

Date:			
Issue:	General Housing including Affordable		
Objector(s):	Badenoch and Strathspey Conservation Group	Objection ref(s):	400g(e)
	Victor Jordan		537c
	Roy Turnbull		390u

Reporter	Mrs. Jill Moody and Mr. Hugh Begg
Procedure	Hearing

1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified in respect of general content on housing and supplements the response made to those objections by the Cairngorms National Park Authority in its report to Committee (CD7.3-7.5). CNPA officers are recommending revisions to Tables 2-4 in the Deposit Local Plan to clarify the housing land requirement calculation and the phased land supply. These have not been endorsed by the CNPA Board. (CD7.28)

2.0 Provision of the Local Plan:

- 2.1 Section 5 paras. 5.22 – 5.76 and Policies 21 – 26 provide the Local Plan context and approach to making provision for the housing needs of communities in the National Park. Specific housing allocations are contained in the settlement proposals in Section 7 of the document. Tables 2, 3 and 4 set out the housing land requirement calculation and the phased land supply.

3.0 Summary of objection(s)

- 3.1 3 objections raising some 33 issues have been lodged and wish to have their objections considered by a hearing:
- Objects to statement in 5.28 DLP that more households have difficulty purchasing a house **(400g(e))**
 - Objects to statement in 5.30 DLP that supply of new housing has been limited in last 5 years **(400g(e))**
 - Object to statement in 5.34 DLP that increasing proportion of population have difficulty accessing open market due to inflation **(400g(e))**
 - Object to entire para. 5.35 DLP as consider it is misleading **(400g(e))**
 - Object to omission in 5.37 DLP of reference to any study of infrastructure capacity **(400g(e))**
 - Object to “improved” in 5.38 DLP as it is subjective **(400g(e))**
 - Object to Tables 2-4 and 5.39 DLP and figure of 950 which has no explanation **(400g(e))**
 - Object to 1640 houses, figure not justified **(400g(e))**
 - Object to appropriateness of upper figure without justification **(400g(e))**
 - Object to lack of data on workers from EU accession countries **(400g(e))**
 - Object as some predictions say present immigration levels are temporary **(400g(e))**
 - Object to 50% allocation of 2nd homes as inconsistent with aims. **(400g(e))**
 - Object to CNPA inferring DLP should meet demand. **(400g(e))**
 - Object that figures do not take account of natural and cultural heritage **(400g(e))**
 - Object to inference in 1st mods that affordable housing is geared towards local people when allocation policy precludes this. **(400g(e))**
 - Objects to para 5.23 in mDLP as argument is misleading **(400g(e))**
 - Objects as large scale housing in mDLP can be divisive to a community **(400g(e))**

- Objects as provision of affordable housing through private sector and as proportion of market housing is contentious **(400g(e))**
- Objects as need for affordable housing will rise as population increases with housing allocations **(400g(e))**
- Objects to 5.25 mDLP should not slavishly follow structure plan forecasts **(400g(e))**
- Objects as meaning of housing market area in 5.32 mDLP has to be defined **(400g(e))**
- Objects 5.33 mDLP the higher figure should not be used, to number required for unforeseen circumstances, to use of words “dynamic” and “likely” and to final sentence **(400g(e))**
- Objects to 5.34 mDLP as no proof CNP has more of a dilemma than elsewhere and to final sentence **(400g(e))**
- Objects to 5.35 mDLP to inference that allocations are to meet needs of communities and to lack of reference that land for housing is a finite resource **(400g(e))**
- Objects to 5.38 mDLP to higher figure, allowance for vacant properties and provision not controlled by planning system and 15% for uncertainty as it does not meet aims of Park **(400g(e))**
- Objects still to Tables 2-4 and derivation of information in them, omissions of information on land area required, no breakdown of habitats in the areas of land, no information on existing population and houses **(400g(e))**
- Objects to assumption in 5.39 mDLP **(400g(e))**
- Objects to 5.41 mDLP does not necessarily support sustainable communities **(400g(e))**
- In response to 2nd mDLP objects as footer to Table 3 does not give wording of additional reference. **(537c)**
- Objects to large numbers of houses allocated in Tables 2 – 4 which have been calculated without reference to natural and cultural heritage. Likewise with various housing research documents. This is all contrary to the National Park Plan and NP Act all of which require collective achievement of the 4 aims. This is not possible if 1st aim is ignored when allocating development. **(390u)**
- No evidence in DLP that amount of development suggested has been subsequently adjusted by consideration of the 1st aim, indeed the SEA states that relatively few changes have been made due to the SEA alone. This could only be justified where no conflict between development and 1st aim on other. List examples of existing conflict with natural/cultural heritage. **(390u)**
- CNPA is charged with sustainable development yet allocations in the DLP indicate a sharp increase in building over historic rates, failing to comply with the NP Act, rampant growth and failure of first CNP Local Plan to address true needs of communities which is relatively small numbers of houses for local people whilst abiding by statutory function of conserving and enhancing natural and cultural heritage. **(390u)**
- Badenoch and Strathspey has historically had higher levels of house building than envisaged in Highland Council development plan, the allowance for second homes is unacceptable, the allocation proposals follow a policy of predict and provide without due regard to natural and cultural heritage contrary to NP Act. Significant damage is inevitable if proposals are realised. Previous policies in Consultative Draft Local Plan for residency criteria would limit damage and deal with local aspirations for housing. CNPA will be in breach of its statutory duty if allocations in DLP are followed **(390u)**

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The CNPA has clearly set out the context for its approach to housing provision in the Deposit Local Plan and has offered further clarification via the modifications. The objections (400g (e)) and 390u are essentially focused on the 1st aim of the Park and the scale of development in the Plan is considered appropriate and necessary to contribute to achievement of the 4th aim within

the overall purpose of the CNPA to collectively achieve all of the aims in a co-ordinated way. Topic Paper 1 “Statutory National Park Context” (CD7.21), Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23), and Topic Paper 4 “Site Selection” (CD7.24) expand on this and set out the approach to the allocation of land, including issues surrounding the collection of data. There has been a large amount of work carried out on the level of housing required for communities in the National Park and the CNPA has used this to provide a robust approach that takes account of the wider National Park context. The Local Plan (page 5) makes it clear that proposals must comply with all relevant policies and thus monitoring of developments for impact on natural and cultural heritage would be picked up throughout the plan and particularly under Policy 1. References to specific sites will be addressed in the CNPA response to relevant policies and allocations. Objection 537c is a point of detail that it is proposed to address by removal of the note in the box below Table 3.

5.0 CNPA Commendation to Reporter

5.1 It is commended to the Reporter that the objections to the general approach to housing as listed above are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider the approach deficient. The note in the box below Table 3 will be deleted. Although it does not have a bearing on these particular general objections, CNPA officers are recommending revisions to Tables 2-4 in the Deposit Local Plan to clarify the housing land requirement calculation and the phased land supply. These have not been endorsed by the CNPA Board. (CD7.28)

6.0 Strategic issues

6.1 Sections 2 and 5 of the Local Plan along with Topic Paper 1 “Statutory National Park Context” (CD7.21) and Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) between them clearly set out the strategic context in terms of National Parks legislation, National Park Plan, Structure Plans, and Scottish Planning Policy. The objections raise no issues regarding conformity between the Local Plan and this context.

7.0 Assessment / Scope of Evidence

7.1 **400g(e) Objection:** objects to statement in 5.28 DLP that more households have difficulty purchasing a house, to statement in 5.30 DLP that supply of new housing has been limited in last 5 years, to statement in 5.34 DLP that increasing proportion of population have difficulty accessing open market due to inflation, to entire para. 5.35 DLP as consider it is misleading, to omission in 5.37 DLP of reference to any study of infrastructure capacity, to “improved” in 5.38 DLP as it is subjective, to Tables 2-4 and 5.39 DLP and figure of 950 which has no explanation, to 1640 houses, figure not justified, to lack of data on workers from EU accession countries, some predictions say present immigration levels are temporary, to 50% allocation of 2nd homes as inconsistent with aims, to CNPA inferring DLP should meet demand, that figures do not take account of natural and cultural heritage.

7.2 **Response:** The rationale for the CNPA approach to housing land supply is clearly set out in the Deposit Local Plan. The CNPA offered further clarity via the changes made in the 1st modifications. Topic Paper 1 “Statutory National Park Context” (CD7.21) and Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) further explain the approach with reference, inter alia, to the CNPA purpose under the National Parks (Scotland) Act 2000 and to Scottish Planning Policy. Migration assumptions are not focused on EU accession countries, but on the overall levels of migration in and out of the area. Natural and

cultural heritage considerations were properly taken into account in identifying individual site specific allocations and thus were not reflected in calculations on the overall numbers required. Following considerable research on population/household projections, housing systems analysis and viable mechanisms for affordable housing delivery, the CNPA has identified the level and mix of housing required and is satisfied that it has been able to specify where provision can be made in line with the 4 aims. All developments coming forward to provide housing in the Park will have to comply with all relevant policies, including Policy I that relates to the 4 aims and underpins the Local Plan. Evidence in respect to individual housing policies is also relevant in responding to this objection.

- 7.3 **400g(e)** Objection: objects to inference in 1st mods that affordable housing is geared towards local people when allocation policy precludes this, to para 5.23 in mDLP as argument is misleading, large scale housing in mDLP can be divisive to a community, provision of affordable housing through private sector and as proportion of market housing is contentious, need for affordable housing will rise as population increases with housing allocations, to 5.25 mDLP should not slavishly follow structure plan forecasts, as meaning of housing market area in 5.32 mDLP has to be defined, 5.33 mDLP the higher figure should not be used, to number required for unforeseen circumstances, to use of words “dynamic” and “likely” and to final sentence, 5.34 mDLP as no proof CNP has more of a dilemma than elsewhere and to final sentence, to 5.35 mDLP to inference that allocations are to meet needs of communities and to lack of reference that land for housing is a finite resource, to 5.38 mDLP to higher figure, allowance for vacant properties and provision not controlled by planning system and 15% for uncertainty as it does not meet aims of Park, still to Tables 2-4 and derivation of information in them, omissions of information on land area required, no breakdown of habitats in the areas of land, no information on existing population and houses, to assumption in 5.39 mDLP, to 5.41 mDLP does not necessarily support sustainable communities.
- 7.4 **Response:** The CNPA response to 400g(e) objections to the Deposit Local Plan applies. In addition, the CNPA is continuing to work with RSLs and the 4 local authorities to find more sophisticated ways of allocating houses to meet the needs of local communities. Allocation policy is however not covered by planning legislation and the Local Plan can only acknowledge it as an issue that requires ongoing work with partners. The CNPA does not slavishly follow structure plan forecasts, but takes account of them along with the additional information obtained via the various studies. The Local Plan has to conform to structure plans, but the main strategic context is taken from the National Park Plan. Housing Market Areas have been defined in the glossary under 2nd modifications. The Heriot Watt/3 Dragons study identified that the affordability of housing in the Cairngorms was worse than any local authority area.
- 7.5 **537c** Objection: objects in response to 2nd mDLP as footer to Table 3 does not give wording of addition.
- 7.6 **Response:** This box is being deleted.
- 7.7 **390u** Objection: objects to large numbers of houses allocated in Tables 2 – 4 which have been calculated without reference to natural and cultural heritage. Likewise with various housing research documents. This is all contrary to the National Park Plan and NP Act all of which require collective achievement of the 4 aims. This is not possible if 1st aim is ignored when allocating development. No evidence in DLP that amount of development suggested has been subsequently adjusted by consideration of the 1st aim, indeed the SEA states that relatively few changes have been made due to the SEA alone. This could only be justified where no conflict between development and 1st aim on other. Lists examples of existing conflict with

natural/cultural heritage in Carrbridge, Nethybridge and Aviemore. CNPA is charged with sustainable development yet allocations in the DLP indicate a sharp increase in building over historic rates, failing to comply with the NP Act, rampant growth and failure of first CNP Local Plan to address true needs of communities which is relatively small numbers of houses for local people whilst abiding by statutory function of conserving and enhancing natural and cultural heritage. Badenoch and Strathspey has historically had higher levels of house building than envisaged in Highland Council development plan, the allowance for second homes is unacceptable, the allocation proposals follow a policy of predict and provide without due regard to natural and cultural heritage contrary to NP Act. Significant damage is inevitable if proposals are realised. Previous policies in Consultative Draft Local Plan for residency criteria would limit damage and deal with local aspirations for housing. CNPA will be in breach of its statutory duty if allocations in DLP are followed

7.8 Response: The rationale for the CNPA approach to housing land supply is clearly set out in the Deposit Local Plan. The CNPA offered further clarity via the changes made in the 1st modifications. Topic Paper 1 “Statutory National Park Context” (CD7.21) and Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) further explain the approach with reference, inter alia, to the CNPA purpose under the National Parks (Scotland) Act 2000 and to Scottish Planning Policy. Topic Paper 3 sets out why the residency criteria approach set out in the Consultative Draft Local Plan was not pursued. The examples of proposals for houses in Carrbridge, Nethybridge and Aviemore all have outline planning permission. The Local Plan has been subject to SEA which assesses the overall environmental impact of policies and allocations. The process leading to identification of allocation involved consideration of impacts on natural and cultural heritage. Individual planning applications will have to comply with all relevant policies, including Policy 1 which underpins the Local Plan and seeks to ensure the collective achievement of the 4 aims.

8.0 Conclusions

8.1 It is commended to the Reporter that the objections to the general approach to housing as listed above are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider the approach deficient. The note in the box below Table 3 will be deleted. Although it does not have a bearing on these particular general objections, CNPA officers are recommending revisions to Tables 2-4 in the Deposit Local Plan to clarify the housing land requirement calculation and the phased land supply. These have not been endorsed by the CNPA Board. (CD7.28)

9.0 List of documents (including Core Documents)

- CD1.3 The National Parks (Scotland) Act 2000
- CD1.18 Cairngorms National Park Designation Order 2003
- CD7.21 Topic Paper 1 “Statutory National Park Context”
- CD7.23 Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing”
- CD7.24 Topic Paper 4 “Site Selection”
- CD6.9 Consultative Draft Cairngorms National Park Local Plan 2005
- CD6.13 Cairngorms National Park Deposit Local Plan as at 2nd modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD2.4 SPP3 Housing (2003) & SPP3 Housing (2008)
- CD2.11 SPP15 Planning for Rural Development (2005)
- CD4.2 PAN38 Housing Land

- CD2.1 Scottish Planning Policy
- CD6.2 The Highland Structure Plan 2001
- CD6.1 North East Scotland Together 2001
- CD6.3 The Moray Structure Plan 2007
- CD6.4 Dundee and Angus Structure Plan 2002
- CD7.10 CNP Population and Household Projections – University of Manchester 2005
- CD8.14 Impact of Second and Holiday Homes in Rural Scotland – University of York 2005
- CD7.8 Cairngorms Housing System Analysis – Heriot Watt University 2006
- CD7.9 Planning for Affordable Housing in the Cairngorms National Park – Heriot Watt and 3 Dragons Consultancy 2008
- CD8.12 Population and Household Projections for Scotland’s National Parks – GROS 2008
- CD7.3-7.5 CNPA Committee Reports
- CD7.28 CNPA Officer Proposed Post Inquiry Modifications

10.0 Cairngorms National Park Authority Witnesses for Hearing

- Don McKee – Head of Planning
- Gavin Miles – Strategic Planning and Policy Officer