

NEMT comments on the Main Issues Report for the LDP

Main Issue 1: Over-arching development strategy

We agree that the current strategy, focussing on the main strategic settlements, remains appropriate and should be the basis for the next LDP.

Main Issue 2: Designing Great Places

This simply accepts the Scottish Planning Policy's six "qualities for successful places". **We agree that this should apply to all scales of development as this will provide clarity and avoid grey areas.** We also agree that supplementary guidance should be provided to clarify the nature of supporting information for different scales of development.

However, adopting standard planning policy, places far too little weight on the Park's four statutory aims, and especially the first three. The Park's LDP should encourage the use and enhancement of vernacular building styles. Otherwise, a variety of building designs are likely to arise, based on architectural fashions, sometimes encouraged by temporary subsidies, e.g. for wooden buildings.

We feel that the sustainability and resource efficiency of new developments in this outstanding area should be set to the highest standards and reflect the policies on landscape and climate change. The National Park Plan also indicates the need to protect and improve the natural capital assets of the Park. New developments have an important role to play in this through the investment they make in measures to protect and improve natural capital (for example, woodlands, wildlife corridors, wetlands, SUDS and other measures). **The supplementary guidance should clearly set out standards for sustainability and resource efficiency and how these will support landscape and climate change policies as well as investment in natural capital.**

Main Issue 3: Impacts and opportunities from the A9 and Highland Main Line upgrades

The opportunities in this section are clearly and explicitly linked to economic development, i.e. Main Issue 6. The main component of the Preferred Option – identifying new economic development sites at Aviemore, Carr-Bridge, Dalwhinnie and Kincaig – is common to the two Issues. Our comments are given under Issue 6.

Although, the opportunities are considered elsewhere, the impacts have been neglected. Consideration needs to be given to both the problems created in "by-passed" communities and the effects of increased commuting to both Perth and Inverness. **Clear actions need to be developed to mitigate these impacts.**

Main issue 4: Housing

We support using the lower end of the 10% - 20% flexibility range, required by Scottish Planning Policy, in view of the need to recognise the importance of much of the land for nature conservation.

We support the proposal to identify a limited number of smaller sites in some communities to

- i) mitigate the risk of some larger sites taking longer to start and

- **ii) encourage small local infill development as a better way forward than a very large new development.**

We have not commented on the individual proposals as these are best addressed by the local communities concerned, other than Dalwhinnie below.

We note that, even without An Camus Mor, there is sufficient land supply until at least 2023 and even then any shortfall can be easily made up by less than the proposals above. Hence, there is plenty of land identified. **There would need to be very strong evidence that An Camus Mor was delayed for a long time before additional land would need to be identified.**

We support the proposal to not identify more land for development than is necessary and also the proposal to incorporate safeguards, e.g. not permitting development on this land, if An Camus Mor proceeds as planned.

Main Issue 5: The affordability of housing

We fully support the proposal to increase the affordable housing requirement from 25% in certain places. Indeed, we have been suggesting this for a long time! We also support being flexible when dealing with planning applications but urge caution against giving in too easily to developer's claims of poverty and insufficient return.

We don't challenge the rationale to increase the allocation of affordable housing to 35% in Ballater and Braemar and to 45% in Aviemore and Blair Atholl. However, it would improve transparency if this rationale was made clear.

We know that the Authority has done work on trying to increase the role of housing associations and community ownership in trying to increase the provision of affordable housing. It would be helpful if more of this thinking was shared as it seems to be a promising way forward. Similarly, has there been any progress on agreeing increased taxation on second homes with the relevant authorities? What progress has been made? Is it time to reconsider a form of residency criterion?

The document talks in general terms about affordability, without specifying an aspired target. **We suggest that a target ratio of median house price to median household income be set to allow monitoring of the effectiveness of the plan.**

Main Issue 6: Economic development

Economic development is only (a part of) the fourth of the Park's four statutory aims, and it is worrying that the other three aims (heritage conservation, sustainable resource use, and public enjoyment) are nowhere referred to in the "Background" section. For example, in Main Issue 3 (A9/rail upgrade opportunities), demand for development land is explicitly contrasted with "threats" such as commuting and second homes, with no recognition that meeting such demand may well damage the natural heritage of the relevant areas.

The Background admits that there is "*little empirical information on which to base land requirements*", yet the Preferred Option is to allocate additional "sufficient land", on a "propose (by developers) and provide" basis. This Option seems selected simply on the basis that the Park's Partnership Plan states that new business sites should be identified.

Future need for sites for medium- or large-scale manufacturing or even storage/distribution seems highly dubious; the Park's future seems much more likely to be driven by tourism and recreation.

These sectors exhibit mixed geographical demand, from dispersed small-scale accommodation and daytime attractions to large-scale mass-tourism centres. However, the latter seem likely to be dominated by low-wage and often seasonal employment as well as external ownership and should not be encouraged by the Plan.

It is difficult to see Dalwhinnie as a successful location for significant economic development; apart from the distillery, there is little to attract residents or visitors. The sites of past hotel and garage failures are eyesores. **The LDP should be clear that existing brownfield sites should be used before the large THC056 allocation of land for economic development south of the distillery.** Indeed, it appears unlikely that this large piece of land will be used for some time.

Main Issue 7: Impacts on Natura Designations

We support the proposals to conserve the named species, namely the continued delivery of the Cairngorms Capercaillie Framework and the proposed collaboration over waste water treatment and levels of water abstraction.

Development should not prevent habitat expansion, particularly proposed connectivity of woodland habitats between the major river valleys.

“Around half the park is designated as being of European importance for nature and conservation and over a quarter of UK’s rare and threatened species are found here” but the consultation only considers two species, capercaillie and freshwater pearl mussels.

The nationally important habitats within the Cairngorms National Park should be protected from development. 14 scarce habitats are a primary reason for designation of the Cairngorms as a Special Area of Conservation. Golden Eagles and six other bird species are listed in the designation of Cairngorms and Cairngorms Massif as Special Protection Areas. **These habitats and species should be protected in line with the Cairngorms Nature Action Plan.** The National Park Partnership Plan 2017 calls for a reversal of the loss of biodiversity within the park. **The LDP should require no net loss of biodiversity in any development. Particular attention should be given to landscape scale conservation.**

Main Issue 8 Planning Obligations

We agree with the proposal to produce a clearer policy on planning obligations. We encourage a tailored policy across the park so that the facilities provided are appropriate to each area. The park authority should have specific guidance for the five local authorities and other key stakeholders.

Main Issue 9: Flood risk and climate change resilience

We agree that flooding is a very significant risk to people, businesses and infrastructure within the Cairngorms National Park and that the next Local Development Plan should set out clear policies to manage this risk. We are pleased to see that the Monitoring Statement, Policy 10 (Resources) states the need to consider how best to support natural flood management through the new LDP.

We also agree that the new Local Development Plan has to reflect national Flood Risk Management Strategies and Scottish Planning Policy in ensuring that the planning system should prevent development that:

- is likely to be impacted by flooding
- is likely to increase risk of flooding elsewhere
- requires more land to require flood mitigation measures

- affects the ability of the functional flood plain to store or move flood waters

These latter 3 requirements of the planning system are particularly important for the Cairngorms National Park where conserving the naturalness of the environment is a key principle. While we acknowledge that the Strategic Flood Risk Assessment indicates modeled risks from river and surface water flooding, it does not address assessments of changes to floodplain functionality (including connectivity to river and loch systems) caused by developments. **We would like to see more detail of how these important floodplain assessments will be made in the guidance provided by the new LDP.**

Natural Flood Management is highlighted as one of the key tools to mitigate flood risk and we very much support this principle since NFM can also deliver multiple other benefits such as biodiversity gain and landscape improvements. **We also strongly support a policy that mandates Sustainable Urban Drainage in all new developments, which should follow SUDS best practice (eg. CIRIA).**

The Strategic Flood Risk Assessment indicates that the emerging National Park Plan will seek to support and encourage further NFM within the Park, and that work will therefore continue in developing the case for future NFM projects. However, we are disappointed that there is no further policy intention in the LDP to encourage NFM measures in the broader design of developments and to encourage an integrated approach to NFM through inter-related policies. The Preferred Option appears only to attempt to ensure that flooding is not made any worse through new developments whereas the LDP should also address existing risks.

The LDP should encourage NFM in the broader design of developments, for example, in maintaining connectivity of hydrological systems, of wetlands and of woodlands.

NFM cannot be effectively implemented through piecemeal projects acting only locally. NFM requires an integrated approach acting at catchment or sub-catchment scales so that measures are complementary and synergistic. Current best practice guidance recommends NFM measures related to housing, infrastructure, agriculture, upland land management, forestry management, recreation and conservation. The LDP should encourage an integrated approach and delivery at catchment scale by building effective partnerships of stakeholders to bridge the gap between policy and local implementation.

Reference should be made to how the LDP will help to deliver an integrated approach at catchment scale to ensure that NFM is reflected in policies that cover housing, infrastructure, agriculture and forestry through the encouragement of effective partnerships of stakeholders.

Existing developments and flood risks could employ NFM measures too, through appropriate community partnerships and with advice on funding.

We note this main issue includes climate change resilience but there is no mention of how this will be taken into account in the Preferred or Alternative Options for the LDP. The Strategic Flood Risk assessment does indicate that developments should provide further allowance for increased flood risk and it would have been useful to indicate this in the Preferred Option too.

The Preferred Option should indicate that further allowance should be made in development designs for increasing flood risk due to climate change.

Climate change is likely to present other risks to the environmental, social and economic characteristics of the National Park. The very special arctic-alpine ecology of the Cairngorms is

particularly at risk as are protected aquatic species reliant on cool water temperatures (eg. salmon, freshwater pearl mussels). **We expected to see more thought given to how development policy should take account of, and help to mitigate, climate change risks other than flooding (for example, by ensuring the improvement in resilience of riparian woodlands in development planning).**

The descriptions of the Potentially Vulnerable Areas in the catchments comprising the CNP is very useful context. If available, the potential for damage to infrastructure outwith these PVAs, for example to bridges and roads around Braemar, would also be very informative. A good example is the damage caused by a floating tree to the bridge at Cambus O' May.

Main Issue 10. Land Management in Upland Areas

The Background states that "Hill tracks are one form of development which sometimes falls under the control of the planning system. Whilst some tracks for agriculture and forestry purposes benefit from permitted development rights, all other new private tracks require planning permission before they can be developed." This is incorrect. Agriculture and forestry tracks require prior notification and hence do fall under the planning system.

Furthermore, the Background states that "tracks are a necessary component of land management". This is untrue. Tracks are sometimes necessary but are often not. Those built for sporting purposes are simply for convenience.

Land management in upland areas of the National Park is rightly considered to be one of the main issues for planning. The Partnership Plan for 2017-2022 recognises that hill track developments have taken place that are substandard and have had significant adverse effects on landscape. **We are very supportive of the Preferred Option to strengthen the policy on hill tracks to reflect a specific presumption against new tracks in open moorland.** This will enable the Park Authority to refuse new applications unless it is proven beyond doubt that a new proposed track is required for another approved development and that no detriment to landscape or sensitive species will occur.

An associated issue, is the growth of "evolved tracks" caused by running ATVs across the same line in open, typically water-logged, countryside. **The Authority needs to consider instituting a byelaw under Section 2 of the National Parks (Scotland) Act 2000 "to prevent damage to the land and regulate the use of vehicles"**. This would not interfere with occasional use for carcass extraction but stop repeated use along the same line.

The next LDP and the planning system should also do more to ensure that new developments do not negatively impact on the resilience of upland ecosystems to adapt to climate change or contribute to carbon storage. Furthermore, The National Park Plan highlights that wetlands are small, fragmented and under a variety of pressures while supporting a great many species as well as providing natural flood management services.

New developments that further reduce the ability of peatlands to store carbon or further reduce the area of wetlands in the park should be discouraged through planning policy.

The National Park Plan emphasizes the need to protect and improve stocks of natural capital. The fundamentally important policy initiative then is to encourage investment by public and private entities in natural capital to maximize commercial and public benefits. **The LDP should now be providing guidance on how such investment in Natural Capital by developers will be encouraged.**