

Date:			
Issue:	Aviemore AV/ ENV – Environment Allocation		
Objector(s):	Badenoch and Strathspey Conservation Group	Objection ref(s):	400i(f)
Reporter	Mrs Jill Moody		
Procedure	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, as modified, in respect of the Environment Allocation AV/ENV: Aviemore open spaces 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 proposal.

2.0 Provision of the Local Plan:

- 2.1 The Local Plan (CD6.11) identifies land as 'Environment' where it is important to the amenity, setting and the overall 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, paths and recreational spaces that are not identified but that would be material considerations. The Local Plan recognises the importance of these sites to the Cairngorms National Park and its communities. The plan text specifies:

AV/Env: A number of open spaces and land which contributes to the setting of Aviemore are identified and will be protected from adverse development.

- 2.2 The text have been modified in the 1st modifications of the Deposit Local Plan (CD6.11) with additional and altered wording, the former designation OSI referring to open spaces has been substituted for ENV, reflecting flexibility in the areas which can be protected.

3.0 Summary of objections

- 3.1 The objection covers the following issues:

- The burn side area between garden boundaries and settlement boundary in north east should be included as open space. Also the areas to the west and east of the sewage works should be included as Open Space. **400i(f)**

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The Local Plan identifies several areas in Aviemore as 'Environment,' these include areas of open space and other land which positively contribute to its landscape setting, character and amenity and provide valuable green spaces for recreation, leisure and access, but also important wildlife habitats. This designation protects and safeguards these key areas. The Environment designation is explained in paragraph 7.12 where the wording implicitly states 'they are protected from future development.'

4.2 The areas identified by the objector are suitably protected by a number of landscape and other designations, as required, while smaller networks of open spaces, paths and recreational spaces that are not identified are also material considerations. The Local Plan therefore provides appropriate protection and safeguarding to these areas.

5.0 CNPA Recommendation

5.1 The CNPA recommend to the Reporter that the objection is rejected; the objections raised have been considered and no change is required. These areas, as identified by the objector, do not require allocation under 'Environment'; it is considered they are adequately protected by other landscape designations and Local Plan policies.

6.0 Assessment / Scope of Evidence

6.1 **400i (f).** Object that the burn side area between garden boundaries and settlement boundary in north east is not designated as open space. Object that the areas to the west and east of the sewage works are not included as Open Space. The area to the west of the sewage works is good habitat with abundant juniper, provides a valuable landscape feature and makes an important contribution to the quality of recreation experience. The area to the east is important linking habitat with the riverside woodland.

6.2 Areas classed as Environment should be protected from any built housing, industrial or employment development and this should be unequivocally stated in the mDLP. 'Adverse' alone is too open-ended. It should be clear to developers that Environment areas are not available for built development.

6.3 **Response:** The Local Plan identifies areas of important open spaces and other lands which positively contribute to the landscape setting, character and amenity of Aviemore and provide valuable green spaces for recreation, leisure and access, but also important wildlife habitats. The CNPA in identifying these areas endeavours to provide a full and comprehensive analysis of all of these areas which are likely to fulfil these roles. The Local Plan aims to ensure an appropriate balance is struck between protecting these important areas and not placing significant constraints on many spaces which do not appropriately fulfil these recognised functions. The Environment designation is explained in paragraph 7.12 where the wording implicitly states 'they are protected from future development.'

6.4 The comments regarding the burn side area are noted and a further site visit has been undertaken to assess and reaffirm the role the land in question plays as open space, landscape setting and habitat. The land in question features a narrow area of sloping woodland constrained between the watercourse and housing development, whilst it provides a network of path networks, it is considered that the area does not constitute an area of significant open space (but forms part of a larger area of woodland) or makes a significant contribution to the settlement in terms of setting in itself, it is considered that the area does not require a designation to protect it. It should be highlighted that smaller networks of open spaces, paths and recreational spaces that are not identified as strategic sites on the proposals maps are also material considerations in the determination of a planning application.

6.5 The land surrounding the sewage works is suitably protected from a number of landscape and other designations including National Scenic Area (NSA), Special Protection Areas (SPA), is outwith the settlement boundary. It is considered that these areas would not therefore be

appropriate for development and are suitably safeguarded. The identification of this land as Environment is not considered necessary.

- 6.6 The Local Plan identifies land where it is important to the character and amenity, landscape setting and overall fabric of Aviemore. These areas, as highlighted in the proposals maps, are protected and safeguarded from future development. Other landscape designations are used where appropriate, alongside 'Environment.' These areas, as identified by the objector, do not require further designation. No modifications are therefore proposed.

7.0 Strategic issues

- 7.1 The National Park Plan 2007 (CD7.1) provides a number of strategic objectives, including Conserving and Enhancing the Park(5.1), Living and Working in the Park (5.2) and the enjoyment and understanding of the special qualities of the area (5.3); including the promotion of biodiversity, 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.

8.0 Other material considerations

- 8.1 None

9.0 List of documents (including Core Documents)

- CD7.1 Cairngorms National Park Plan 2007
- CD6.11 Cairngorms National Park Deposit Local Plan
- CD6.12 Deposit Local Plan 2nd Modifications
- 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

10.0 Cairngorms National Park Authority Witnesses for Formal Hearing

- Robert Grant – Planning Officer