

Date :			
Issue:	GS/HI – allocated housing site, Grantown on Spey		
Objector(s):	Scottish Council for National Parks.	Objection ref(s):	434q
	Badenoch and Strathspey Conservation Group		400i(h)
	Gregor MacKenzie		444
	James Mitchell		051
	Roy Turnbull		390p

Reporter :	Mrs. Jill Moody
Procedure :	Hearing

1.0 Overview

1.1 This statement sets out the CNPA response to the objection raised to the Deposit Local Plan as modified in respect of proposal site allocation GS/HI in Grantown on Spey, and supplements the response made to those objections by the Cairngorms National Park Authority in its report to Committee (CD7.3, 7.4 and 7.5). The representations received are objections to the allocation of proposal site GS/HI for housing purposes, on the basis of concerns about an allocation of this nature being contrary to the aims of the national park, concerns regarding hydrological impacts on the wetland, extent of the flood plain, impact on the neighbouring properties such as the caravan park, care home and hospital.

2.0 Provision of Local Plan

2.1 The Cairngorms National Park Deposit Local Plan (1st and 2nd Modifications) (CD6.11, 6.12 and 6.13) identifies proposal site GS/HI for housing development. The text associated with the proposed allocation in the Deposit Local Plan (CD6.11) initially stated that the site had a capacity for around 200 units. This was amended in the 1st Modifications (CD6.12) to reflect the current situation, stating that “a detailed planning application is with the National Park Authority for the development of this 9.6Ha. site.”

2.2 Proposal site GS/HI surrounds proposal site GS/Env on three sides. The Deposit Local Plan identifies GS/Env as one of a number of open spaces and land which contributes to the setting of Grantown on Spey, and will be protected from adverse development.

2.3 Related policies are:

- Tables 2-4 Housing Land Requirement and Supply
- Policy 22 Housing Development within Settlement Boundary (Incl. Background and Justification)
- Policy 1 Development in the Cairngorms National Park
- Policy 6 Biodiversity
- Policy 7 Landscape

3.0 Summary of Objections

3.1 Five objection has been received raising the following issues –

- Objecting to the allocation of proposal site GS/HI on the basis that it would be contrary to all four aims of the National Park as the site has a varied range of species and invertebrates,

contributes positively to the landscape setting of Grantown on Spey and is important to public amenity **(400i(h))**;

- Objecting on the basis that the proposed allocation of GS/H would be contrary to the first aim of the National Park **(390p)**;
- Objecting to the allocation of proposal site GS/HI on the basis that it would result in the loss of informal amenity land and would have a negative effect on breeding waders. Concerns are also raised that it may give rise to further disturbance to Anagach Community Woodland due to displaced dog walkers **(434q)**;
- Objection to the inclusion for development of a stretch of land previously allocated as open space, as it is part of the wetland and would be inappropriate as building land, with any attempts to drain it affecting the Mossie and its special habitat **(444)**;
- Objects to the allocation of GS/HI on the basis that the precise extent of the flood plain has not been established and that the area should not be classified as suitable for development **(444)**;
- Objects to the Local Plan on the basis that the area of ground between Grant House and Ian Charles Hospital should be allocated for expansion of those facilities **(444)**;
- Objects to the allocation of proposal site GS/HI on the basis that the scale of the proposal is excessive and that to urbanise the surroundings of the hospital would reduce the quality of life for patients **(400i(h))**;
- Objecting to housing in part of the site GS/HI, between Grantown on Spey Caravan Park and Seafield Court, on the basis that development would have a significant adverse impact on the economic prosperity of Grantown campsite **(051)**.

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The site contributes to the housing land supply set out in proposed modifications to Tables 3 and 4 (CD7.28) of the Local Plan, and has been assessed through the site selection criteria set out in Topic Paper 4 (CD7.24). As part of the overall strategy and as an identified strategic settlement, Grantown on Spey is considered to have the capacity to accommodate the provision of land for housing growth to meet the social and economic needs of the local area. Additional information has become available in the course of the Local Plan process regarding natural heritage interests on the site which shows the increased significance of the site to the natural heritage of the National Park and the CNPA recognise the importance of the site in this respect. This is considered to mean that the full allocation area may not be suitable for development and additional surveys are likely to be required when considering any development proposal in order to clarify the extent of area appropriate for development. The site has also been allocated for residential development in the adopted Badenoch and Strathspey Local Plan since 1997 (CD6.6).

5.0 CNPA Commendation to Reporter

- 5.1 The Cairngorms National Park Authority commend to the Reporter that the above detailed objections be rejected and that acceptance of the allocation of proposal site GS/HI for residential development be confirmed, based on the recognition that further survey work will be required to clarify the extent of the area which may be suitable for development in light of the additional information which has come to light.

6.0 Assessment / Scope of Evidence

- 6.1 **400i(h)** objects on the basis that the allocation of proposal site GS/HI conflicts with / does not support the four aims of the National Park. **400i(h)** refers to the site being an important feeding and breeding area for waders and also supports a rich assemblage of plants, as well as an

important assemblage of waxcap fungi, and that several UK BAP Priority species of invertebrates have recently been recorded on the site. It is also contended that the site contributes to the landscape setting of Grantown on Spey and provides an important public amenity.

- 6.2 **390p** objects to the allocation of proposal site Gos/HI on the basis that it is contrary to the first aim of the National Park.
- 6.3 **Response** : This first part of this response is intended to jointly address the objections raised in **400i(h) and 390p** regarding references to the proposed allocation site being contrary to the first aim of the National Park. The CNP Local Plan, in line with SPP3 (CD2.4), and the objectives of the CNP Park Plan (CD7.1) is required to deliver effective housing land for the Local Plan period on the basis of the housing needs established for the area (see proposed modified background text to Housing policies CD7.28). This is further clarified through Topic Paper 3 Approach to Housing Land Supply and Affordable Housing (CD7.23) The development strategy, as defined in Housing Policy 22 (Page 45) and explained at paragraph 5.52, seeks to allow for new housing development within the settlements of the National Park. The allocation of proposal site GoS/HI has been made in this context. The provision of this site for residential development will help deliver the required numbers of market and affordable housing in line with the objectives for Sustainable Communities and Housing in the CNP Park Plan and the housing needs for the area, and as such, will help to promote the sustainable economic and social development of the Grantown on Spey community. The Local Plan and its proposed allocations have also been subject to Strategic Environmental Assessment (SEA) (CD7.14, 7.15 and 7.16) throughout its development, including in the consideration of the allocation of sites. As detailed in para. 1.12 of the Plan, the SEA assessed the likely significant environmental effects. The proposed allocation of site GS/Env and the confinement of the proposed housing allocation to the extent of area identified in proposal site GS/HI was informed by the SEA and an awareness of the natural heritage value of the land proposed as GS/Env. Policy 1 of the Deposit Local Plan is the overarching policy dealing with Development in the Cairngorms National Park, with one of the key aspects of the policy being (a) which states that “development will be supported where the aims of the Park are collectively achieved in a co-ordinated way.”
- 6.4 Site GS/HI is proposed for allocation in accordance with the Cairngorms Landscape Capacity for Housing Study (CD7.19) which concludes that there are opportunities for considerable settlement expansion across this area which is included within the area identified as ‘Low Lying Fields.’ The land forming proposal site GS/HI consists mainly of formerly grazed pastures in a flat open landscape.
- 6.5 The setting of the town is characterised in part by open space leading to woodland, and it is also characterised by woodland immediately adjacent to the built up area, particularly in the south of the town. The CNPA accept that the allocation of proposal site GS/HI would reduce the proportion of open space area. However, the CNPA are satisfied that it will retain important views from parts of the town, and by developing closer to the woodland, would continue this alternative characteristic pattern.
- 6.6 Some areas of the ‘low lying fields’ which have been identified as having a higher natural heritage value have been excluded from the housing allocation and have specifically been identified as open space / for environmental protection (GS/Env refers).
- 6.7 Specific reference has been made in objection **400i(h)** to the importance of the site as a feeding and breeding area for waders, as well as supporting a rich assemblage of plants, waxcap fungi, and several UK priority species of invertebrates. In terms of the concerns raised in relation to the

allocation of GS/HI having a negative effect on breeding waders, the CNPA accept that the land has been used by breeding wading birds. It is also accepted that the deterioration of breeding habitat may be one of the key factors in the decline of breeding waders.

- 6.8 There is sufficient evidence to indicate that parts of the GS/HI allocation are of high biodiversity value and are a significant contribution to the special qualities of the National Park. One of the most significant natural heritage interests of the allocation is the assemblage of breeding waders including UK BAP Priority and Cairngorms LBAP Priority species like lapwing, curlew and redshank. The 2008 HLM Survey (see supporting documentation) indicates a very high breeding wader density over the suitable areas of low-lying grassland and wetland habitat (including parts of GS/ENV) on the site, particularly the area between the hospital, the burn and the birch woodland. This area is considered the second best site for breeding waders in the National Park based on density compared to 46 other regularly surveyed breeding wader sites (from Mitchell 2007). In a national context, Badenoch and Strathspey is considered the most important area for breeding waders on the UK mainland. This high density is due to the mosaic of habitat types present, the hydrology and the land management of the site (a long history of livestock grazing). It should be noted that breeding waders are experiencing significant declines across the UK and in Scotland (including Badenoch & Strathspey).
- 6.9 In addition, parts of the allocation, for example the areas directly behind the hospital and Grant House, include an interesting mix of unimproved mesotrophic grassland, base-rich mire and improved acid grassland. This important habitat mosaic supports a diverse community of plants (including fungi) and invertebrates as well as birds, mammals and amphibians. In particular, the mesotrophic grassland and base-rich mire are an uncommon habitat type in the Park and both these vegetation communities are UK BAP Habitats (Upland Calcareous Grassland and Upland Flushes, Fens and Swamps). These parts of the allocation have a significant invertebrate biodiversity interest including 5 UK BAP species of butterfly, extensive communities of hoverflies and the only known Scottish site for a species of leafhopper.

While efforts have been made to increase the proposed allocation GS/ENV to protect a proportion of the natural heritage value of the site, it is still the case that the most significant natural heritage of the site (the breeding waders, the associated grassland and mire habitats and invertebrate communities) will be compromised if the full allocation of GS/HI is developed.

- 6.10 In terms of the second aim of the National Park regarding the sustainable use of the natural resources of the area, the CNPA suggest that it is more appropriate to assess this in the context of the detail of any planning application that may be made on allocated lands, rather than in establishing the principle of an allocation on the lands identified as GS/HI.
- 6.11 With regard to the third aim of promoting the understanding and enjoyment of the special qualities of the area (including in the form of recreation) by the general public, proposal site GS/Env lies adjacent to proposed allocation GS/HI and would be retained and protected as open space, thereby providing continued opportunities for the general public to enjoy the special qualities of the area. In addition, it is only through the assessment of detailed proposals for the development of GS/HI that it can be definitively established whether or not a development would accord with the third aim of the National Park. Any judgement on the matter is considered premature at the stage of establishing the general acceptability of the allocation of GS/HI for residential development. Supplementary planning guidance, including the Sustainable Design Guide, will also be produced in order to assist further in the formulation of development proposals that are consistent with the aims of the National Park. The allocation of proposal site GS/HI for housing is consistent with the approach advocated in SPP3 – Planning for Housing

(CD2.4) and in the strategic objectives of the National Park Plan (CD7.1), of allocating an appropriate supply of land to meet identified housing requirements across all tenures, and in sustainable locations. In principle, this involves directing the majority of new development into existing settlements in order to make efficient use of service infrastructure and capacity.

- 6.12 In response to concerns raised regarding the fourth aim of the National Park which is to promote the sustainable economic and social development of the area, the allocation of GS/HI is considered consistent with this aim. There is clear evidence in the National Park of the extent of housing need (please refer to Topic Paper 3 – Approach to Housing Land Supply and Affordable Housing (CD 7.23)), and the proposed allocation of GS/HI is within the settlement boundary of an identified strategic settlement, and on land which was previously allocated for housing in the Badenoch and Strathspey Local Plan 1997. The allocation of land within the settlement is consistent with the thrust of SPP 3 - Planning for Homes, which seeks to encourage housing at appropriate locations, in order to create successful, sustainable communities. This in turn is considered to offer the potential to promote the sustainable economic and social development of this area of the National Park.
- 6.13 **434q** objects to the allocation of proposal site GS/HI on the basis that it would result in the loss of informal amenity land and would have a negative effect on breeding waders. Concerns are also raised that it may give rise to further disturbance to Anagach Community Woodland due to displaced dog walkers.
- 6.14 **Response** : Proposed allocation GS/Env occupies a large area adjacent to proposed allocation GS/HI, and has been identified in the 1st Modifications of the Deposit Local Plan as an area of open space and land which “contributes to the setting of Grantown on Spey.” The Deposit Local Plan text also states that this allocation will be protected from adverse development. The Cairngorms National Park Authority contend that the retention and protection from adverse development of this large area as open space, which lies adjacent to the woodland area to the north west, would continue to provide opportunities for use as informal amenity land. In addition, although outside the scope of the Local Plan, any development proposals on the site identified as GS/HI would be assessed in the context of compliance with the aims of the National Park, including promoting the understanding and enjoyment (including in the form of recreation) of the special qualities of the area by the general public. Therefore, measures to ensure the retention of existing informal amenity opportunities within proposal site GS/HI would be most appropriately assessed in the context of a planning application on the land, and are not considered a matter which would preclude the allocation of the land for residential development.
- 6.15 In terms of the concerns raised by objector 434q in relation to the allocation of GS/HI having a negative effect on breeding waders, the CNPA accept that the land has been used by breeding wading birds. It is also accepted that the deterioration of breeding habitat may be one of the key factors in the decline of breeding waders. One of the most significant natural heritage interests of the allocation is the assemblage of breeding waders including UK BAP Priority and Cairngorms LBAP Priority species like lapwing, curlew and redshank. The 2008 HLM Survey (in Corcoran, 2009 or see annex) indicates a very high breeding wader density over the suitable areas of low-lying grassland and wetland habitat (including parts of GS/ENV) on the site, particularly the area between the hospital, the burn and the birch woodland. This area is considered the second best site for breeding waders in the National Park based on density compared to 46 other regularly surveyed breeding wader sites (from Mitchell 2007). In a national context, Badenoch and Strathspey is considered the most important area for breeding waders on the UK mainland. This high density is due to the mosaic of habitat types present, the hydrology and the land

management of the site (a long history of livestock grazing). It should be noted that breeding waders are experiencing significant declines across the UK and in Scotland (including Badenoch & Strathspey).

While efforts have been made to increase the proposed allocation GS/ENV to protect a proportion of the natural heritage value of the site, it is still the case that one of the most significant natural heritage of the site (the breeding waders) and their associated feeding and breeding grassland and mire habitats will be compromised if the full allocation of GS/HI is developed.

- 6.16 Having regard to this, the extent of the currently proposed housing allocation has been limited to avoid encroachment into some of the wetland areas, However as stated above parts of the allocated also have high natural conservation value and further studies should be undertaken to ascertain the extent of this. In addition, outside the remit of the Local Plan process, the potential exists in the course of any planning application on the proposed housing land allocation to seek further mitigation measures.
- 6.17 In response to the objectors concerns regarding the potential impacts on Anagach Community Woodland through displaced dogwalkers, the CNPA accept that the qualifying species for the Anagach Woods Special Protection Area is capercallie, which is a ground nesting species. The CNPA also accept research findings which indicate that the species is sensitive to human disturbance, including dog walking. An Appropriate Assessment of the Anagach Woods SPA has been carried out by the CNPA and SNH (CD7.17) and the assessment considered the likely impacts of the policies, proposals and land use allocations within the modified Local Plan against the qualifying interest and conservation objectives of the Natura 20000 sites. The assessment concluded in respect of the Anagach Woods SPA that the settlement proposals are not likely to have a significant effect on this site. Having undertaken this assessment, the CNPA reject the objectors' suggestion that the allocation of proposal site GS/HI for housing purposes would negatively impact on the Anagach Community Woodland through displaced dogwalkers.
- 6.18 **444** objects to the inclusion for development of a stretch of land previously allocated as open space, and comments that it is part of a wetland area and would be inappropriate as building land. It is also suggested that any attempt to drain the land would affect the whole of the Moss and its special habitat.
- 6.19 **Response** : The Badenoch and Strathspey Local Plan (1997) (CD 6.6) allocated an area of approximately 12.8 hectares for housing development, encompassing the majority of the land area between Seafield Court and Castle Road East, and corresponding to the extent of land currently proposed for allocation as GS/HI and also including the adjacent land proposed for allocation as open space / environmental protection (GS/Env). The approach taken in the Badenoch and Strathspey Local Plan included the identification of indicative housing zones separated by landscaping belts and land identified as 'amenity woodland.' The approach taken in the CNPA Deposit Local Plan more accurately reflects the physical characteristics of the site, with proposal site GS/Env in particular being the lower and wetter parts of the site. However parts of the allocation area also contain features of high natural heritage value and the extent of this is discussed in 6.7 and 6.13 above
- 6.20 In regard to the issue of drainage, the proposal within the Local Plan which sets a framework to establish the future development options for that site and set out policies against which development proposals would be assessed. The consideration of drainage that may be required to facilitate any development on that site would therefore be considered under the policies of

the Plan (para 1.20) including policy 13, policy 6, policy 18, and any other considerations that are material in the determination of an application.

- 6.21 **444** objects to the allocation of proposal site GS/HI on the basis that the precise extent of the flood plain has not been established and that the area should not therefore be classified as suitable for development in its present form.
- 6.22 **Response** : As detailed in paragraph 1.8 of the Plan, it has been prepared following periods of public consultation, community engagement and detailed discussions with key stakeholders, local development forums and the four Local Authorities. SEPA have fully engaged with the process and have provided vital expert input and are continuing to do so at the present time. The CNPA are therefore satisfied that all relevant information and expert advice regarding the extent of flood plains etc. has been sought and is in the process of being received. In the event of further relevant information coming forward in respect of the extent of the flood plain in relation to the proposal site GS/HI the final allocation proposals will be re-assessed and where necessary amended.
- 6.23 **444** objects to the allocation of the land between Grant House and Ian Charles Hospital, on Castle Road East, for residential development and states that it should be protected for future expansion.
- 6.24 **Response** : The Cairngorms Landscape Capacity for Housing Study (Grantown Final Report, page 10) (CD7.19) concludes that there are opportunities for considerable settlement expansion across the area defined as 'Low Lying Fields' to the west of Grantown on Spey. The area of land mentioned by objector 444 is identified in the Cairngorms Landscape Capacity as part of a much larger site area with "opportunities for considerable housing development. The proximity of this area to the town centre and the level topography would provide opportunities for denser forms of development."
- 6.25 **051** objects to the allocation of proposal site GS/HI on the basis that it would have a significant impact on the economic prosperity of the Grantown on Spey caravan and campsite, which in turn makes a significant contribution to the economy of the town as a whole. Comments are also included in the objection specifically referring to the current planning application on the land, (CNPA planning reference number 06/320/CP refers). It is suggested in the event that the planning application is unsuccessful that a full appraisal of the area is made, to consider the impact of development on proposal site GoS/HI on the economy of Grantown on Spey and the caravan park adjacent to the site, the potential flooding risk and also the biodiversity of the field and the surrounding watercourses.
- 6.26 **Response** : The Cairngorms Landscape Capacity for Housing Study (Grantown Final Report, page 10), (CD7.19) concludes that there are opportunities for considerable settlement expansion across the area defined as 'Low Lying Fields' to the west of Grantown on Spey. Section 2.3 of the Study discusses opportunities and constraints for development and notes that the openness of the fields contrasting with the wooded slopes behind is already compromised to some extent by the presence of the caravan park.
- 6.27 The existing use of the caravan and camping park on Seafeld Avenue and the proposed allocation of GS/HI on the adjacent land for residential purposes are considered to represent compatible uses, with examples of similar adjacent land uses already existing elsewhere within the National Park (examples include Boat of Garten caravan and camping park and Ballater caravan and camping park). There is no evidence to suggest that the proximity of an allocated

housing site to an existing tourist facility such as the caravan and camping park would impact on the economic prosperity of such a facility. Any potential impacts of a specific development proposal would be more appropriately considered and assessed and where necessary mitigated against in the course of a planning application.

- 6.28 The Local Plan also offers a further degree of protection to the existing caravan and campsite, through its proposed allocation as GS/EDI. The supporting text acknowledges that it provides continued support to the provision of tourist accommodation in Grantown on Spey. The text also clarifies that it “will be protected from adverse development.”
- 6.29 The need for additional survey work to assess the impact of development on the natural heritage interests is acknowledged above (para 4.1). This acknowledgement is considered to address the objection in regard to the impact any future development might have on biodiversity.
- 6.30 **400i(h)** objects to the proposed allocation of GS/HI on the basis that the scale of the proposal is excessive and it is suggested that urbanising the surroundings of the hospital would reduce the quality of life for patients.
- 6.31 **Response :** The CNP Local Plan, in line with SPP3 (CD2.4), and the objectives of the CNP Park Plan (CD7.1) is required to deliver effective housing land for the Local Plan period on the basis of the housing needs established for the area (see proposed modified background text to Housing policies CD7.28). This is further clarified through Topic Paper 3 Approach to Housing Land Supply and Affordable Housing (CD7.23) The development strategy, as defined in Housing Policy 22 (Page 45) and explained at paragraph 5.52, seeks to allow for new housing development within the settlements of the National Park. The allocation of proposal site GoS/HI has been made in this context. The provision of this site for residential development will help deliver the required numbers of market and affordable housing in line with the objectives for Sustainable Communities and Housing in the CNP Park Plan and the housing needs for the area, and as such, will help to promote the sustainable economic and social development of the Grantown on Spey community. The extent of land proposed for housing development is also broadly consistent with the allocations which have existed since 1997 through the Badenoch and Strathspey Local Plan (CD6.6). The scale of the currently proposed housing allocation at site GS/HI has been considered in the context of the strategic development of the Cairngorms National Park, as well as having regard to environmental, social and economic matters.
- 6.32 In terms of the opinion of the objector that urbanising the surroundings of the hospital would reduce the quality of life for patients, it should be noted that the proposed allocation of site GS/HI would merely establish the acceptability of housing development on the land. The detail of any development proposals and any potential impacts on neighbouring properties would be more appropriately assessed in the context of a planning application on the lands. In addition, it is the view of the CNPA that land uses such as residential and community / health care facilities on adjacent lands are fully compatible, with many examples existing throughout the country, including in settlements similar in scale to Grantown on Spey.

7.0 Other material considerations

- 7.1 The land included with proposal site allocations GoS/HI and the adjacent GoS/Env is the subject of a current planning application (CNPA 06/320/CP). The application was called in by the Cairngorms National Park Authority in August 2006 and the assessment of the proposal has been on-going since that time, with significant items of further information being sought from the applicants in order to assess the overall impacts of the development proposal.

8.0 List of documents (including Core Documents)

- CD 1.3 The National Parks (Scotland) Act 2000
- CD 2.4 SPP3 Planning for Housing 2003 and 2008
- CD 6.6 Badenoch and Strathspey Local Plan 1997
- CD 7.1 Cairngorms National Park Plan 2007
- CD 7.3 CNPA Committee Report Consultation May 2008
- CD 7.4 CNPA Committee Report 1st Modifications October 2008
- CD 7.5 CNPA Committee Report 2nd Modifications February 2009
- CD7.14 Strategic Environmental Assessment Environmental Report
- CD 7.15 SEA Non-Technical Summary of Deposit Local Plan
- CD 7.16 SEA and Appropriate Assessment Local Plan Final
- CD7.17 Appropriate Assessment Granttown on Spey HI
- CD 7.21 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 Background information regarding allocated sites
- CNPA planning file, reference number 06/320/CP.
- 2008 CNPA Heritage Land Management Survey information
- 2009 CNPA supplementary habitat information

9.0 Cairngorms National Park Witnesses for Hearing

- Mary Grier – Planning Officer, Development Control
- Matthew Hawkins – Senior Heritage Officer
- Justin Prigmore – Ecology Officer