

Scottish Environment LINK response to the consultation by Cairngorms National Park Authority into its non-statutory guidance on Landscape for the Local Development Plan

Q4. Is there other relevant advice or information that you feel could be referred to in the guidance?

LINK wishes to make comments on the section relating to Private roads and ways. The national park authority will be aware of the long-running LINK campaign to bring hilltracks fully into the planning system and we have welcomed the efforts made within the park to address this issue, including a clear focus in the CNPA local development plan on tracks with a presumption against new tracks in open moorland areas.

LINK is pleased to note that any applications for new tracks will only be considered if they are part of a programme of work which includes the removal of other tracks. We believe this will help land managers to consider the stewardship of their estates at a more strategic level and is to be welcomed.

We are also pleased to note the statement in this guidance that some tracks are never appropriate development, given the difficulties in mitigating any significant visual, or indeed environmental, impacts from a proposed track and therefore permission would be refused.

As an addition to this guidance, LINK has long been concerned about the proliferation of 'informal' vehicle tracks in upland areas; that is, tracks created, in effect, by the repeated use by ATVs along a particular route, but without any significant construction activities taking place. This is a particular issue in that we have seen cases recently in the NP where land managers have made applications for the construction of tracks on the basis that these were upgrades of existing tracks, whereas in our view they were new tracks and should have been assessed on that basis. We therefore suggest that the guidance could be strengthened by the addition of text clarifying what a new track is, and is not.

We are aware that the NP has been developing guidance on responsible ATV use and would be pleased to see a reference to this within this landscape guidance.

Finally, the NP will be aware that one of the main issues relating to permitted development rights for hilltracks is the difficulty in assessing the primary purpose of a track, and therefore whether it falls under permitted development. LINK would therefore be keen to see a reference here to a requirement for land managers to provide evidence relating to the proposed use of the track to help planners in this assessment process.

As a separate point regarding the format of the guidance, we suggest that there is a link to a version of Figure 4 that can be zoomed into, so that location details can be seen accurately and it can be established whether areas are in pink or grey zones (and therefore whether there is or isn't a presumption against tracks).

For more information contact:

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Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.