

<b>Issue:</b>	<b>Policy 7 - Landscape</b>		
<b>Objector(s):</b>	Badenoch and Strathspey Conservation Group	<b>Objection ref(s):</b>	400f(g)
	Scottish Council for National Parks		434e
	Scottish and Southern Energy Plc		447d

<b>Reporter</b>	Mrs Jill Moody / Mr Hugh Begg
<b>Procedure:</b>	Informal hearing - rebuttal

## Rebuttal

- I.1 This statement provides a rebuttal to the hearing statement submitted by the Badenoch and Strathspey Conservation Group, Scottish Council for National Parks and Scottish and Southern Energy Plc in regards to Policy 7 - Landscape.
- I.2 **400f(g)** maintains their original objection to paragraph 4.38 in relation to the word ‘sum’.
- I.3 **Response:** The Cairngorms National Park Authority maintains that it is the sum of the various parts of the environment which make up the qualities of the National Park and it is for this sum of parts that the Park has been designated under The National Parks (Scotland) Act 2000 (CDI.3). No further change to the wording is therefore considered necessary.
- I.4 **434e** highlights examples of development which do not conform with Policy 7. The objection also highlights the need for the policy to counteract the tendency towards urbanism in new development, particularly in large developments such as An Camas Mor.
- I.5 **Response:** The developments referred to in Kincaig are complete and were approved under the Badenoch and Strathspey Local Plan (CD6.6). The policy within the current plan under consideration cannot therefore be judged against developments which have been development prior to its implementation.
- I.6 **Response:** The comment regarding new development is noted, and as this is the intent of the policy, no further change is considered necessary.
- I.7 **447d** object to the requirement to comply with a) and b) of the policy as compliance with b) should mean there is not additional requirement to comply with a).
- I.8 **Response:** The objector refers in the footnote to case examples where the consideration of alternatives is highlighted as an appropriate course of action. For clarity the need to consider alternatives would be expected to be practical. The CNPA would support the addition of this clarity within the wording of the policy as a post inquiry modification. The need for compliance with a) and b) is considered therefore reasonable, and no change is therefore considered necessary.
- I.9 **447d** also objects to the policy which is considered to be at odds with Policy 1 and 3 which allow significant adverse effects to be balanced against social and economic benefit rather than requiring alternatives.
- I.20 **Response:** The policy is not considered contrary to Policy 1 and Policy 3, and the requirement for any adverse effect to be considered under the terms of the Policy is appropriate. The policy refers to landscape character (CD8.4). Policy 1 considers the special qualities of the National

Park (CD7.22). Policy 3 considers National Natural Heritage Designations, including National Scenic Areas which are primarily designated for their scenic quality. Within the consideration of landscape character, the consideration of scenic quality forms only one part. To allow significant adverse affects under the terms of Policy 7 would be contrary to the 1<sup>st</sup> aim of the National Park and the wording is therefore considered to be appropriate and not contradictory with other policies of the plan.

- I.21 **447d** also object to the lack of clarity provided by the policy to appropriate development sites, as no information is given through maps on areas where the landscape character and special qualities are particularly rich or fragile.
- I.22 **Response:** The issues raised in 2.3.21 of the statement relate to the special qualities of the National Park and it is therefore considered appropriate to consider these issues along with the other points raised in relation to the special qualities through Policy 1 and the wider debate surrounding these qualities.
- I.23 **447d** also object to the proposed post inquiry modifications put forward in CD7.28. Replacing 'significant' with 'any' is considered inappropriate. This change would be inconsistent with policy 16, and would also be inconsistent with SPP6.
- I.24 **Response:** The objection relates to the use of 'significance' within Policy 16. This refers to the term as set out in the Guidelines for Landscape and Visual Impact Assessment (GLVIA) and is not therefore contradictory or inconsistent to the requirements of Policy 7 or SPP6. No further change is therefore considered necessary.

## **Conclusion**

- I.25 The points raised by the objectors have been considered, and the policy is not considered to be deficient or contradictory and no change is therefore considered necessary.

## **CNPA Commendation to Reporter**

- I.26 No further change is therefore considered necessary.