

Badenoch & Strathspey Conservation Group

STATEMENT OF EVIDENCE

Hearing Session

Provision of the Local Plan

Inadequate data sets held by CNPA

Summary of objection(s)

We agree with the statement in the Park Plan that recognises that the CNPA's data sets are inadequate (Outcomes for 2012. Raising Awareness and Understanding of the Park vii "There will be more comprehensive and detailed information about the special qualities available in order to provide a better basis for conserving and enhancing them" quoted in LP p11).

We are deeply concerned at the paucity, lack of breadth, quality, and current-ness of data held by the CNPA on sites they are proposing for development. We regard these flaws as very significant and fundamental to the LP. Inadequate data prevents the LP from complying with the 1st aim. Failure to incorporate new data and understanding similarly prevents the LP from complying with the 1st aim.

A profound concern is that, in these circumstances of inadequate data the LP fails to apply the precautionary principle. This is especially unacceptable as B&S is recognised as an area of high importance for biodiversity and many of the habitats allocated are known to be ones supporting considerable biodiversity interests.

The CNPA has extremely little site-specific information on the biodiversity interest of the housing site allocations.

Some of the detailed information held by the CNPA on these sites comes from BSCG. Our records, gathered voluntarily, demonstrate the incredible richness in terms of biodiversity of sites that we have looked at

An aspect of the CNPA's inadequate data is in significantly impairing their ability to make informed and reasonable judgements on the reliability of natural heritage and biodiversity information provided by developers. An example of this effect in action is the CNPA zoning for development (and recommendation for approval for detailed permission) at Carrbridge H1. The outline conditions in the appeal decision cannot be met in view of information on hydrology and natural heritage that has come to light. .

Moreover, the CNPA can be in breach of the law due to data deficiency. Red squirrel dreys, whether in use or not, and access to them, are fully protected by law. It is impossible for the developer to build, for example, the allocations for Carrbridge H1 and Nethybridge H2 without breaking the law.

It is not logically possible to comply with Policy 1, and at the same time uphold the LP allocations, without more meaningful data sets. Yet the DLP states in 3.6 that Policy 1 "will underlie all planning decisions... and will be the starting point and ending point in assessing planning applications".

The following illustrate some of our concerns.

Policy 1 a): How can the CNPA judge whether the 1st aim is being achieved when it has so little information on natural heritage interest and biodiversity, and has failed to either undertake its own, or commission, relevant survey?

Policy 1 b): What are the adverse impacts and how severe are they? How can the CNPA make these site-specific judgements without meaningful data sets?

Policy 1 c): There is conflict between the 1st and 4th aims at many of the allocation sites (e.g. Grantown H1, Nethybridge H2, Carrbridge H1, Boat of Garten H1, Kincaig H1, Aviemore H1 and H2).

The effect of the inadequate data sets also extends to mitigation measures for allocations proposed by the CNPA.

Policy 1 e): The absence or partial absence of an “evidence base” is the most likely situation given the poor data sets available. What does that mean for this important aspect of Policy 1?

Recommendation.

The CNPA do not make allocations in the absence of adequate site-specific data sets.

The CNPA do not uncritically rely on data sets from landowners and developers.