

Date:			
Issue:	Nethy Bridge – Allocation of Housing and Economic Development Site NB/H2 & ED1 (School Wood/Craigmore Wood)		
Objector(s):	Badenoch and Strathspey Conservation Group	Objection ref(s):	400i(r)
	Roy Turnbull		390(t)

Reporter	Mr Hugh Begg
Procedure	Informal Hearing

1.0 Overview

- 1.1 This statement sets out the CNPA's response to objections from Dr A M Jones of the Badenoch and Strathspey Conservation Group and Roy Turnbull. The objections are to the allocation of proposed housing site NB/H2 (for 40 houses) and economic development site NB/ED1, on the grounds that the sites are inappropriate, excessive in scale, are species rich ancient woodland and as such their allocation is contrary to the aims of the Park. This statement recommends that both NB/H2 and NB/ED1 should remain as allocated sites in the CNP Local Plan.

2.0 Provision of the Local Plan

- 2.1 The CNP Local Plan (Deposit) July 2007 (CD6.11) identified NB/H2 for residential development of 40 houses. It also identified NB/ED1 for business use. The supporting text (Page 86) advised that for NB/H2, two sites have permission for housing development in the School Wood. Development will retain enough woodland to allow for movement of species between areas of woodland to the sides of the sites. The supporting text for NB/ED1 advised, that the site is a 0.76Ha site adjacent to H2, identified for business use. Any development of the site will need to take account of its site within the woodland and at an entry point to the village. The 1st Modifications May 2008 (CD6.12) retained this position but added to the supporting text for NB/H2 reference to the need to retain the woodland setting of the village. Added to the supporting text for NB/ED1 was reference to retention of enough woodland to allow for movement of species between areas of woodland to the sides of the sites, and to retain the woodland setting of this part of the village. The 2nd Modifications October 2008 (CD6.13) maintains this position.

- 2.2 Related policies are:

- Tables 2-4 Housing Land Requirement and Supply
- Policy 22 Housing Development within Settlement Boundaries (Incl. Background and Justification)
- Policy 1 Development in the Cairngorms National Park
- Policy 4 Other Important Natural and Earth Heritage Sites and Interests
- Policy 6 Biodiversity
- Policy 7 Landscape
- Policy 18 Design Standards for Development

3.0 Summary of objection

- Objects to the allocation of NB/H2 and ED1 on grounds of excessive scale, and conflicts with all 4 aims of the Park. **(400i(r))**.
- Objects to the allocation of NB/H2 because it is an area of species rich ancient woodland – the allocation is contrary to Policy 4 of the CNP Local Plan, and the first aim of the

Park. Objects to the allocation NB/EDI because it is also a species rich area of ancient woodland and is wholly unsuitable for business development – the allocation is also contrary Policy 4 of the CNP Local Plan and European priority species (otter) use the nearby Caichan Fhuarain Burn (**390t**).

4.0 Summary of CNPA's Response

4.1 Proposed housing and economic development sites NB/H2 and EDI have an extant outline planning permission, with an associated S75 legal agreement, for 40 houses and business unit, dating from 20 February 2006 (extant permission for H2 and EDI see 02/00045/OUTBS). An Approval of Reserved Matters application for 40 houses (10 affordable) and 8 small business units with associated infrastructure and landscaping, is currently under consideration by the CNPA (09/052/CP). The site has been allocated in the extant adopted Badenoch and Strathspey Local Plan since 1997 (CD6.6). The CNPA continues to identify this site in light of the extant planning permission, and in support of the housing land requirement. (CD7.23)

5.0 CNPA Commendation to Reporter

5.1 It is commended to the Reporter that no further modification to the allocation and provision of housing and business land at NB//H2 and EDI in the CNP Local Plan, is required.

6.0 Assessment and conclusions

6.1 **400i(r) objects** to the allocation of NB/H2 and EDI on grounds of excessive scale, and conflicts with all 4 aims of the Park.

6.2 **Response:** The objector has not expanded on the reasons why the allocation is considered to conflict with the aims of the Park. However, the site has Outline Planning Permission for 40 houses and a business unit. An application for Approval of Reserved Matters for 40 houses and 8 business units, is currently under consideration with the CNPA. The outline permission therefore remains extant. In line with SPP3 and the objectives of the CNP Park Plan, and with this extant permission, housing site NB/H2 helps to deliver 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. In line with SPPs 2 and 15, and the CNP Park Plan, and with the extant permission, the allocation of NB/EDI delivers business land within the settlement of Nethy Bridge. As such, both NB/H2 and EDI allocations help to promote the sustainable economic and social development of the Nethy Bridge community (4th aim). The assessment of how these developments relate to the aims of the Park will be considered through the implementation of the policies of the Badenoch and Strathspey Local Plan and the CNP Local Plan and the Sustainable Design Guide, but also in the context of the Outline Permission and its conditions, and the Reserved Matters application submissions. No modification is required.

6.3 **390t objects** to the allocation of NB/H2 because it is an area of species rich ancient woodland – the allocation is contrary to Policy 4 of the CNP Local Plan, and the first aim of the Park. Objects to the allocation NB/EDI because it is also a species rich area of ancient woodland and

is wholly unsuitable for business development – the allocation is also contrary Policy 4 of the CNP Local Plan and European priority species (otter) use the nearby Caichan Fhuarain Burn.

6.4 Response: The site has Outline Planning Permission for 40 houses and a business unit. An application for Approval of Reserved Matters, with an associated S75 legal agreement, for 40 houses and 8 business units is currently under consideration with the CNPA. The outline permission therefore remains extant. In line with SPP3 and the objectives of the CNP Park Plan, and with this extant permission, housing site NB/H2 helps to deliver 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. In line with SPPs 2 and 15, and the CNP Park Plan, and with the extant permission, the allocation of NB/EDI delivers business land within the settlement of Nethy Bridge. The sites do carry Ancient Woodland designation status. The supporting text in the 2nd Modifications of the Nethy Bridge settlement proposals (Page 90) clarifies the need, in the development of these sites, to retain woodland at both locations and recognises the need to allow for movement of species. Furthermore, the implications of development on European Priority Species (such as otter), the Ancient Woodland designation, and any natural heritage interest, will be considered during the assessment of the Reserved Matters application and in the context of the extant Outline Permission, the first aim of the Park, and other policies of the CNP Local Plan, including Policy 4. No modification is required.

7.0 Strategic issues

7.1 The Cairngorms National Park Plan 2007 (CD7.1) sets out a number of strategic objectives. Of relevance to this case, are those relating to Conserving and Enhancing the Park (5.1) - Landscape, Built and Historic Environment, and Biodiversity; and Living and Working in the Park (5.2) - Sustainable Communities, Housing and Economy and Employment.

8.0 National planning policy/guidance

8.1 SPP3 Planning for Homes 2008 (CD2.4) requires planning for housing to be based on the housing need and demand assessment process. Information derived from this process should form the basis of the local housing strategy and the land allocation for housing in the development plan. NPPG14 Natural Heritage (CD3.2) advises that while conservation of the natural heritage will be a key objective in any National Park, due weight must also be given to the social and economic interests of local communities. SPP2 (Economic Development) (CD2.3) requires Planning Authorities to provide for business type development in small towns and rural areas and promote the re-use of previously developed sites and buildings in sustainable locations. SPPI5 (Planning for Rural Development) (CD2.11)) emphasises that Planning Authorities involved in rural development should adopt a proactive approach to providing land for development; should support a wide range of economic activity in rural areas with most new development continuing to be in, or adjacent to existing settlements.

9.0 Other material considerations

9.1 The National Parks (Scotland) Act 2000 sets out the aims of the National Park. (CD1.3)

10.0 List of documents (including Core Documents)

- CD1.3 National Parks (Scotland) Act 2000
- CD2.3 SPP2 Economic Development
- CD2.4 SPP3 Planning for Housing 2008
- CD2.11 SPPI5 Planning for Rural Development
- CD3.2 NPPG14 Natural Heritage
- CD6.6 Badenoch and Strathspey Local Plan 1997
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1st Modifications
- CD6.13 Deposit Local Plan 2nd Modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD7.23 Topic Paper 3 Approach to Housing Land Supply and Affordable Housing
- CD7.28 Proposed Post Inquiry Modifications proposed by Officers through Inquiry Statements
- 02/0045/OUTBS
- 09/052/CP

11.0 Cairngorms National Park Witnesses for Hearing

- Neil Stewart – Planning Officer
- Matthew Hawkins – Senior Heritage Officer
- Justin Prigmore – Local Biodiversity Action Plan Officer