

Date:			
Issue:	Requests to allocate additional land in Boat of Garten and Dulnain Bridge		
Objector(s):	Seafield Estate	Objection ref(s):	455a/b
Reporter :			
Procedure :	Written Representation		

1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified, in respect of a request by Seafield Estate to allocate additional land for housing, with the land lying adjacent to the identified settlement boundary for Boat of Garten. It supplements the response made by the CNPA to the objection in its report to Committee (CD7.3, 7.4 and 7.5). It recommends that the identified settlement boundary and extent of land allocated for housing within the Boat of Garten settlement is confirmed. This statement does not recommend any further modifications.

2.0 Provision of the Local Plan

- 2.1 Boat of Garten is identified as an Intermediate Settlement. The Deposit Local Plan proposes allocating BG/HI specifically for housing development. The site is 5.8 ha, located to the west of the existing settlement and is identified for housing development and would provide land for around 70 units. The site is expected to provide housing land for Boat of Garten's needs for the lifetime of the Local Plan.
- 2.2 Associated policies :
- Table 2-4 - Housing land requirement and supply
 - Policy 18 - Design Standards for Development
 - Policy 22 – Housing Development within Settlements

3.0 Summary of Objections

- 3.1 One objection has been received covering the following :
- Objecting to the non allocation of land to the south of Desher Road, Boat of Garten for residential use (455a).

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 The objection requesting the allocation of additional lands for residential development in Boat of Garten has 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 it 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. Having assessed all of the sites a review was undertaken of the alternative land suggested in Boat of Garten to ascertain its qualities in meeting the local housing need. It is concluded that sufficient land is allocated in the Plan for housing. Any alternative suggestions for additional land will be considered in a later review of the Plan.

5.0 CNPA Commendation to Reporter

- 5.1 The Cairngorms National Park Authority commend to the Reporter that the objections detailed above are rejected and that acceptance is confirmed of the extent of the housing allocation proposed in Boat of Garten.
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6.0 Assessment / Scope of Evidence

- 6.1 **455a/b** objects to the non-allocation of land to the south of Deshar Road for residential use. The submission from **455a/b** notes that the site was zoned within the Badenoch and Strathspey Local Plan (1997) (CD6.6) for residential development and the objector contends that it remains suitable for development. It is requested that the Plan is modified to identify the site for residential use, with a capacity for 15-20 dwellings. Points put forward to justify this request include the site being easily accessible and that its allocation would provide further opportunities for development within Boat of Garten and would be a logical extension to the settlement.
- 6.2 **Response** : The land which the objectors wish to have considered for inclusion is bounded to the north by properties on Deshar Road and bounded to the east by properties on Kinchurdy Road. The proposed site forms part of the large woodland area which extends to the west and south. The Boat of Garten settlement boundary identified in the CNP finalised Deposit Local Plan forms the northern and eastern boundary of the area that is requested to be allocated for residential development.
- 6.3 The CNP Local Plan, in line with SPP3 – Planning for Housing (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 housing allocation in the CNP Local Plan for Boat of Garten has been made in this context. There is no justification for additional allocations in terms of the housing needs studies. Paragraph 7.5 (Page 61) of the Cairngorm National Park Local Plan states that the settlement plans identify settlement boundaries. It would be inappropriate at this point in time to expand the settlement boundary for Boat of Garten to facilitate the allocation of additional unneeded housing land. No further modifications are therefore justified.
- 6.4 In the context of the limited scale of the existing settlement area of Boat of Garten, the site identified for housing is considered to be sufficient in facilitating the level of development which is appropriate and necessary in the five year lifetime of the Plan. In addition, Policy 22 – ‘Housing Development within Settlement Boundaries’ also provides opportunities for housing on land within the settlement which is not specifically allocated for housing, but which is “compatible with existing and adjacent land uses and comprises infilling, conversion, small scale development, the use of derelict or underused land or the redevelopment of land.” Given the variety of opportunities which exist for the provision of housing within the proposed settlement boundary, the case for the allocation of additional land as requested in objection **455a/b** is not regarded by the CNPA as compatible with the delivery of housing in Boat of Garten on a scale which would support the sustainable growth of the community.
- 6.5 As part of the analysis of the suggested site allocation, the physical constraints of the site have been assessed and have also been considered in the context of the findings of the Cairngorms

Landscape Capacity for Housing Study (Boat of Garten Final Report) (CD7.19). The Landscape Capacity Housing Study identifies the land which is the subject of objection **455a/b** as part of an extensive area of pine woodland, with the woodland reinforcing the settlement edge where it borders the rear of existing properties on Deshar Road and Kinchurdy Road. The Landscape Capacity Housing Study also noted that the woodland is well used for recreation with waymarked paths and other facilities. The overall conclusion in respect of the suggested site allocation in the Cairngorms Landscape Capacity for Housing Study is that development is constrained by the importance of the woodland in providing a visual backdrop and setting to the settlement and is also a well-used recreational resource. The allocation requested by objector **455a** would be contrary to the landscape advice and would have a negative impact on the setting of the settlement of Boat of Garten.

7.0 Other Materials Considerations

7.1 There are no further material considerations.

8.0 List of documents (including Core Documents)

- CD2.4 SPP3 Planning for Housing 2003 and 2008
- CD6.6 Badenoch and Strathspey Local Plan 1997
- CD6.12 Deposit Local Plan 1st Modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD7.3 CNPA Committee Report Consultation May 2008
- CD7.4 CNPA Committee Report 1st Modifications, October 2008
- CD7.5 CNPA Committee Report 2nd Modifications, February 2009
- CD7.14 Strategic Environmental Assessment Environmental Report
- CD7.15 SEA Non-Technical Summary of Deposit Local Plan
- CD7.16 SEA and Appropriate Assessment Local Plan Final
- CD7.19 Cairngorms Landscape Capacity for Housing Study
- CD7.23 Topic Paper 3 Approach to Housing Land Supply and Affordable Housing
- CD7.24 Topic Paper 4 Background Information regarding allocated sites
- CD7.28 Proposed Post-Inquiry Modifications, Committee Report, 3 April 2009