

Date:			
Issue:	General - Introduction		
Objector(s):	Muir Homes	Objection ref(s):	038b

Reporter	Mrs Jill Moody & 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 the general content introduction and supplements the response made to those objections by the Cairngorms National Park Authority in its report to Committee (CD7.3-7.5). No changes are proposed.

2.0 Provision of the Local Plan:

- 2.1 Section I Introduction to the Local Plan sets out the context in terms of the National Parks (Scotland) Act 2000, the purpose of the Local Plan, its relationship with the national Park Plan, the way in which it has been prepared, its structure and how it will be implemented. The 1st modifications have sought to offer clarification by explaining the involvement of partners, the role of the plan in contributing to achievement of the 4 aims (with reference to Policy I), and how to use the plan by looking at all policies that are relevant.

3.0 Summary of objection(s)

- 3.1 One objection on I issue wishes to have the objection considered at a hearing:
- In response to 1st mDLP. Quotes para 1.6 in 1st mDLP and states that it appears fine on surface, but considers that there is an inherent contradiction between the statement and Policies 1, 4, 6, 7, 14 in particular and other parts of the plan as there is no certainty about land use development in the Park and the status of allocated sites is questioned. Para 1.20 on use of conditions and legal agreements etc. is too vague and implications of compliance unclear. Implication that all development must further conservation of biodiversity, but development on greenfield sites will to some extent impact adversely on biodiversity. Refers to 4th aim of Park and says that the plan should recognise impacts and plan for them. Refers to section on How to Use the Local Plan. The local plan has to provide certainty to allow investment decision to be made in confidence to ensure that beneficial development can be delivered. Need to recognise balance between development and environment and to ensure balance is such as not to fail the Park's communities. As written there appears little acceptance of the status of allocated sites over and above any other area. Approach adopted fails to accept this. **(038b)**

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The Introduction to the Local Plan correctly makes the point that the plan must be read as a whole and anyone coming forward with a specific proposal must consider it against a range of relevant policies. The CNPA does not accept any separation between development and environment that would result in allocated sites having no contribution to biodiversity etc. In writing the plan it has been the clear and consistent intention that sites for development, whilst having varying degrees of impact, will also be required to make a positive contribution and this would be taken in to account when assessing any applications for planning permission. The policies in the plan seek to do this. Paras 1.6 and 1.20 are considered to be both clear and justified.

5.0 CNPA Commendation to Reporter

5.1 It is commended to the Reporter that the objection to the general introduction to the Local Plan as listed above is rejected.

6.0 Other material considerations

6.1 Topic Paper 1 “Statutory National Park Context” (CD7.21), Topic Paper 2 “The Special Qualities of the Cairngorms National Park” (CD7.22), and Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explain overall context.

7.0 Assessment / Scope of Evidence

7.1 **(038b)** Objection: Objects in response to 1st mDLP. Quotes para 1.6 in 1st mDLP and states that it appears fine on surface, but considers that there is an inherent contradiction between the statement and Policies 1, 4, 6, 7, 14 in particular and other parts of the plan as there is no certainty about land use development in the Park and the status of allocated sites is questioned. Para 1.20 on use of conditions and legal agreements etc. is too vague and implications of compliance unclear. Implication that all development must further conservation of biodiversity, but development on greenfield sites will to some extent impact adversely on biodiversity. Refers to 4th aim of Park and says that the plan should recognise impacts and plan for them. Refers to section on How to Use the Local Plan. The local plan has to provide certainty to allow investment decision to be made in confidence to ensure that beneficial development can be delivered. Need to recognise balance between development and environment and to ensure balance is such as not to fail the Park’s communities. As written there appears little acceptance of the status of allocated sites over and above any other area. Approach adopted fails to accept this.

7.2 **Response:** The Introduction to the Local Plan correctly makes the point that the plan must be read as a whole and anyone coming forward with a specific proposal must consider it against a range of relevant policies. The CNPA does not accept any separation between development and environment that would result in allocated sites having no contribution to biodiversity etc. In writing the plan it has been the clear and consistent intention that sites for development, whilst having varying degrees of impact, will also be required to make a positive contribution and this would be taken in to account when assessing any applications for planning permission. The policies in the plan seek to do this. Paras 1.6 and 1.20 are considered to be both clear and justified and consequently no further modifications are considered necessary. Topic Paper 1 “Statutory National Park Context” (CD7.21), Topic Paper 2 “The Special Qualities of the Cairngorms National Park” (CD7.22), and Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing” (CD7.23) explain overall context.

8.0 Conclusions

8.1 It is commended to the Reporter that the objection to the general introduction to the Local Plan as listed above are rejected.

9.0 List of documents (including Core Documents)

- CDI.3 The National Parks (Scotland) Act 2000
- CDI.18 Cairngorms National Park Designation Order 2003

- CD7.21 Topic Paper 1 “Statutory National Park Context”
- CD7.22 Topic Paper 2 “The Special Qualities of the Cairngorms National Park”
- CD7.23 Topic Paper 3 “Approach to Housing Land Supply and Affordable Housing”
- 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
- CD7.3-7.5 CNPA Committee Reports

10.0 Cairngorms National Park Authority Witnesses for Hearing

- Don McKee – Head of Planning