

<b>Date:</b>		
<b>Issue:</b>	<b>Policy 03 National Natural Heritage Designations</b>	
<b>Objection ref:</b>	<b>Objector</b>	
	394d	The Proprietors of Mar Centre
	400f(c)	Dr. A. M. Jones, Badenoch & Strathspey Conservation Group
	447b	Scottish & Southern Energy Plc

<b>Reporter</b>	Mr Hugh Begg
<b>Procedure</b>	Informal Hearing

## 1 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan (CD6.11) as modified in respect of Policy 03 : National Natural Heritage Designations, and supplements the response made to those objections by the Cairngorms National Park Authority in its reports to Committee (CD7.3, 7.4 and 7.5).

## 2 Provision of the Local Plan

- 2.1 Policy 03 is intended to recognise the importance of national natural heritage designations. This policy was modified as part of the 1<sup>st</sup> Modifications May 2008 (CD6.12) and the 2<sup>nd</sup> Modifications October 2008 (CD6.13).

## 3 Summary of objection(s)

- 3.1 There are 3 objections to Policy 03 who wish to be considered at informal hearing:
- **394d** objects that the policy will only permit large scale development;
  - **400f(c)** objects to the wording of the policy and to a lack of reference to provisions and duties of the Nature Conservation (Scotland) Act 2004 (CD1.12) and duties on public bodies under it as well as the absence of lists of various species and habitats within the National Park;
  - **447b** objects to the policy because it does not define the qualities that the designations were identified for.

## 4 Summary of Cairngorms National Park Authority Response

- 4.1 Policy 03 has been prepared to reflect national planning policy guidance set out in NPPG14 (CD3.2, para 24, 25) and the aims of the National Park set out in the National Parks (Scotland) Act 2000 (CD1.3, section 1 and section 9(6)). The CNPA considers that the policy does so and that none of the objections raise issues that require changes to be made to the policy or supporting text. No changes to the policy are considered necessary.

## 5 CNPA Commendation to Reporter

- 5.1 It is commended that the Reporter rejects all objections.

---

## 6 Assessment / Scope of Evidence

- 6.1 **394d** objects that that the policy will not permit development around existing settlements, or will only permit large scale (nationally important) development.
- 6.2 **CNPA Response:** The CNPA considers that the policy does not prevent development around existing settlements or inside national natural heritage designations. Development that demonstrates it does not compromise the interests and overall integrity of the designated are is permitted by the policy, whether small or large scale. The policy reflects national planning policy guidance in NPPG14 (CD3.2, para 25)) and the National Parks (Scotland) Act 2000 (CD1.3). No changes to the policy are considered necessary.
- 6.3 **400f(c)** objects to the wording of the policy and to a lack of reference to provisions and duties of the Nature Conservation (Scotland) Act 2004 (CD1.12) and duties on public bodies under it as well as the absence of lists of various species and habitats within the National Park.
- 6.4 **CNPA Response:** The CNPA considers the policy to reflect national planning policy guidance of NPPG14 (CD3.2, para 25) and provide clarity with respect to national natural heritage designations. Reference to the Nature Conservation (Scotland) Act 2004 (CD1.12) is made in the supporting text to Policy 03 in relation to SSSIs. Policy 06 of the plan provides protection for species and habitats, and refers to a number of lists mentioned by the objector. No changes to Policy 03 are considered necessary.
- 6.5 **447b** objects to the policy because it does not define the qualities that the designations were identified for.
- 6.6 **CNPA Response:** The CNPA considers policy provides sufficient detail. It reflects the national planning policy guidance set out in NPPG14 (CD3.2, para 24, 25) and the aims of the National Park set out in the National Parks (Scotland) Act 2000 (CD1.3, section 1 and section 9(6)). It is intended to protect national natural heritage designations from development that would harm their interests or the qualities they were designated for. NNRs and SSSIs have schedules of the interests for which they are designated as well as statements on their conservation objectives. NSAs represent areas of national importance for scenic quality and National Parks are areas that must include outstanding natural heritage features. Topic Paper 2, The Special Qualities of the Cairngorms National Park (CD7.22) provides further information on the special qualities of the Cairngorms National Park. No changes to the policy are considered necessary.

## 7 Strategic Issues

- 7.1 Policy 03 supports the National Park Plan's strategic objectives for landscape, built & historic environment, biodiversity, and geodiversity (CD7.1, pages 38-39, 42-44, 46-47).

## 8 Other material considerations

- 8.1 None.

## 9 List of documents (including Core Documents)

- CD1.3 The National Parks (Scotland) Act 2000
- CD1.12 Nature Conservation (Scotland) Act 2004
- CD3.2 NPPG14 Natural Heritage
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1<sup>st</sup> Modifications
- CD6.13 Deposit Local Plan 2nd Modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD7.4 CNPA Committee Report 1<sup>st</sup> Modifications October 2008
- CD7.5 CNPA Committee Report 2<sup>nd</sup> Modifications February 2009
- CD7.22 Topic Paper 2 The Special Qualities of the Cairngorms National Park

## **10 Cairngorms National Park Authority Witnesses for Informal Hearing**

- Gavin Miles, Strategic Planning & Policy Officer, CNPA