

## **CHAPTER 3 PLANNING CONTEXT**

### **3.1 Introduction**

**3.1.1** This chapter sets out the Scottish and Local Planning Policy context for the proposed new community at An Camas Mòr.

**3.1.2** At Scottish level Planning Policy is set out in:

- Scottish Planning Policies;
- Planning Advice Notes;
- Government Circulars.

**3.1.3** At local level Planning Policy comprises:

- The Highland Council (THC) Structure Plan 2001,;
- Badenoch and Strathspey (B&S) Local Plan 1996;
- Cairngorms National Park Plan (CNPP)2007;
- Cairngorms National Park Local Plan (CNPLP) (deposit draft with modifications) 2008; and
- THC Policy Guidelines.

**3.1.4** A Planning Statement has been prepared (Supporting Document Planning Statement) which identifies the Planning Policies which would be the basis of appraisal by the competent Planning Authorities when they consider the Outline Planning Application for An Camas Mòr. The Planning Statement forms a checklist for considering the performance of the An Camas Mòr proposal against planning policy.

### **3.2 Scottish Planning Policy**

**3.2.1** The Scottish policy documents are listed and summarised in the Planning Statement which supports this Environmental Statement. Table 3.1 shows An Camas Mòr's fit with the policies in the relevant documents.

**Table 3.1 Scottish Planning Policies**

Policy	Comment
<b>National Planning Framework for Scotland (2008)</b>	<p><b>The National Planning Framework for Scotland 2 (NPFS2)</b> – published in December 2008 outlines the Scottish Government’s guide to the spatial development of Scotland to 2030. It will be considered by the Scottish Parliament in Spring 2009. It identifies the key drivers for change in Scotland which include the importance of a positive sense of place in rural communities with high quality environments and a strong identity (para.13).</p> <p>It introduces the Scottish Sustainable Communities Initiative inviting proposals for the creation of sustainable communities as exemplars of 21<sup>st</sup> Century low impact development (para.173). An Camas Mòr is a candidate. Generally An Camas Mòr fits well with NPFS2 by maintaining very high standards of sustainable development; providing a strong community identity and sense of place; managing the natural environmental resources; and building environmental capital.</p>
<b>SPP2 - Economic Development (2002)</b>	<p>This stresses that developments should be accommodated where they are appropriate to the purposes and character of the Cairngorms National Park. Siting and design should be of high quality and support the Park’s image and appearance (para.30). An Camas Mòr would encourage small business start ups and recognises the opportunity for home working and low impact business which can co-exist with housing.</p>
<b>SPP3 - Planning for Homes (2008)</b>	<p>It expresses the Government’s strong support for house building. It aims to secure an increase in the delivery of much needed homes for the many households that have been excluded from the market or have found it difficult to achieve owner occupation. Its key policy requirements for sustainable communities are high quality affordable homes for all sectors of the community: jobs, education and other services in the same place; an environment which encouraged healthy and active living; energy efficiency and efficient use of construction resources; attractive pedestrian and cycling environments and good public transport to reduce car dependency; integrating landscape and open space with the residential environment; enhancing wildlife habitats within the residential environment; and securing long term management. New settlements must effect a step change in the quality and environmental standard of communities. An Camas Mòr would provide a balance of housing representing the normal range of age groups, household types and income levels and would be designed as a high quality environment minimising car use.</p>

<p><b>SPP6 – Renewable Energy (2007) expected to be updated with greater permitted development rights for micro-generation on domestic properties.</b></p>	<p>The Scottish Government is keen to see a major increase in the smaller scale production of heat and electricity from renewable resources. Much activity in this sector may take place at domestic level (micro wind turbines, solar panels, heat pumps, wood chip boilers) there is also significant potential for decentralised energy supply systems, and for local communities in rural areas to invest in ownership of renewable energy projects for local benefit. Planning applications with a floor space over 500 square metres should incorporate on site zero and low carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the current Building Regulations Standard. The detailed design proposals for An Camas Mòr would include renewable energy provision.</p>
<p><b>SPP7 – Planning and Flooding (2004)</b></p>	<p>This makes it clear that new development should not take place if it would be at significant risk to flooding from any source. It requires new drainage measures to have a neutral or better effect on the risk of flooding using SUDS for all surface water run-off. The An Camas Mòr site is above the flood plain of the River Spey and the proposed sustainable drainage strategy would neutralize the surface water flood risk.</p>
<p><b>SPP 10 – Waste Management (2007)</b></p>	<p>This stresses the need for waste to be managed much closer to its arising. Community infrastructure (bottle paper and textile banks) should be complemented by community composting and local sites that support waste recycling to minimise transport. A waste management strategy to achieve these aims at An Camas Mòr is include in the Masterplan.</p>
<p><b>SPP11 – Open Space and Physical Activity (2007)</b></p>	<p>It outlines the value of open space and physical activity which improves health, and tranquil green spaces to encourage relaxation. Play space for children is essential to support their development. Areas for horticulture within communities encourage local food production and contribute to bio-diversity. Civic open spaces provide meeting places and give a community identity. Green networks link and provide habitats for wildlife. An camas Mòr provides for all these types of open space to the standards required by Highland Council.</p>
<p><b>SPP 15 Rural Development (2005)</b></p>	<p>The Scottish Government's intention is for vigorous, prosperous rural communities able to absorb more people wishing to live and work there. The aim is for a rural economy with stable or increasing population, a more balanced age structure, and access to good quality services.</p>

<p><b>SPP 17 – Transport (2005)</b></p>	<p>It requires a pattern of development which supports economic growth; improves accessibility to public services and health facilities; reduces the need to travel; promotes road safety; facilitates public transport and encourages the modal shift away from the car; and enables access to local facilities by walking and cycling. Segregated pedestrian and cycle routes with CCTV, ranger and police patrols can provide considerable benefit. In central areas pedestrians should be given priority over all other modes. New development must be served by public transport. Planning permission should not be granted for significant travel generating uses where immediate links to walking and cycling networks are not available; where access to public transport is further than 400 metres by walking; and which would encourage reliance on the private car. The An Camas Mòr Masterplan fulfills these transport requirements.</p>
<p><b>SPP 20 – Architecture and Design Scotland (2005)</b></p>	<p>This requires that developers for high density residential developments, bridges, new settlement, and projects which might affect important views in National Parks consult A&amp;DS to review the design of projects prior to planning applications being made. The first site visit with A&amp;DS at An Camas Mòr was on 20 August 2008.</p>
<p><b>SPP23 – The Historic Environment (2008)</b></p>	<p><b>SPP 23 Planning and the Historic Environment</b> – published in October 2008 this sets out policy for ancient monuments, archaeological sites and landscapes, historic buildings, In cases of remains, buildings or sites of historic environmental interest but not designated for protection, the policy is to preserve in situ wherever feasible. In the case of archaeological remains where it is decided that physical preservation in situ is not justified planning conditions should require provision for excavation, recording, analysis, publication and archiving before development proceeds, with access for a professional archaeologist during work if remains are discovered . <i><b>The Cultural Heritage Assessment in the Environmental Statement which accompanies this planning application has surveyed the historic environment of An Camas Mòr and recommends mitigation measures to avoid, reduce or offset the effects of development.</b></i></p>

<p><b>NPPG 14– Natural Heritage (1999)</b></p>	<p>Natural heritage includes plants, animals, landforms, geology, natural beauty and amenity. Development which would affect areas designated of importance for their natural heritage, such as National Parks and National Scenic Areas should only be permitted where the objectives of designation and the overall integrity of the area would not be compromised. The An Camas Mòr site is within the Cairngorms National Park and The Cairngorms National Scenic Area.</p> <p>At the European level the EC requires each member state to designate Natura 2000 areas to protect maintain or restore the distribution of habitats and species of Community interest (Special Protection Areas under the EC Birds Directive, and Special Areas of Conservation under the Habitats Directive). Within these areas development which would have an adverse effect on the conservation interests for which the Natura 2000 area has been designated should only be permitted where there is no alternative solution, and there are imperative reasons of over-riding public interest including those of a social or economic nature. The River Spey is a SAC to which this policy applies.</p> <p>Trees and woodlands are of great importance as wildlife habitats and for their contribution to landscape character. Ancient and semi natural woodlands have the then greatest value for nature conservation. Where development involves the loss of trees replanting should be conditional. The An Camas Mòr site contains ancient woodland inventory which is classified as long established of plantation origin. The development would safeguard half of this area. Compensatory habitat would be provided elsewhere for the area that is developed.</p>
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**3.2.2** The Planning Advice Notes (PAN) published by the Scottish Government and listed in Table 3.2 below are relevant to the proposed development of An Camas Mòr and have been taken account of in the preparation of this Environmental Statement.

**Table 3.2 Scottish Planning Advice Notes**

PAN 42	Archaeology (1994)
PAN 44	Fitting new housing into the landscape (2005)
PAN 45	Renewable energy (2005)
PAN 51	Environmental protection (2006)
PAN 56	Noise (1999)
PAN 58	Environmental Impact Assessment (Sept 1999)
PAN 60	Planning for Natural Heritage (August 2004)
PAN 61	Sustainable Urban Drainage Systems (2001)
PAN 63	Waste Management (2002)

<b>PAN 65</b>	Open Space (2008)
<b>PAN 66</b>	Best Practice in handling Planning Applications affecting Trunk Roads (Jan 2003)
<b>PAN 67</b>	Housing Quality (2003)
<b>PAN 68</b>	Design Statements (2003)
<b>PAN 69</b>	Planning Advice on Flooding (August 2004)
<b>PAN 74</b>	Affordable Housing (March 2005)
<b>PAN 75</b>	Planning for Transport (August 2005)
<b>PAN 76</b>	New Residential Streets (Nov 2005).
<b>PAN 77</b>	Designing for Safer places (2006)
<b>PAN 78</b>	Inclusive Design (2006)
<b>PAN 79</b>	Water and Drainage (2006)
<b>PAN 81</b>	Community Engagement (2007)
<b>PAN 83</b>	Masterplans (2008)
<b>PAN 84</b>	Reducing carbon emissions in new development (2008)

### 3.3 Local Planning Policy

**3.3.1** The relevant local policies are summarised in the Supporting Document Planning Statement. The tables below show An Camas Mòr's fit with the policies in the relevant documents.

**3.3.2** The Structure Plan is still in force in the Cairngorm National Park Area. It sets out THC's General Strategic Policies which apply to all development proposals. See Table 3.3.