

<b>Date:</b>			
<b>Issue:</b>	<b>Policy 36 Other Open Space Provision</b>		
<b>Objector(s):</b>	Badenoch and Strathspey Conservation Group	<b>Objection ref(s):</b>	400h(c)

<b>Reporter</b>	
<b>Procedure</b>	Informal Hearing

## 1.0 Overview

- 1.1 This statement sets out the CNPA's position in relation to objections raised to the Deposit Local Plan (CD6.11), as modified, in respect of Policy 36 Other Open Space Provision and supplements the response made to those objections by the CNPA in its report to Committee (CD7.3, 4 and 5). It recommends no further modification is made to the Plan in respect of this policy.

## 2.0 Provision of the Local Plan

- 2.1 Policy 36 supports development which improves or adds to current levels of public and amenity open space, and which includes specific details on improving and maintaining current provision of open space networks. The development of all housing/employment/community sites identified within the proposals maps will be required to make a contribution in space (physical contribution) or by a commuted sum towards the provision and maintenance of open space within the site or the affected community.

There is a presumption against development that would result in a loss of existing provision, particularly where the affected site has been identified within the Local Plan proposals maps or Open Space Strategy. The loss of such open space will only be supported where:

a) an open space audit demonstrates the development will not result in a deficit of open space provision to serve the affected community, and that no alternative site is available; or

b) compensatory provision is made elsewhere within the community area of at least equal size and quality, or

c) a commuted sum is made towards future provision of an appropriate alternative.

- 2.2 The policy reflects the importance placed on open space provision and recreational opportunities within the Park, ranging from formal outdoor facilities to play parks and informal open spaces. In doing so, it recognises the requirements of SPP11: Open Space and Physical Activity, (CD2.10) which seeks to protect and enhance the open spaces and other opportunities for sport and recreation, which are a vital part of communities. The policy places emphasis on the production of an Open Space Audit and an Open Space Strategy; a vision for new and improved open space which is appropriate to local circumstances, safeguards existing valued open space and guides the allocation of resources for investment.

- 2.3 The Policy has been modified in the 1st modifications of the Deposit Local Plan (CD6.12) with additional and altered wording, substituting the term 'strategic sites identified within the Local Plan' to read 'development of all housing/employment/community sites identified within the

proposals maps'. Other changes include references to an Open Space Strategy and requirement for an Audit amongst others.

### **3.0 Summary of Objection(s)**

3.1 The objection to Policy 36 covers the following issues:

- It is not clear what is meant by Open Space. **400h(c)**

### **4.0 Summary of Cairngorms National Park Authority Response**

4.1 The policy was modified as part of the 1st Modifications to incorporate greater clarity regarding local plan allocations, to ensure it is clear, reasonable and will deliver the aims as intended; protecting and improving open space and recreational opportunities. Open space has been added to the glossary. Reference has also been added to clarify the future production of an open space strategy. Reference to maintenance provision has also been added to the policy. The policy has been worded to provide and support a broad range of facilities, it should be read in conjunction with the other policies in the plan, in particular reference should be made to the Open Space Strategy (upon adoption). It is considered that the policy provides clear, appropriate levels of guidance and detail and is deliverable.

### **5.0 CNPA Recommendation**

5.1 The CNPA recommend that the Reporter reject this objection. The policy looks to assess development proposals against the impact they may have on open space and recreational opportunities, in doing so, seeks to protect and promote existing facilities and support new opportunities, as appropriate. It reflects the requirement of SPPII in ensuring a strategic approach is taken to providing open space and other opportunities for sport and recreation. Changes have been made to account for objector's concerns. No further modifications are considered necessary as a result.

---

### **6.0 Assessment / Scope of Evidence**

6.1 **400h (c) Policy 36** – It will be helpful to make it clear what is meant by Open Space (e.g. does it always involve some formalised facility?). This would improve the accessibility of the document to the public. We would recommend that in the first sentence, line 2, after 'amenity open space' you insert an explanation of what open space means in this context (land with xyz) so that we can all readily understand what you are referring to.

6.2 **Response:** The wording and the content of the policy has been revisited to provide clarification of the terms used, in order to keep the wording of the policy as focussed and concise as possible a definition of Open Space has been added to the glossary. No further modifications are therefore proposed.

### **7.0 Strategic issues**

7.1 The National Park Plan 2007 provides a number of strategic objectives based around the enjoyment and understanding of the special qualities of the area; including the promotion of responsible outdoor access and recreation. This aims to encourage high standards of responsible enjoyment of the Park, sustainable management of outdoor access and develop a co-ordinated approach to high-quality outdoor access and recreation.

## **9.0 List of documents (in addition to Core Documents)**

- CD7.3 CNPA Committee Report Deposit Local Plan May 2007
- CD7.4 CNPA Committee Report 1st Modifications October 2008
- CD7.5 CNPA Committee Report 2nd Modifications February 2009
- CD7.1 National Park Plan 2007
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1<sup>st</sup> Modifications
- CD2.10 SPP11 Open Space and Physical Activity
- CD1.15 The Land Reform (Scotland) Act 2003;
- CD7.12 Cairngorms National Park Core Paths Plan

## **10.0 Cairngorms National Park Authority Witnesses for Formal Hearing**

- Robert Grant – Planning Officer