

<b>Issue:</b>	<b>Nethy Bridge – allocation of H2 and ED I</b>		
<b>Objector(s):</b>	Badenoch and Strathspey Conservation Group	<b>Objection ref(s):</b>	400i(r)

<b>Reporter</b>	Mr Hugh Begg
<b>Procedure:</b>	Informal hearing

## Rebuttal

- 1.1 **This statement represents the CNPA’s rebuttal of the objections raised in the statement from the Badenoch and Strathspey Conservation Group.**
- 1.2 **Objection:** The objector has raised concerns about the potential adverse impacts of development on the natural heritage value of both H2 and ED I allocated sites. This is in relation to the proximity to 2 Natura sites, Ancient Woodland, and potential impacts on protected species, including capercaillie, red squirrel, otter, pine martin, bats, crossbill, crested tits, song thrush, bullfinch, nesting woodcock, wood ants, cousin german moths, and the mason bee. In addition, concerns are raised about the impact on priority species such a juniper, liverwort and green shield moss, as well as other rare pinewood plants.
- 1.3 **Response:** The CNPA reiterates that the site has Outline Planning Permission for 40 houses and a business unit, with an associated S75 legal agreement, dating from 20 February 2006. 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 and therefore the principle of development on H2 and ED I is established.
- 1.4 Issues of impacts on habitats, species and natural heritage features were considered at the time of the determination of the outline application by Highland Council, including the potential impacts on capercaillie. SNH at that time concluded that the development proposal would have no significant effect on the capercaillie populations in the nearby Abernethy Forest SPA and Craigmore Wood SPA. In a consultation response to the current Approval of Reserved Matters application, SNH has now confirmed that they have no new evidence or information that would lead them to change their position regarding capercaillie in relation to the development of the H2 and ED I sites.
- 1.5 The sites do carry Ancient Woodland designation status. The supporting text in the 2<sup>nd</sup> Modifications Local Plan, for 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 of the sites on protected and priority species and habitats, the Ancient Woodland designation, and any other natural heritage interest, will be considered during the assessment of the current 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 (Other Important Natural and Earth Heritage Sites and Interests), Policy 5 (Protected Species), and Policy 6 (Biodiversity).

## Conclusion

- 2.0 The objector has raised issues in relation to the potential of development, on the H2 and ED I allocated sites, to impact on important protected and priority species and habitats. Outline Permission exists for these sites and a current Reserved Matters application is being assessed. The issues raised by the objector will be considered through the application assessment 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 (Other Important Natural and Earth Heritage Sites and Interests), Policy 5 (Protected Species), and Policy 6 (Biodiversity). SNH have concluded that there is no adverse impact on capercaillie in the vicinity.

### **CNPA Commendation to Reporter**

- 3.0 It is commended to the Reporter that no further modification is required to the allocation and provision of housing and business land at NB/H2 and NB/ED1, is required.