

Topic Paper: The Special Qualities of the Cairngorms National Park

1. Special Qualities of the Cairngorms National Park

The special qualities of the National Park are the natural and cultural heritage qualities that make the area of outstanding national importance, and which combine together in a dynamic environment to give the area its distinctive character and coherent identity. The special qualities, their relationship to each other and to the overall integrity of the designation will vary over time and place.

This topic paper sets out the approach taken by the Cairngorms National Park Authority to identifying the special qualities, assessing effects on the special qualities, and providing guidance to developers and others to help to conserve and enhance the special qualities.

The Local Plan follows the approach to special qualities established by the National Park Plan, approved by Scottish Ministers in 2007. The Local Plan itself, the range of supplementary planning guidance and other guidance and information detailed in section 5 of this paper provides clear and accessible sources of guidance on the special qualities and how potential impacts on them can be managed.

This guidance will include additional work currently being carried out by Scottish Natural Heritage for both the Cairngorms National Park Authority and Loch Lomond and the Trossachs National Park Authority to determine the special landscape qualities of the National Parks. This work is using the standard methodology developed for Scottish Natural Heritage's national review of the special qualities of National Scenic Areas including research and fieldwork. An updated analysis of the Landscape Character Assessment of the Cairngorms National Park is also being undertaken which will provide a more detailed baseline to inform development proposals and determinations.

Section 2 of this paper outlines the legislative context and basis for considering the special qualities of the National Park. Section 3 sets out the approach taken to identifying the special qualities of the Cairngorms National Park. Section 4 sets out the approach taken to assessing effects on the special qualities of the Cairngorms National Park and Section 5 provides information on a range of guidance that is available and will become available to assist developers and others. That information is the Supplementary Planning Guidance referred to in section 5 and currently being prepared.

2. Basis for considering special qualities

The Cairngorms National Park is designated under the National Parks (Scotland) Act 2000. Section 2 of that Act permits Ministers to propose the establishment of a National Park and National Park Authority if the following conditions are or may be satisfied in relation to an area:

- a) that the area is of outstanding national importance because of its natural heritage or the combination of its natural and cultural heritage;*

- b) that the area has a distinctive character and a coherent identity, and*
- c) that designating the area as a National Park would meet the special needs of the area and would be the best means of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.*

The area comprising the Cairngorms National Park is therefore deemed to meet these requirements through its designation. It is an important point that all three conditions must be met if an area can be considered to become a National Park. While it could be argued that many parts of the country are of outstanding national importance because of their natural or cultural heritage, the basis for a National Park is that conditions (b) and (c) apply as well.

It is therefore the case that outstanding natural or cultural heritage is not enough in itself to warrant National Park designation – those heritage interests must combine to give the area a distinctive character and coherent identity, and then the test of managing the special needs of the area is also applied.

The aims of the National Park, ie for the area designated as a National Park as distinct from the National Park Authority, are set out in section 1 of the National Parks (Scotland) Act 2000:

- a) to conserve and enhance the natural and cultural heritage of the area,*
- b) to promote sustainable use of the natural resources of the area,*
- c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public, and*
- d) to promote sustainable economic and social development of the area's communities.*

In carrying out the general purpose of a National Park Authority set out in the National Parks (Scotland) Act 2000, which is ‘to ensure that the National Park aims are collectively achieved in relation to the National Park in a co-ordinated way’, it is necessary to identify and actively manage the special natural and cultural qualities of the area that were the basis for its designation as a National Park in the first instance.

3. The special qualities of the Cairngorms National Park

The special qualities of the Cairngorms National Park are those natural and cultural heritage qualities that not only make the area of outstanding national importance, but combine to give the area the distinctive character and coherent identity that is required in the conditions for establishing a National Park.

While it is possible and desirable to identify individual components that make up the special qualities, it is the sum of their parts – the distinctive character and coherent identity – that is the basis on which the National Park is designated. There is therefore no prescriptive or definitive list of special qualities, as the relevant qualities, their relationships to each other and to the whole will vary over time and place.

This is and has been a consistent approach taken by the Cairngorms National Park Authority and others throughout relevant policies and plans.

3.1 Report on Proposal for a National Park in the Cairngorms (2001)

In 2001 Scottish Natural Heritage, as statutory reporter under section 3 of the National Parks (Scotland) Act 2000, published their report to Ministers on the proposal for establishing a National Park in the Cairngorms. One of the report's purposes was to provide advice on the area that should be designated and the location of the boundary. In considering whether areas met the conditions laid out in the National Parks (Scotland) Act 2000 and detailed in Section 2 above, the report to Ministers considered whether those areas were part of a distinctive character and coherent identity.

For example, giving its view as natural heritage adviser on the sub-units of Creag Meagaidh and Ben Alder identified in the consultation (p31), SNH states 'we note the considerable landscape, ecological and recreational assets...but consider that the natural heritage of the area west of Newtonmore has stronger affinities to the western Highlands.' While there were other factors influencing the final determination of the boundary including community views, this advice in relation to the natural heritage qualities follows clearly the conditions set down in the Act – outstanding natural or cultural heritage in itself is not sufficient, those qualities must combine to create a distinctive character and coherent identity.

3.2 National Park Plan 2007-2012

The National Park Plan, approved by Scottish Ministers in 2007, establishes the vision, strategy and management framework for the National Park, within which the Local Plan sets out how planning and development management will contribute to that vision and strategy.

Section 3.2 of the National Park Plan sets out the approach to the special qualities of the Cairngorms National Park. It states (p25):

'The Cairngorms is widely recognised and valued as an outstanding environment which people enjoy in many different ways. Everyone brings their own perceptions and interest to the Cairngorms, but there are some special qualities of the area that are commonly recognised and referred to. This section does not set out to describe all the characteristics of the National Park – much of that information can be found in the State of the Park Report – but it does seek to identify some of the natural and cultural qualities that combine to give the National Park its distinctive identity.'

'Some of these qualities are similar to those in other areas, some are unique. Only here in the Cairngorms do they come together to create the richness and diversity recognised by its designation as a National Park.'

This emphasises that fact that in considering the special qualities, both the individual components and their relationship to the overall integrity of the designation should be taken into account.

Section 3.2 of the National Park Plan goes on to identify the following particular components of the special qualities with commentary providing some detail on the nature and extent of those qualities:

- *distinctive landscape*
- *rich biodiversity*
- *mountains*
- *moorland*
- *forests and woodlands*
- *straths and farmland*
- *rivers and lochs*
- *recreation and enjoyment*
- *the built environment*
- *culture and traditions*

Section 3.3 of the National Park Plan explicitly sets these special qualities in the context of a dynamic environment and the need to manage change. It states (p28):

‘The special qualities and resources of the National Park are part of a dynamic environment and the result of a long history of changing natural processes, management and perceptions. The qualities that we value today are a snap-shot in time of social, economic and environmental conditions that are continually evolving.

The designation of the National Park brings a particular focus to these qualities and a special responsibility for their management, but it does not halt the processes of change and evolution.’

The National Parks (Scotland) Act 2000, the Report on the proposal for designation and the National Park Plan 2007 approved by Ministers therefore set out a clear and consistent basis for considering the special qualities of the National Park:

- a) the special qualities are the natural and cultural heritage qualities that make the area of outstanding national importance, and
- b) which combine together in a dynamic environment to give the area its distinctive character and coherent identity;
- c) the special qualities, their relationship to each other and to the overall integrity of the designation will vary over time and place.

4. Assessing effects on the special qualities

In managing the special qualities in order to achieve the aims of the National Park, it is essential to consider the ways in which the special qualities interact, the sum of the parts, and the way in which changes to components of those qualities might affect the overall integrity of the designation. This section sets out how effects on the special qualities are assessed.

In the context of development planning, NPPG 14 (Natural Heritage) makes it clear that National Parks are natural heritage designations of national importance and states in paragraph 25 that:

‘Development which would affect a designated area of national importance should only be permitted where:

- the objectives of designation and the overall integrity of the area will not be compromised; or*
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance’.*

SNH’s Landscape Policy Framework (SNH24) provides a useful interpretation of this test:

‘A12. SNH interprets the objectives of designation as the safeguard, conservation and enhancement of the interests for which the area is designated. Overall integrity means the wholeness of the area, the unity or soundness of the whole being unimpaired, recognising that the entire area of the designation is valued and adverse effects to part of it is damage to the unity or soundness of the whole.’

To be consistent with NPPG 14 requires consideration of the sum and interdependence of the special qualities. In order to avoid compromise to the ‘*overall integrity*’ of the area, the consequences of impacts on the special qualities to the distinctive character and coherent identity which underpin the overall integrity of the designation must be considered.

Policy 1 of the Local Plan sets out a clear policy stating in (a) and (b) that

- a) development will be supported where the aims of the Park are collectively achieved in a co-ordinated way, or where the objectives of designation and the overall integrity of the area are not compromised.*
- b) Development that would have any significant adverse effects on the special qualities of the Park will only be permitted if these are clearly outweighed by social or economic benefits of national importance and will be mitigated to the satisfaction of the planning authority by the enhancement of qualities or features of equal importance to the National Park.*

In considering whether individual proposals or actions meet these criteria the following will be considered:

- a) which qualities that contribute to the distinctive character and coherent identity of the area could be affected; and*
- b) the extent to which the proposal or action might adversely affect those qualities and/or the overall integrity of the distinctive character and coherent identity of the area to which they contribute.*

While Policy 1 sets out the general principle, there is a range of more specific policies throughout the Local Plan that set out the basis on which effects on particular aspects of the special qualities will be assessed and provide information about those aspects of the special qualities. The main examples are detailed in Section 5.1 below. The Local Plan explicitly states in 1.20 that proposals should comply with all relevant policies in the plan – in this way the interactions between effects on the special qualities and cumulative effect on the distinctive character and coherent identity of the National Park are considered.

5. Sources of information and guidance relating to the special qualities

In order to inform decisions on the effects individual proposals or actions may have on the special qualities there is a range of information and guidance available. This is widely available to developers and others in order to help identify which special qualities may be affected in a particular case, and how they might be affected, in addition to guidance on how to minimise negative effects and seek enhancement.

In all cases, pre-application discussions with the National Park Authority can help guide developers to the most relevant sources of guidance and provide advice on how to consider potential effects on the special qualities.

There is a wide range of information readily accessible to provide information on the special qualities and inform development proposals including:

5.1 The Local Plan

Policy 1 of the Local Plan sets out the basic principle on which development will be assessed, referring explicitly to the special qualities. Other policies in the Plan provide more specific policies relating to particular components of the special qualities and guidance setting out how effects on particular qualities will be considered and how proposals should ensure those qualities are conserved and enhanced. These include:

- Policy 2 Natura 2000 sites
- Policy 3 National Natural Heritage designations
- Policy 4 Other important Natural and Earth Heritage Sites and Interests
- Policy 5 Protected Species
- Policy 6 Biodiversity
- Policy 7 Landscape
- Policy 8 Gardens and Designed Landscapes
- Policy 9 Archaeology
- Policy 10 Listed Buildings
- Policy 11 Conservation Areas
- Policy 12 The Local and Wider Cultural Heritage of the Park
- Policy 14 Mineral and Soil/Earth Resources
- Policy 16 Energy Generation
- Policy 22 Housing Development within Settlement Boundaries
- Policy 23 Housing Development in Rural Building Groups
- Policy 24 Housing Development Outside Settlements
- Policy 29 Conversion and Reuse of Existing Traditional and Vernacular Buildings
- Policy 31 Telecommunications

In each case, these policies provide guidance on when development will be permitted in relation to particular aspects of the special qualities and provide information on how the policy should be interpreted and reference to supporting information. Developers should refer to all relevant policies, in line with section 1.20 of the Local Plan, in order to show that proposals are consistent with the special qualities of the National Park.

5.2 Supplementary Planning Guidance

To provide further guidance and information on the way in which the special qualities may be affected and the way in which effects will be assessed, the range of Supplementary Planning Guidance will give more detail about many of the policies above. In particular, supplementary guidance on natural heritage, landscape and cultural heritage will identify how these special qualities might be affected and provide guidance on how to minimise negative effects and seek enhancement. It will also provide references to a range of other information and analysis which is available in order to help shape high quality development proposals that are consistent with the special qualities.

5.3 National Park Plan 2007-12

As set out in Section 3.2 above the National Park Plan establishes the strategic framework for managing the National Park including the approach to conserving and enhancing the special qualities. It identifies some of the principle aspects of the special qualities and sets the context for their management in a dynamic environment. The plan was approved by Scottish Ministers in 2007.

5.4 State of the Park Report 2006

The State of the Park Report 2006 provides information, data and trends in relation to many of the components that make up the special qualities.

5.5 Landscape Character Assessment (current work)

The updated Landscape Character Assessment (LCA) for the National Park, due to be completed for consultation in September 2009, will provide a detailed and consistent baseline for assessing changes to the special qualities of the landscape character. The LCA will be adopted as Supplementary Planning Guidance.

5.6 Determination of Landscape Special Qualities (current work)

To inform the Landscape Character Assessment, an analysis of the landscape special qualities is being carried out by SNH following the standard methodology developed for the national review of special qualities of National Scenic Areas. This will provide a professional analysis of the landscape special qualities which will be available to provide guidance and inform decisions.

5.7 Analysis of Wildness Qualities 2008

A 2008 study by Leeds University for the Cairngorms National Park Authority maps the extent of key attributes of wildness across the National Park. It provides a transparent and consistent way to assess how wildness may change as a result of a management action or development proposals. This will inform supplementary planning guidance and will be available to inform proposals.

5.8 Cairngorms Forest and Woodland Framework 2008

Updated in 2008, the Cairngorms Forest and Woodland Framework provides strategic objectives and priorities for forest and woodland management to guide the management of forests and woodlands in ways which conserve and enhance the contribution they make to the special qualities of the Park. It also sets out more detailed description and rationale of some of the landscape, species and habitat qualities of the forests and woodlands that contribute to the distinctive character and coherent identity of the area.

5.9 Cairngorms Local Biodiversity Action Plan

The Plan provides information and targets on the habitat types characteristic of the Cairngorms and the associated species of local and UK importance.

5.10 Sharing the Stories of the Cairngorms National Park – a guide to interpreting the area's distinctive character and coherent identity

This guidance provides a framework of four key themes through which to interpret the distinctive character and coherent identity of the National Park based on stakeholder engagement.