

| | | | |
|---------------------|--|-------------------|------|
| Date : | | | |
| Issue: | Request for an extension of the proposed housing allocation at GoS/HI into part of GoS/Env; Request for additions to the text associated with GoS/HI. | | |
| Objector(s): | Reidhaven Estate | Objection ref(s): | 456o |
| | Muir Homes Ltd | | 038n |

| | |
|--------------------|-----------------|
| Reporter : | Mrs. Jill Moody |
| Procedure : | Hearing |

1.0 Overview

1.1 This statement sets out the Cairngorms National Park Authority response to the objection raised to the proposed allocation of land adjacent to GoS/HI as GoS/Env (for open space / environmental protection) and also the objection requesting amendments to the text associated with proposal site GoS/HI. It recommends that proposal site GoS/Env should be retained in the Local Plan as an area of open space / environmental protection. No further modifications are proposed in respect of the text associated with proposal site GoS/HI.

2.0 Provision of the 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 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 Objection

3.1 Two objections have been received covering the following :

- A request that the extent of GS/HI be extended to include part of the adjacent area (currently forming part of proposal site GS/Env) and allocated for further residential development (456o);
- A request that the text associated with GS/HI be amended to state that “it has been established that the approach to development outlined within the adopted local plan would not be the most appropriate for this site” and also making reference to the proposals map reflecting a preferable

environmental solution, the level of affordable housing and also the provision of public open space within the current planning application proposals (038n).

4.0 Summary of Cairngorms National Park Authority Response

4.1 The objections have been analysed by the CNPA. The analysis has been linked to the need for housing land within the area, and the effectiveness of the sites included within in the deposit plan. The sites have also been judged against the findings of the Strategic Environmental Assessment (CD7.14, 7.15 and 7.16), the physical constraints of the sites and the requirements for the effectiveness as set out in national guidance. The natural heritage value of the area identified as GoS/Env is recognised and its proposed allocation is intended to ensure the continued protection of this area and the extension of the proposed housing allocation onto this land is considered inappropriate.

5.0 CNPA Commendation to Reporter

5.1 The Cairngorms National Park Authority commend to the Reporter that the objection detailed above is rejected and that acceptance is confirmed of the extent of the area designated as GoS/Env, which lies adjacent to proposal site GoS/HI. It is also recommended that the text associated with GoS/HI, as detailed in the Deposit Local Plan (2nd Modifications) (CD 7.5) be confirmed, without modifications.

6.0 Assessment / Scope of Evidence

6.1 **456o** supports the principle of the allocation of GS/HI but requests that the allocation site be extended to include part of the adjacent area which is currently proposed as GoS/Env for open space / environmental protection. The objector considers that the suggested additional area of land could be developed without impacting upon the existing fens and mires and protect the wetland area.

6.2 **Response** : The Local Plan has 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.

6.3 The area identified as GS/Env which is suggested for allocation for housing purposes by objector **456o** is a high quality, semi natural, grassland habitat. Other ecological aspects which were taken into account in allocating the area for open space / environmental protection include the fact that it is rich in invertebrates including several UK BAP priority butterfly species, is a spawning site for both frogs and toads, and is a productive breeding area for several species of wading bird. Development within the area identified as proposal site GS/Env would have the potential to impact hydrologically upon the wetland area, through excavation and drainage. The creation and restoration of wetlands is a Priority for Action in the Cairngorms National Park Plan (CD7.1). Development within this area would therefore be detrimental to the achievement of this priority for action and would significantly impact on the wetland. In addition, the land identified as GS/Env contains an area of semi-natural broad-leaved woodland, which includes a small amount of aspen, which it a priority species for the area in the Cairngorms LBAP (CD7.6). Having regard to the overall natural heritage value of the land, its allocation as an area of open

space / for environmental protection is considered by the CNPA to be the most appropriate and necessary response, offering the potential to protect the area from adverse development.

- 6.4 **038n** requests that the text associated with GS/HI is amended to state that “it has been established that the approach to development outlined within the adopted local plan would not be the most appropriate for this site” and that it also makes reference to the proposals map reflecting a preferable environmental solution, as well as referring to specific aspects of the current planning application on the land, including the level of affordable housing proposed and the provision of public open space.
- 6.5 **Response** : the text associated with proposal site GS/HI was amended in the 1st Modifications of the Deposit Local Plan (CD6.11) to reflect the up to date position regarding a current planning application on the land. The amendments also clarify that the application would be determined in line with the policies in the Highland Council’s Badenoch and Strathspey Local Plan (1997) (CD6.6) due to the timescales involved. The issue of whether or not the development proposal that is the subject of the current application (CNPA ref. no. 06/320/CP) accords with the adopted local plan will be addressed in the assessment and determination of the planning application. It is not considered appropriate to include comment in the Local Plan text on matters which are the subject of on-going assessment in the context of a current planning application on the lands proposed as sites GS/HI and GS/Env.

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 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
- CD 7.6 Cairngorms Local Biodiversity Action Plan
- CD 7.14 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
- CD 7.17 Appropriate Assessment Grantown on Spey HI
- CD 7.19 Cairngorms Landscape Capacity for Housing Study

9.0 Cairngorms National Park Witnesses for Hearing

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