Area Waste Plan targets will be favourably considered. This will include municipal solid waste schemes, and local schemes particularly where they involve the production of compost and/or energy from the waste, and also where there is a direct community benefit.

There will be a presumption against the development of new landfill sites within the National Park; proposals for the extension of existing sites may be considered acceptable, subject to the consideration of a full Environmental Impact Assessment (EIA). Prior to the closure of an operational landfill site (once it becomes full or redundant) details for its site restoration, after-care and after-use will be required for approval by the planning authority.

### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Waste management

**5.80** The careful use of our natural resources is important to all development proposals within the Cairngorms National Park, and the reduction of waste goes hand in hand with this. Supporting the constituent local authorities in the delivery of their Area Waste Plans/Strategies, the Local Plan seeks to make adequate provision within the Park for the reduction in the amount of waste produced.

**5.81** National guidance regarding waste management is given in National Planning Policy Guidance 10, Planning and Waste Management, and Planning Advice Note 63, Waste Management and Planning. Through these the importance of promoting sustainability in all development is reinforced, and national aims of reduce, re-use and recycle are identified as key to all waste management developments.

**5.82** The National Park Plan identifies the reduction in waste produced as important, and recycling facilities within communities is

supported, with all communities being able to access such facilities easily.

**5.83** There are three Waste Strategy Areas that are each partially covered by the Cairngorms National Park area: Highland; North-East (Moray and Aberdeenshire) and Tayside (Angus). They all have individual Area Waste Plan targets as well as lists of best practicable environmental options. The Local Plan policy is therefore designed to assist in the delivery of these targets and options, the responsibility for which lies with the relevant waste authority.

### Implementation and Monitoring

**5.84** This policy will be applied where it is relevant to the implementation of the area waste strategies of the relevant waste authorities, and the Park Authority will work closely with these authorities to assist where possible in the delivery of their strategies. The principle of development of waste transfer stations within recognised industrial areas will be supported in line with current best practice regarding such developments.

**5.85** The success of the policy will be measured against the reaching of targets within the National Park boundary.

## 6. Enjoying and Understanding the Park

- 6.1 The vision of the Cairngorms National Park is to develop a world-class destination which complements its outstanding environment and outdoor recreation opportunities and plays a part in the regional and national tourism economy. The National Park Plan therefore promotes a sustainable approach to developing tourism, an excellent quality provision of outdoor access and recreation opportunities and a significantly enhanced awareness and understanding of the National Park, its special qualities and management needs.
- 6.2 The National Park Plan seeks to promote a fuller enjoyment and understanding of the Park through sustainable tourism developments, high quality access and recreation opportunities, and improved learning and understanding opportunities for people within and visiting the Park. The Local Plan therefore contains policies which support these goals, through positively guiding development proposals which further the aims of the National Park.

### Sustainable Tourism

- 6.3 Tourism is one of the key economic drivers within the National Park and maintaining and promoting a healthy tourism industry is vital to the area, its communities, and also to achieving the aims of the Park. Linked to traditional tourism development is a growing interest in sustainable tourism which *“meets the needs of present generations without compromising the capacity of future generations to meet their needs”* (Our Common Future, Brundtland Report, World Commission on Environment and Development). The CNPA has been awarded the European Charter for Sustainable Tourism in Protected Areas by the Europarc Federation, and to ensure that developments adequately address the obligations placed on the National Park as a result of this award, developers are asked to consult: [www.european-charter.org](http://www.european-charter.org).
- 6.4 Within the Cairngorms National Park, there is a need to support tourism developments which maintain and enhance the range and quality of visitor attractions and facilities, to attract more visitors to the area, encourage them to stay longer, and meet their needs and aspirations. Such development must also take into account the economic, social, and physical impacts of that development on both the environment and the community.

### Policy 33 – Tourism Development

Proposals for new or enhanced tourism-related facilities/attractions will be favourably considered, where they enhance the range and quality of tourism attractions and facilities on offer, and/or lengthen the tourist season, with a beneficial impact on the local economy and without adverse environmental or landscape impacts. Any change of use within or away from the tourism sector should not adversely affect the quality of standards provided, or the selection offered, without adequate justification to the satisfaction of the planning authority.

Supporting justifications for proposals should be based on best practice relating to the European Charter for Sustainable Tourism in Protected Areas, and the standards established within the industry through VisitScotland.

All proposals should protect the current quality of the environment and amenity enjoyed by local communities, maintain and enhance the quality of the visitor's experience and ensure the long-term viability of the local tourism industry. Any proposal which would reduce the tourist facilities of an area will be resisted unless the effect can be compensated for/mitigated.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Sustainable Tourism
- 6.5** The National Park Plan identifies the fact that tourism accounts directly and indirectly for a significant part of the area's economy and has the potential to make a significant contribution to the regional and national economy. Tourism within the Park can therefore be considered to be everyone's business. The experience of those visiting the Park is formed by everyone they have contact with and everywhere they go in the area. A collective commitment to high-quality services and collaboration is therefore essential.
- 6.6** Scottish Executive guidance given in PAN 73 accepts tourism as being of vital importance

to the social, economic, environmental and cultural wellbeing of rural Scotland, and as a result planning authorities are requested to devise policies regarding the siting and design of such developments, and be aware that this sector is a key market growth area linking business and cultural tourism. Countryside management, the provision of recreational facilities and the development of core path networks also have a recognised role to play in underpinning rural tourism

#### Implementation and Monitoring

- 6.7** A good range and quality of tourist accommodation is vital to a healthy tourism industry. There are always opportunities to enhance and add to the existing provision, and this is particularly relevant where it links to rural diversification. Significant tourism developments should generally be located within or adjacent to existing settlements, where there is existing infrastructure capacity. All proposals requiring a site-specific countryside location must provide a comprehensive justification for the site selected. Whether within settlements or in the countryside, proposals must be of the highest quality, with no significant adverse impact on residential amenity or on the Park's natural and cultural heritage.
- 6.8** In regard to permitted operations within this provision, certain works can be carried out within dwelling houses which are used as B&B without the need for planning permission. This includes the use of up to two bedrooms where there are four or more bedrooms in the dwelling. Where there are fewer than four bedrooms only one bedroom can be used for B&B use. Where there are more rooms than this used for B&B a change of use is required and proposals will then be considered under this policy.
- 6.9** The success of this policy will be monitored through analysis of the number of developments which occur in the Park with a direct impact on the development of the Tourism sector and through combined reviews of the growth of visitors to the Park in forthcoming years.

### Policy 34 – Outdoor Access

Development proposals which improve opportunities for responsible outdoor access consistent with the Cairngorms Outdoor Access Strategy will be permitted.

Development proposals which would result in a significant loss to the public of access rights, or loss of linear access (such as core paths, rights of way, or other paths and informal recreation areas, or loss of access to inland water) will only be permitted where an appropriate or improved alternative access solution can be secured to the satisfaction of the planning authority and access authority.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Outdoor Access and Recreation

**6.10** The international reputation of the Cairngorms National Park as a venue for outdoor access and recreation makes it a popular venue for a wide range of activities. Under the Land Reform Act (Scotland) 2003 access rights apply to almost all land and water within the National Park. All forms of outdoor access must be carried out in a responsible way to ensure there is no conflict with local communities, land managers, neighbouring activities, other recreational activities or significant disturbance or harm to wildlife. Land managers also have a duty to act responsibly. The Outdoor Access Strategy for the Cairngorms National Park was approved in March 2007.

#### Implementation and Monitoring

**6.11** Through the determination of planning applications, the Local Plan will seek to protect public access rights, paths that contribute to the proposed Core Path Network, wider path networks and rights of way. Developments that would affect outdoor access opportunities will be required to ensure appropriate alternative and improved opportunities. The planning authority will use the Outdoor Access Strategy to inform the ways that developments contribute to outdoor access.

### Policy 35 – Formal Recreation Facilities

Proposals for the development of additional formal recreation facilities, diversification of, or extensions to existing recreation-related business activities, or for the enhancement of existing facilities in terms of quality and design will be supported where:

- a) They demonstrate best practice in terms of sustainable design and where there are no adverse environmental impacts on the site or neighbouring areas;
- b) The total footprint of the affected area remains the same as currently permitted; and
- c) They will meet an identified community or visitor need.

### Policy 36 – Other Open Space Provision

Proposals to improve or add to current levels of public and amenity open space within the Cairngorms National Park will be supported. Development proposals which include specific details on improving current provision to develop open space networks will be encouraged. All strategic sites identified within the Local Plan proposals maps will be required to make a contribution in space or commuted sum towards the provision of open space within the site or the affected community.

Proposals that would result in a loss of existing provision will be resisted, particularly where the affected site has been identified within the Local Plan proposals maps. The loss of such open space will only be supported where:

- a) It can be demonstrated that no alternative is available; and
- b) Compensatory provision is made elsewhere within the community area of at least equal size and quality, or
- c) A commuted sum is made to future provision of such open space.

#### Background and Justification

This policy supports the National Park Plan's strategic objectives for:

- Landscape, Built and Historic Environment
- Biodiversity
- Sustainable Communities
- Outdoor Access and Recreation

**6.12** The Cairngorms National Park hosts a wide range of formal recreational facilities, from sports pitches and sports centres to ski centres, golf courses and formal mountain bike trails. There are also many other public and amenity open spaces, ranging from public parks, landscaping schemes within large-scale developments, and formal equipped play areas.

**6.13** Scottish Executive policy given through National Planning Policy Guidance 11 – Sport, Physical Recreation and Open space – seeks to protect and enhance the land and water resources required

for the nation's sport and physical recreation. To achieve this, Local Plan policies aim to ensure the needs of local communities for recreational space and facilities are accommodated, and protected where facilities exist. This should include informal and formal recreation provision, as well as adequate provision of open space.

**6.14** The National Park Plan recognises that it is vital to many aspects of the National Park's environment, communities and economy that there are a range of high quality opportunities for people who enjoy the area in ways that conserve the special qualities and maximise the benefits to all sectors.

#### Implementation and Monitoring

**6.15** Through the determination of planning applications, the Local Plan will seek to protect existing and future additions to formal recreational provision and other forms of public and amenity open space.

**6.16** With regard to formal recreation provision, the Cairngorms National Park Authority recognises the economic and recreational benefits that these centres provide to residents and visitors. The Local Plan recognises that many of these facilities are constrained by their sensitive location and supports their development where this is done in harmony with the location, and where the proposal adds to year round activities and is designed to the highest standards.

**6.17** To assess the existing and future provision of both formal and other forms of public and amenity open space within settlements, the Park Authority will work with the relevant local authorities to carry out an open space audit. From this an open space strategy will be developed to guide the future development of such spaces. Developers should refer to this and any other relevant supplementary guidance such as site specific design briefs, in support of any applications.

**6.18** The policy will be monitored using analysis of developments permitted which affect recreation opportunities within the Park, and which have had an impact on existing facilities.

## 7. Settlement Proposals

- 7.1** The settlement proposals in this section have been drawn up from a variety of sources, including existing local authority Local Plan proposals and community consultation. Development proposals for these sites must also comply with the policies of the Local Plan. Only settlements with specific proposals are described in this section of the Local Plan. Proposals for development in other small settlements within the Park will be assessed against the policies of the Local Plan.
- 7.2** The Local Plan identifies proposals for new uses of land. Existing uses of land remain vitally important to the area, and the Local Plan will resist proposals to change uses away from the existing use to another without clear justification and suitable alternatives being provided. For example, it is assumed that existing business sites will continue as business sites, and existing community facilities such as playing fields, parks, community halls or other facilities will be retained as community facilities of equal or greater value to the community.
- 7.3** Four key proposal types have been identified
- Housing
  - Economic Development
  - Community
  - Protected open space
- 7.4** The plans also identify village and town centre areas where relevant and illustrate any designations that may influence the detail of development proposals.

### Housing

- 7.5** Housing sites are proposed where strategic sites have been identified. Development of these sites must comply with the policies of the Local Plan and any specific requirements for the site noted in the proposal text. The identification of these sites within settlements does not preclude the development of other windfall sites, both elsewhere within settlements and in other locations within the Park.
- 7.6** The sites identified form a five-year land supply for the Local Plan, with larger sites in the main settlements and An Camas Mor providing a basis for the medium- and

longer-term land supply. Smaller settlements have only a five-year housing land supply, but additional sites for longer-term supply will be identified through housing land audits and review of the Local Plan.

- 7.7** The proposals have indicative house numbers attached to each site that should be used as a guide to the capacity of the site. However, proposals should not be constrained by these figures and should seek to create attractive urban environments, with a range of house designs working within the site.
- 7.8** Table 4 in section 5 of the Local Plan provides a list of the indicative capacity for housing available within each settlement, with a guide for the numbers of house units required within the lifetime of the Local Plan.

### Economic Development

- 7.9** Economic Development sites are identified where new proposals have come to light, or have been earmarked as key to providing additional economic provision within settlements. The Local Plan recognises the importance of the existing businesses and business sites to the Cairngorms National Park and its communities. The Local Plan will seek to protect the business use of existing businesses which provide key services to communities in the Park.

### Community

- 7.10** Sites for new community use have been identified at strategic sites to help communities contribute to the development of their settlement. A wide range of uses could be included in this category including play areas, community halls, sports facilities, schools, or even affordable housing for the community. Where sites have been identified under this category, proposals will be considered on their merits, with particular reference to how they add to the community in which they are sited. The Local Plan will seek to protect existing facilities or services that are important for the communities of the Park. Proposals for the redevelopment of such sites will only be considered favourably where the proposal includes the replacement of that facility or improved alternative provision.

### Protected Open Space

**7.11** Protected open space is identified where it is important to the amenity, setting and the overall urban fabric of settlements. These areas also provide locally important habitats or landscape features, or are important recreational resources within settlements. They are protected from future development. Settlements also have networks of open spaces, footpaths and recreational spaces that are not identified but that would be material considerations in the determination of planning applications that affected them.

**7.16** The Cairngorms National Park Authority is currently developing a plan of core paths for the Park. The proposed core paths are displayed in part on the Local Plan settlement maps. These are still draft proposals and therefore may be subject to change.

### The Maps and Legend

**7.12** The legend that describes the proposal plans is the same for each plan. It can be viewed at the same time as looking at the plans by unfolding it from the back cover of the Local Plan. The underlying base maps are provided by the Ordnance Survey, and may not always be up to date, particularly in areas where there has been recent building.

**7.13** The preparation of a Local Plan is a statutory duty for the Cairngorms National Park Authority as outlined in the Planning etc. (Scotland) Act 2006. It provides a policy and locational framework for future development in the area. To fulfil this function the document contains mapping data which are the property of Ordnance Survey. Any unlawful use or copying other than for the purposes of viewing and printing is prohibited. The information provided is for reference purposes only. No further copies may be made.

**7.14** Constraints not shown on the proposals maps include listed buildings and scheduled ancient monuments. Accurate data regarding these can be obtained directly from the CNPA, the relevant Local Authority, Historic Scotland and RCAHMS.

**7.15** The representation of features or boundaries in which Cairngorms National Park Authority or others have an interest does not necessarily imply their true positions. For further information please contact the appropriate authority.




## Appendix 2 - Glossary

Name or Word	Description
Ancient Woodland Inventory (AWI)	An Inventory of woodland sites that are thought to have been continuously wooded since 1750 or 1860.
Article 4 Directions	An Article 4 Direction can be sought by a planning authority in circumstances where specific control over development is required, primarily where the character of an area of acknowledged importance would be threatened by development that would normally not require planning permission.
CNPA	Cairngorms National Park Authority
Communities Scotland	Communities Scotland is a Scottish Executive agency that aims to work with others to ensure decent housing and strong communities across Scotland.
EIA	Environmental Impact Assessment
European Charter for Sustainable Tourism in Protected Areas	A charter that was developed by the EUROPARC Federation of protected areas. The Cairngorms National Park was the first UK National Park to achieve the charter.
Gardens and Designed Landscapes	Significant historic gardens and designed landscapes identified by Historic Scotland for their natural heritage and cultural importance. Inclusion in the Inventory confers a measure of statutory planning control in relation to the sites concerned and their setting.
Historic Scotland	Historic Scotland safeguards the nation's built heritage and promotes its understanding and enjoyment on behalf of Scottish Ministers.
Housing Association	A non-profit making organisation committed to meeting specific housing needs.
Listed Buildings	Buildings are 'Listed' because they are considered to be of special architectural or historic interest and as a result require special protection.
National Nature Reserves (NNRs)	NNRs contain examples of some of the most important natural and semi-natural eco-systems in the United Kingdom. They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats' communities and species represented within them. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 and the Wildlife & Countryside Act 1981.
National Parks	The National Parks (Scotland) Act 2000 enables the establishment of National Parks in Scotland.
National Planning Policy Guidance (NPPG)	See Scottish Planning Policy (SPP)
Natura 2000	Natura 2000 is the name of the European Union-wide network of nature conservation sites established under the EC Habitats Directive. This network will comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).
NEST	North East Scotland Together – The Aberdeen & Aberdeenshire Structure Plan 2001-2016

<b>Planning Advice Notes (PANs)</b>	Planning Advice Notes are the Scottish Executive's publications on best practice and other relevant planning information.
<b>Ramsar Convention Site</b>	A designation of globally important wetland areas that are classified to meet the UK's commitments under the Ramsar Convention.
<b>Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS)</b>	The Royal Commission on the Ancient and Historical Monuments of Scotland is responsible for recording, interpreting and collecting information about the built environment.
<b>RSLs</b>	Registered Social Landlords.
<b>Scottish Natural Heritage (SNH)</b>	The public body with a remit to secure the conservation and enhancement of Scotland's unique and precious natural heritage, ie wildlife, habitats and landscapes.
<b>Scottish Planning Policy (SPP)</b>	Scottish Planning Policies (SPPs) provide statements of Scottish Executive policy on nationally important land use and other planning matters, supported where appropriate by a locational framework. SPPs are replacing National Planning Policy Guidance (NPPGs). Some NPPGs are used as SPP until they are replaced by a new SPP.
<b>Scottish Water</b>	Scottish Water is a publicly owned business, answerable to the Scottish Parliament, that provides water and waste water services in Scotland.
<b>Scottish Environment Protection Agency (SEPA)</b>	The public body with a remit for ensuring pollution control is undertaken in such a way that it respects the environment and the public.
<b>Sites of Special Scientific Interest (SSSI)</b>	The SSSI/ASSI series has been developed over the last 50 years as the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. These sites are also used to underpin other national and international nature conservation designations.
<b>Special Areas of Conservation (SAC)</b>	SACs are designated by the UK Government to meet its obligations under the EC Habitats Directive. They are areas that have been identified as best representing the range and variety within the European Union of habitats and (non-bird) species listed in Annexes I and II to the Directive.
<b>Special Protection Areas (SPA)</b>	SPAs are classified by the UK Government to meet its obligations under the EC Birds Directive. These are areas of the most important habitat for rare (listed in Annex I to the Directive) and migratory birds within the European Union. SPAs are classified under the Wildlife and Countryside Act 1981. SPAs, together with SACs, form the Natura 2000 network.
<b>Strategic Environmental Assessment (SEA)</b>	SEA is a process to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision-makers, monitored and that opportunities for public involvement are provided.
<b>Tree Preservation Order (TPO)</b>	A TPO is made by the local planning authority (usually a local council) to protect specific trees or particular woodland from deliberate damage and destruction.
<b>Water Environment and Water Services (Scotland) Act 2003</b>	The Act of the Scottish Parliament that introduces the EC Water Framework Directive into Scottish law.



## Legend

-  Cairngorms National Park
-  Conservation Area
-  Site of Special Scientific Interest
-  Special Protection Area
-  Special Area of Conservation
-  Ramsar Convention Site
-  National Nature Reserve
-  Gardens & Designed Landscapes
-  National Scenic Areas
-  Indicative Settlement Boundary
-  Settlement Boundary

## Settlement Zone Type

-  Community
-  Economic Development
-  Housing
-  Protected Open Space
-  Village Centre

## Proposed Core Path (under consultation)

-  Existing Path
-  Potential New Path

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