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From Susan Matthews for the Cairngorms Campaign.

Please find below our response to the 2016 consultation on the Cairngorms National Park Partnership Plan 2017 - 2022:

The Cairngorms Campaign has a wide ranging remit in that it values the natural heritage and seeks to secure and enhance the natural environment, and encourages and educates others to enjoy and understand the special values of the wider Cairngorms area. As such we act to safeguard the interests of the informal, non-commercial participants who enjoy their recreation in the area. We are a voluntary membership organisation encompassing the wider Cairngorms Area, in fact the only voluntary conservation and recreational charity to be specifically limited to this entire area.

Our membership comprises a wide range of people who share an interest in and enjoyment of the wider Cairngorms area, and a significant proportion live within or very close to the Cairngorms National Park. A number of our members are current or retired conservation and ecological scientists and land managers. We aim to be a "critical friend" of the Cairngorms National Park Authority.

Given our purely voluntary resources we struggle to have time to make comments across the whole of the National Park Partnership Plan Consultation and therefore have limited our consideration to some key aspects central to our ethos, and underpinned by sound ecological principles of land and habitat management.

For Issue 1 Landscape Scale Conservation and 3 Flood Management we support the responses to the consultation made by Badenoch and Strathspey Conservation Group and North East Mountain Trust.

### Issue 2: Deer and Moorland Management

We support the Targets/Preferred Direction and are pleased to see some indication of movement in this direction, which we expect will get strong resistance from some landowners.

Specifically under "Key Questions" we understand, after discussion with the CNPA that the suggestion is for the CNPA to provide guidance on deer densities at a local level where particular features or activities benefit from lower densities, than would otherwise be set by SNH. For example where native woodland expansion is being encouraged. This we would support.

Given that pine woodland regeneration is unlikely to occur in upland areas at deer densities below 4-7 per km<sup>2</sup> ([http://www.forestry.gov.uk/pdf/fcin35.pdf/\\$FILE/fcin35.pdf](http://www.forestry.gov.uk/pdf/fcin35.pdf/$FILE/fcin35.pdf)) the map of deer densities throughout the area is of serious concern, with the lowest category being 0-33 per km<sup>2</sup> and up to 96 per km<sup>2</sup> in areas highlighted for woodland expansion. The inevitable conclusion is that much will need to be done to reducing deer numbers before any woodland regeneration occurs. Hardwood regeneration requires even lower deer numbers to achieve any regeneration.

This simple analysis undermines the integrity of the application of scientific and ecological principles to the whole of the habitat and species improvement sections of the National Park Plan, especially when considered in conjunction with the status of the designated areas within the Habitats Regulations Appraisal

(<http://cairngorms.co.uk/authority/publication/392/>) where many sites had key characteristics at risk with no change since the last park plan (or from before 2004) and still under threat due to over grazing and/or muirburn. There needs to be a feedback mechanism in the plan to tighten targets if NPP objectives are not being met and at present we do not believe this to be in place.

Regarding management of grouse and its “better integration”, we are aware that there are strongly held and opposing opinions on this and that the CNPA is trying to find a pragmatic way forward, we support the CNPA’s proposals. Any way forward must be realistic in resulting in improvement in habitat resilience and reducing carbon load to the atmosphere.

The CNPA should be clearer in its statements and targets regarding the effects of deer shooting and grouse shooting. The main issue with deer being numbers and their effect on overgrazing and control of the various densities, while with grouse shooting the issues are muirburn, hare culling, raptor persecution, rodent controls and more recently miles and miles of fencing. There may be some conflict with access and there is overlap with the thinking on hill tracks. There should be a presumption to maintain the ability of individuals to exercise their right of responsible access across open land (both on and off path).

However we want to make our own position clear so that we can add our members’ voices to those that are so unhappy about the lack of progress in this area.

Over the lifetime of the CNP grouse moors and particularly driven grouse moors have expanded, exacerbated by leased moorland. Driven grouse moors should not be permitted in the CNP. We have seen expansion of sheep on the moorland, increased predator trapping, more fencing (at the tax payer’s expense) and uncontrolled hare culling. Raptor persecution continues by both disturbance and deliberate poisoning, well documented elsewhere. We do not understand how this can be tolerated within the CNP and would support the CNPA in working seriously to prevent these illegal actions.

The Partnership Plan should include more facts and analysis of the actual economic benefits brought into the area through driven grouse shooting.

As some immediate practical measures we would encourage initiatives in schools to highlight where raptors are seen, how they flourish and where they fail, with openness concerning the conflicts and encouraging discussion about the issues.

We ask that the CNPA takes a stronger role using its website to publicise where raptor persecution occurs, what the causes are and where the blank spots are. This can be factually based without judgement while describing why different parties have the views they do.

Longer term we urge you to use your enabling function to work with landowners and their organisations, the police, and conservation organisations and agencies to thoroughly discredit and to prevent further persecution.

We also urge you to use aerial surveillance to show the effect of muirburn and work with its partners to ensure the code is being adhered to, and to pursue those estate owners that are causing extensive damage.

While welcoming the start the CNPA has made on hill tracks we want to see a much higher and more landscape sympathetic standard for all vehicle tracks and intolerance for tracks that are so called agricultural when there is a lack of any such case. The CNPA needs to be more active in enforcement and must not accept badly formed tracks that scar the landscape, erode the land, and silt up and pollute the water courses. These tracks are contrary to three of the four aims of the CNP. Again the CNPA could provide the forum and education for building well -constructed tracks (where they are established by the CNPA as essential) and use expertise from a variety of sources to support this. There is much work by SNH and the Henry Hindmarsh Fund in establishing principles and practical examples of good stable track construction.

Some hill ground is too unstable for any track construction and so the siting of tracks is as important as the actual track construction. The Park Plan should recognise that such areas there should be a general presumption against track construction and the concentrated travel of quad vehicles etc. over such ground. We hesitate to suggest, but the erosion and covering of vegetation within the leased downhill ski area is a classic example of an unsustainable use of fragile upland areas and there is little evidence of the CNPA planning enforcement being able to manage this area and prevent such damage.

The CNPA must be able to enforce these policies through its planning guidance, planning conditions and subsequent planning enforcement actions. It should be able to use its website to provide a list of authoritative publications providing sound guidance on the construction of such tracks. The web site could also applaud examples of good practice, and name

and shame poor land owners and provide news on progress with the CNPA enforcement actions. Encourage visitors to help and get feedback.

### Issue 7: Housing

We generally support the “Targets/Preferred Direction” except that it needs to be more tightly defined:

- i) all new housing (not more) should be accessible to people who live and/or work in the National Park;
- ii) deliver a higher proportion of affordable and social housing;
- iii) do not build any more second homes – do not assess this number purely as a percentage of new houses built.

The CNPA has continued with policies and a plan for housing that it inherited at its inception. It has over 10 years later had more than sufficient time now to understand both what is required and what is suitable for a National Park. National Parks have been legislated for as they have different priorities and interests so it is time to celebrate and establish these differences. Housing should only be built in the CNP if it meets local needs and does so in perpetuity.

There needs to be a move away from the term “affordable housing” unless it is defined as being sold at a price that is within range of the residents and can be retained as such when the property is sold. In many recent developments affordable housing built under planning permissions has not been accessible to the local population, and has not contributed to reducing the local authority waiting lists as the people on the lists cannot afford the newly built housing. This results in affordable housing being sold as second and holiday homes. Policies and solutions proposed within the National Park Plan must be realistic in solving the perceived issues within the National Park. Take a current case where, in Boat of Garten, single bedroom “affordable” properties are being offered at a starting price of £180,000, which is well beyond the range a young couple, employed within the National Park, are likely to be able to secure a mortgage on.

The current and historical model of a landowner making money by selling land and a developer making profit from luxury house building needs to be rejected. The CNPA needs to show a much stronger leadership role in planning the right sort of development, for instance it is well established from community consultations and evident in the background evidence to the Partnership Plan, that smaller houses are needed. These allow young families to get established in the housing ladder and older residents to down size, thereby freeing up some existing larger housing.

There are plenty of solutions to these needs evidenced within other designated National Parks (both within the UK and further afield). The CNPA by now should have studied these models and developed its own thinking as to the unique approach that suits our communities taking the best and most pragmatic from these other examples.

As just one practical suggestion and linked to “Community Empowerment” the CNPA should be helping with professional guidance development of small infill sites within existing communities, to be owned in perpetuity by community groups, housing associations and trusts for the specific provision of people working and living in the CNP and at affordable prices. Local builders should be used wherever possible and skills developed and retained to provide highly sustainable housing design using local materials as much as possible. They should be prepared to enable compulsory purchase of such small pieces of land and should work to prevent any exercise of the right to buy local authority social housing within the National Park, and should be able to offer shared-equity housing as a suitable alternative. Using such methods we may be able to halt the attrition of loss of agricultural, semi-natural forested and “wild” land adjacent to our communities, whilst still ensuring a sufficient pool of housing for residents.

As indicated in the background evidence, we would support further work being done on residences not currently identified as second homes via the council tax data system but are being let out for holidays part of the year, maybe used by the owner occasionally and vacant for the remainder, most likely with some tax advantages. These should be taxed as second homes. Council tax should never be less for a second home and there is potential for some increased revenues for the councils in increasing it further, but it has limited use in discouraging the purchase of second homes. Owners could just not declare it as a second home and if they can afford one are unlikely to be deterred by a higher tax.

Since the data demonstrating the need for more residences is driven by the statistics that show more people are living alone there should be a presumption against residences with more than two or three bedrooms. Social housing should have 3 bedrooms with some family sized houses having bigger bedrooms. Existing larger residences should also be regarded favourably within the planning policies where they are to be divided into smaller units to allow elderly people to stay in their own homes but with closer neighbours.

It is not possible to understand from the proposed plan how much is within the CNPA's power to require via planning policy. We consider the evidence is that within the CNP planning enforcement by both the local authorities and the CNPA to be very poor. The Planning Committee seems proud of the fact that it approves 97% of the applications; we do not think this is a cause for such pride as it implies very little enforcement of planning powers, which after all are put in place to protect the broadest community and social needs from being eroded by private interests. Since the current policies aren't delivering housing that meets the identified needs of the residents either the policies are inappropriate or are not being applied correctly for the CNP.

The current and historical model of relatively large developments imposed upon communities and very much opposed by locals for both reasons of cultural and natural heritage has to stop before the CNP communities lose their character and more and more look like the suburban towns outside the CNP. The current model dilutes communities and reduces the quality of life; furthermore it undermines and detracts from the visual appeal of the National Park which has been shown many times to support and underpin the income earned from tourism across the CNP, the Highlands and Scotland. The CNP Park Plan and policies need to safeguard the appearance of our communities, their environs and the hillsides if this major source of income to our area is to be retained.

### Issue9: Economic Development

Key Infrastructure Projects: This list appears to be partly a reaction to projects the CNPA expect to appear in its workload as a planning authority. We object to this approach which we fear is tantamount to granting outline planning permission. Instead we think that the CNPA should be adopting a strategic approach and identifying projects that are **essential** to enhancing and meeting the four aims of the National Park with rational in the Partnership Plan as to why. This, when agreed then sets the background for the implementation in the lifetime of the Partnership Plan.

We support policies and measures that recognise and offer support to enable locally based small scale businesses to thrive and grow whilst operating within the CNP, and by undertaking works that support and enhance the four aims of the National Park.

### Appendix: Proposed Policies

#### Policy 1.1

1.1 d: We are concerned that "increased provision for business land where there is an identified need and demand" should not be a Policy, given the many demands on a highly constrained land supply in the CNP. We would like to see any increase in business land being handled through the development planning process on a level playing field with other demands on that land and consideration of the roles and benefits it provides.

1.1 f: We are concerned that this Policy is seeking to raise the provision of housing land supply, which we strongly oppose. These concerns arise because the first part of this Policy - to ensure the provision of housing land supply to meet identified need and demand is a requirement of Scottish Planning Policy and therefore unnecessary. Also the CNPA has identified that there is currently 'no issue' with housing land supply.

The provision of adequate housing for local residents is not addressed solely by the provision of housing land. The type and cost/affordability of housing is a more significant restraint on local residents securing housing. The land supply for all uses should be identified within the local plans and the constraints on land supply around communities. The Policy within the National Park Plan should recognize the constraints and limited supply, and provide guidance for resolving these issues. We need to see the provision of smaller housing units, and fewer large houses to suit the needs of the local population currently on the housing lists or struggling to find somewhere affordable to live.

1.1e & f: We see encouraging returning young people to be essentially the same group as encouraging inward migration of workers. Young people should only be encouraged to return to create a viable life for themselves and their families. Historically people have returned to the marginal Highland Areas and brought back resources to support their communities, this is a pattern of behavior common across mountain based settlements. It is as much part of our cultural heritage as it is in the Gurka Communities in Nepal, for example. The infusion of new ideas and experiences does much to enhance our communities. Rather than seeking to pin people down, it would be a positive policy to welcome and encourage this cross-fertilisation of ideas; and to encourage movement in and out of our communities. Consequently we

would like to see the term “Young people” removed from the policy as they are by implication included within the term “workers”.

## Policy 1.2

This Policy needs to set a far more nuanced strategic context than it does at present. It needs to provide a clear indication of a change in direction that fully takes into account the highly constrained land supply within the CNP. It also needs to be worded in a manner that is clear and enforceable. It should balance presumptions for and against land being made available for development of any kind.

It needs to provide strategic guidance as to what scale of housing or settlement development is sustainable, bearing in mind the constraints of land supply. There are references to ‘maintaining the integrity of designated sites’ which is simply a statement of the legally required minimum standard that every planning authority needs to achieve; whereas the expectation is that a NP achieves standards that are higher than the general national standards.

Much important biodiversity of the CNP relies on undesignated sites. This Policy needs to indicate what strategic approach is to be taken towards maintaining the integrity of undesignated sites and not allowing degradation of the natural heritage values of this undesignated land.

If the CNPA is going to succeed in providing housing that genuinely meets the needs of the residents of the NP it will need a far more nuanced approach than that provided in this Policy, which simply seeks to consolidate all the existing main settlements with further growth, and provide additional flexibility for growth in the smaller settlements. There is no mention of appropriate scale, or priority for types of tenure. We cannot see that this Policy is ‘setting the strategic context for the delivery of housing across the National Park’. This policy continues to support the rate and policies of housing development within the CNP inherited from the planning authorities when the CNP was created which are neither sustainable nor meeting the local housing needs, whereas it should establish a strategic approach within which there is full integration of policies pertaining to such priorities as housing, nature, community, sustaining ecosystem services, etc.

‘Settlement growth’ should be replaced with ‘settlement development’.

The reference to consolidating the role of An Camas Mòr should be omitted as it is a single private interest being undertaken for profit with scant reference to the wider community needs throughout the NP. We continue to object to this development as we cannot see how it can be built and meet the conditions of the planning approval, we fail to see how it can be defined as environmentally “sustainable”. Sustainable growth is better secured at a sustainable scale and sustainable rate within the existing settlements and communities.

## Policy 1.3

We generally welcome this policy, especially the clear guidance given on wind farm development. We would like to see water courses and aquatic habitats protected in the same manner, given that run-of river hydro schemes can severely reduce water flow, and reduce aquatic health by interrupting the water-borne pathway for migration. Similarly it would be positive if guidance was given the types of biomass that the NP would encourage. Is coppice rotation of woodlands, or methane combustion from anaerobic plants being considered? There is a world of a difference in terms of management, regulation and impact that these policies should be providing unambiguous and enforceable guidance on. At present this policy fails on these counts.

1.3 c: Much community benefit from the financial planning gain across Scotland has been of low impact to the local economies. This policy is an opportunity to raise the bar for this within the National Park and thereby securing benefit for the local communities. This is one way the residents can derive some benefit from living within the NP boundary. We therefore think that this policy needs to provide much clearer and exacting guidance to maximise economic benefit to the communities.

1.4 d: rather than “promoting high standards of design” which may not achieve any meaningful improvement in building performance we would like to see a policy that set out “to achieve world class performance in terms of resources use and re-use, and energy efficiency”. This is then becomes an enforceable policy statement to guide planning and building consents.

## Policy 2.1

There has been much research and information baseline setting in the past. The CNPA's Habitats Regulation Appraisal associated with this plan revision exercise clearly shows that the status of habitats within many designated sites are degraded through over grazing and muirburn and that there has been little improvement, and some degradation, between surveys over the past 10-12 years. There is little in these policies that will change these adverse trends; this does not meet the primary aim of the formation of the National Park. It is time to change by only supporting those land based activities that support and enhance the key natural heritage habitats, attributes and species across the whole park. Equally it is imperative that the nationally important National Nature Reserves move towards improving and favourable status.

## Policy 2.2

We support this policy in as far as it goes, but would like to see policies on upland management, intentions to retain flood waters within the catchment, retention of riparian woodlands, presume against increasing run-off and the construction of man-made engineered flood embankments etc. Also the importance of the Dee, Don and Spey as designated habitats should properly be supported in this section. It is ironic that a private commercial interest such as Am Camus Mòr is specifically named as supported within this policy appendix, yet key nationally important water courses and aquatic designated sites are not.

## Policy 2.3

This policy needs to be firmed up. The wildness qualities must be retained and increased. There should be a presumption against development and land uses that undermine and detract from these key landscape attributes. Use of the term "a particular focus" is not defensible in planning terms; and consequently this policy is not likely to be effective.

## Policy 2.4

We support the ecosystem services approach initiated in this policy. Coupled with ecosystem carrying capacity, preventing irreversible change and environmental sustainability we think these concepts provide useful management tools for resolving conflicts in use, and establishing where multiple land uses are possible. We would like to see this approach extended for land management out with the land development planning system.

The ecosystems services are not limited to those listed in 2.4 c. Across the NP we are using the rivers for effluent treatment of storm water overflows, and the ground water for potable water supply. We are using wind and solar gain for electricity production. Whilst we generally support this policy we contend that it should be expanded to acknowledge the wider range of ecosystem services we are using.

We would also like to see recognition that muirburn and other moorland management practices draw on these ecosystem services to both sequester the carbon released from the organic soils and vegetation and to clean the air from the particulates from the smoke causing air pollution.

## Policy 2.5

This policy should also recognise that maintaining the habitats that support these iconic species is most important in maintaining their good health.

One thing that it seems to be missing in the context setting under challenges to conservation is bio-invasion. This is a serious threat and one in which prevention and early intervention are very significant, and far less expensive to correct by being proactive rather than by reactive measures. During the current period of climate change our habitats are losing resilience and at increased risk from negative impacts of invasive non-native species.

The CNPA should have targets for specific geographical areas and habitats to be Invasive Non-Native Species-free. Integration with planning policy, guidelines, and planning permission conditions that recognise gardens introduce invasive species into the countryside beyond the garden fence. If the CNPA allows housing and other developments cheek by jowl with habitats deemed important to keep INNS-free at some stage there will be increased risk of this invasion of these harmful dominant species (flora & fauna). Housing adjacent to water courses provide pathways of migration to the wider environment and significantly increase both the magnitude of risk and the probability of escapes. For example we found

skunk cabbage growing at the edge of the Spey this summer, and the CNPA were involved in the removal of skunk cabbage from the watercourse beside Boat of Garten school. The source of the skunk cabbage will be further upstream in a garden somewhere, which comes back to the importance of where new houses are permitted, and also giving information to residents of the risks of introducing such species into their gardens.

There is already invasive weed in the River Spey, and significant seeds sources of Giant Hogweed adjacent to the Don. We believe the area is threatened with salmon disease. There is both a fungal/bacterial disease and an insect pest threatening the ash. The policies for managing these invasions and the mechanism by which the native species and habitats will be safeguarded by the National Park Policies and the actions of the CNPA (albeit limited to guidance, policy and enabling!).

We would like to see these policies expanded and framed in unambiguous defensible terms so that action can and will be taken when and where necessary by the CNP partnership bodies and agencies.

### Finally

We found the structure of this Plan much easier to engage with than previous plans. The clarity of the issues raised and the background information were easier to read and understand. We also appreciate the time the CNPA staff spent discussing the Plan with us to help us clarify our response.