

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: PROPOSED LOCAL DEVELOPMENT PLAN 2020

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Purpose

To seek the Board's agreement to publish the Proposed Local Development Plan 2020 and associated Action Programme for a period of public comment.

Recommendation

That the Board approve the publication of the Proposed Local Development Plan 2020 and its associated Action Programme for a period of public comment.

PROPOSED LOCAL DEVELOPMENT PLAN 2020 – FOR DECISION

Background and Strategic Context

1. All planning authorities in Scotland are required by law to publish a Local Development Plan (LDP) for their area. The LDP should set out policies and site allocations to guide the development and use of land within the plan area. Current legislation requires the LDP to be kept up-to-date and reviewed at least every five years. The existing LDP for the Cairngorms National Park was adopted in March 2015 and a new LDP must therefore be adopted in 2020.
2. The process for producing an LDP is set out in planning legislation and includes a number of key stages:
 - a) identifying and consulting on the key issues for the LDP through a Main Issues Report;
 - b) producing a Proposed LDP to outline the planning authority's settled view on policies and proposals for the development and use of land; and
 - c) subjecting the Proposed LDP to public scrutiny and then an independent examination by a Reporter appointed by Scottish Ministers
3. A Main Issues Report (MIR) was published for consultation from 17 November 2017 to 2 March 2018. The MIR identified 10 key topics that were considered to be the most important issues that the LDP 2020 would need to address. It also identified issues and objectives, as well as potential development options, for each of the main settlements in the National Park. The MIR sought views on the potential options for tackling the issues identified, including both the CNPA's preferred options and other reasonable alternatives.
4. A total of 329 formal responses were received to the MIR consultation from a broad range of organisations and private individuals. A report summarising the consultation responses and seeking direction on how to take them into account in developing the Proposed LDP was considered by the Planning Committee in June 2018¹.
5. The MIR consultation responses included a number of new site proposals that were not included as options in the MIR. The Planning Committee identified a small number of these proposals as being potentially appropriate for inclusion in the Proposed LDP. An additional focused consultation was carried out to seek wider public views on these new site proposals from 13 August to 21 September 2018.

¹ [MIR Summary of Responses and Recommended Actions](#)

6. A total of 72 responses were received to the new sites consultation. A report summarising the responses and seeking direction on whether or not to include the new sites in the Proposed LDP in light of the consultation comments was considered by the Planning Committee in November 2018².

Proposed LDP

7. The Proposed LDP is attached at Annex I. Its content takes account of the consultation responses to the MIR and the new sites consultation, as well as comments from Members during subsequent informal discussion sessions. In addition, it takes account of comments from other key stakeholders, including the Scottish Environment Protection Agency, Scottish Natural Heritage, Scottish Water, Transport Scotland and partner local authorities, who have also been informally consulted on its emerging content.
8. The Proposed LDP links closely with the National Park Partnership Plan 2017-2022 (NPPP), which provides a strategic context for the LDP. It also takes account of guidance in the National Planning Framework and Scottish Planning Policy.
9. The Proposed LDP includes 5 sections: Introduction; Vision; Spatial Strategy; Policies; and Community Information. The vision is based on the vision and long-term outcomes in the NPPP. The spatial strategy (the overall development strategy on which the Proposed LDP is based) is largely unaltered from the current LDP. Nevertheless, the Proposed LDP does introduce a number of changes from the current LDP. Some of the most significant changes to site allocations and policies are summarised in Tables 1 and 2 respectively.

Table 1: Significant changes to site allocations

Settlement	Change introduced in Proposed LDP
Aviemore	<ul style="list-style-type: none"> • Inclusion of new economic development site at North Aviemore (ED3) • Identification of long term housing land at North Aviemore (LTH1/2) – to be released for development only if An Camas Mòr proves not to be deliverable and this results in a shortfall in the effective land supply
An Camas Mòr	<ul style="list-style-type: none"> • An Camas Mòr no longer identified as a strategic settlement – instead it is identified as a ‘strategic consent / new settlement’ and will become a defined settlement in future LDPs as and when it is delivered

² [New Sites Summary of Responses and Recommended Actions](#)

Settlement	Change introduced in Proposed LDP
Ballater	<ul style="list-style-type: none"> Existing Monaltrie Park site (H1) extended in size and reconfigured to take account of flood risk and provide expansion / parking room for the Ballater Games (capacity remains unaltered at 250 houses). The reconfiguration differs slightly from that presented in the Summary of Responses and Recommended Actions report as it takes account of recent discussions with the land owner
Granttown-on-Spey	<ul style="list-style-type: none"> Existing Castle Road site (H2) increased to 50 houses (currently 20 in the 2015 LDP) Extension to existing Caravan Park site (T1) to enable future expansion
Blair Atholl	<ul style="list-style-type: none"> Two new housing sites (H1 and H2) to provide 30 houses in total
Braemar	<ul style="list-style-type: none"> New site at North Braemar (H5) identified as first phase of wider future development area. The site proposals differ slightly from those presented in the Summary of Responses and Recommended Actions report to take account of recent masterplanning work undertaken by the land owner
Carr-Bridge	<ul style="list-style-type: none"> Existing Carr Road site (H1) halved in size and reduced to 36 houses (currently 72 in the 2015 LDP) – see further justification below Extension to existing Landmark site (T1)
Kincraig	<ul style="list-style-type: none"> New economic development allocation at site of former A9 compound (ED2)

Table 2: Significant changes to policies

Policy	Change introduced in Proposed LDP
Policy 1 (New housing development)	<ul style="list-style-type: none"> Affordable housing requirement increased to 45% for the settlements of Aviemore, Ballater, Blair Atholl and Braemar Inclusion of criteria that would need to be met to justify development of the long-term housing land at North Aviemore during the plan period
Policy 3 (Design & placemaking)	<ul style="list-style-type: none"> New placemaking policy based on the six qualities of successful places
Policy 5 (Landscape)	<ul style="list-style-type: none"> Presumption against new hill tracks in areas of open moorland
Policy 10 (Resources)	<ul style="list-style-type: none"> Requirement for developments to incorporate sustainable drainage schemes (SuDS) as proportionate to the scale and nature of development
Policy 11	<ul style="list-style-type: none"> Clearer and more rigorously justified approach to developer

Policy	Change introduced in Proposed LDP
(Developer obligations)	obligations

Carr-Bridge HI

10. The HI allocation in Carr-Bridge has a long and complex planning history. It is allocated for 72 houses in the current LDP. It also previously had planning permission, although this has now lapsed. The site accounted for a significant proportion of all comments on the MIR.
11. The Summary of Responses and Recommended Actions report, which was presented to the Planning Committee in June 2018, took account of the MIR responses in relation to the HI site. It recommended that the site should be reduced to 36 houses and also reduced in size in the Proposed LDP. The Planning Committee did not make any firm decision on the HI site at their meeting in June. Instead, the Committee requested that further consideration be given to the number of dwellings that would be most appropriate/ justifiable on the site.
12. Additional evidence has been considered and this helps provide an indication of current housing need in Carr-Bridge. Table 3 provides a summary of Highland Council's current housing waiting list for Carr-Bridge. It shows that there are 157 households on the waiting list for social housing in Carr-Bridge based on all choice locations, and 17 households on the waiting list based on first choice location. It also shows that there are currently 40 social housing properties in Carr-Bridge, of which only 1 was re-let during the year from 1 April 2017 to 31 March 2018.

Table 3: Summary of current housing waiting list data for Carr-Bridge

Bed size	Demand using first choice	Demand using all choices	Existing supply (1 April 2018)	Re-lets (1 April 2017 – 31 March 2018)
Bedsit / 1 bed	8	102	14	0
2 bed	5	24	19	1
3 bed	3	26	7	0
4+ bed	1	5	0	0
Total	17	157	40	1

13. There are difficulties with using waiting list data to determine housing need over the LDP period. Households in housing need might not register on the list if they think

they are unlikely to secure a property. Similarly, households might not register for their real first choice location if they think their prospects of securing housing are better somewhere else. The waiting list may underestimate housing need for these reasons. Conversely, as households can register on the waiting list for more than one place it may overestimate need in some locations. It should also be noted that the list provides a 'snapshot' indicator of current affordable housing need – it does not provide any prediction of the affordable housing need that could arise over the 10 year LDP period, nor does it provide any indication of the number of households that require open market housing.

14. Notwithstanding the above, the waiting list provides a clear indication that there is current demand for affordable housing within Carr-Bridge. Moreover, it indicates that this demand is not being met through the existing stock of social rented properties within the settlement due to the limited availability and frequency of re-lets. This demand is likely to continue to arise throughout the 10 year period of the LDP, in addition to demand for open market housing.
15. It is also important to consider the fact that Carr-Bridge has a good range of services and facilities and is identified as an 'intermediate' settlement in the Proposed LDP's settlement hierarchy. This means it represents a sustainable location for development and can make an important contribution towards meeting wider housing need within the Badenoch and Strathspey area.
16. Having taken the above factors into account, the Proposed LDP allocates the HI site for 36 houses, with the overall site area being reduced in size from the current LDP. It is not considered that a smaller allocation (as advocated by many MIR consultation responses) would adequately address the demand for housing that is likely to arise in the settlement during the 10 year LDP period.

Capercaillie Mitigation

17. The MIR considered the potential effect of new development on capercaillie and the ways in which any adverse effects could be mitigated. It proposed a coordinated approach whereby developers could contribute towards packages of measures designed to address the cumulative effects of new development around areas which are most sensitive for capercaillie.
18. Since the publication of the MIR a significant amount of further work has been undertaken with Scottish Natural Heritage and other key stakeholders to better understand the likely effects of new development on capercaillie. This has concluded that, for the most part, the Proposed LDP is unlikely to have any significant adverse

effects. The only potential adverse effects that have been identified relate to development around Aviemore, where the development of a combination of larger site allocations in proximity to sensitive capercaillie woodlands may lead to additional recreational disturbance. Specific mitigation measures are included in the Proposed LDP to avoid these adverse effects.

Proposed Action Programme

19. The Proposed LDP is accompanied by a Proposed Action Programme (attached at Annex 2), which identifies the way in which the LDP's policies and proposals will be delivered. The Proposed Action Programme has taken into account the views of key stakeholders, who have been informally consulted on its emerging content. The Proposed Action Programme will be published for consultation alongside the Proposed LDP and will be kept under review throughout the plan period.

Next Steps

20. Subject to Board approval, the Proposed LDP and Action Programme will be subject to final graphic design works before being published for a period of public consultation.
21. It is proposed that the public consultation will last for 10 weeks, beginning in early 2019. Building on experience from the previous MIR consultation, the CNPA's traditional and digital communication capabilities will be used to best effect to publicise the consultation and encourage people to engage. A series of events will also be held in communities across the Park to promote the consultation.
22. Following the consultation period, all formal responses to the Proposed LDP will be assessed. Responses will be collated by issue and statutory documents known as 'Schedule 4 Reports' will be prepared. These will summarise the comments on each issue and outline the CNPA's justification for the Proposed LDP in response to the comments received.
23. The draft Schedule 4 Reports will be presented to Members for approval before the Proposed LDP and the Schedule 4 Reports are then submitted to Scottish Ministers and subject to examination by an independent Reporter.

Supporting Information

24. A range of detailed supporting information and evidence studies have been prepared to support the Proposed LDP. This includes the following supplementary reports and assessments, which will be published alongside the consultation:
- a) Monitoring Statement (prepared to support the previous MIR consultation)
 - b) Strategic Flood Risk Assessment
 - c) Conservation Evidence Report
 - d) Visitor Experience Evidence Report
 - e) Rural Development Evidence Report

Statutory Assessments

Habitats Regulations Appraisal

The Proposed LDP has been subject to the Habitats Regulations Appraisal (HRA) process. The purpose of the HRA is to determine whether the Proposed LDP would be likely to have a significant effect on any European site, either individually or in combination with other plans or projects. The Proposed LDP has been screened for its likely significant effects and, where necessary, Appropriate Assessment has been undertaken for elements of the Proposed LDP that were deemed likely to have significant effects on Natura sites. Following this process, the HRA Report concludes that the Proposed LDP will not adversely affect the integrity of any Natura site.

Strategic Environmental Assessment

To ensure that the Proposed LDP does not have any significant adverse effects on the environment, a Strategic Environmental Assessment (SEA) has been carried out in accordance with the Environmental Assessment (Scotland) Act 2005. The SEA Environmental Report concludes that the effects of the Proposed LDP are predicted to be largely positive, while the few potential negative effects can be avoided through mitigation measures that have been incorporated into the Proposed LDP document.

Equalities Impact Assessment

The Proposed LDP has been subject to the Equalities Impact Assessment (EqIA) process in accordance with the Equality Act (2010). This concludes that the Proposed LDP is not expected to have discriminatory or negative impacts on any particular group or sector of the community.

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