

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: Supplementary Guidance for the Local Development Plan

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Purpose of Report

To ask the Planning Committee to consider and approve modifications to Supplementary Guidance for the Local Development Plan, and its submission to Scottish Ministers.

Summary

The CNPA consulted on proposed Supplementary Guidance at the same time as consulting on the Proposed Cairngorms National Park Local Development Plan during 2013. The outstanding issues on the proposed Plan were considered through the Examination of the Plan in 2014, but as Supplementary Guidance simply provides further detail and information on policy and proposals in the Plan, it is not considered through the Examination.

The Supplementary Guidance has been modified in response to representations, to changes to the Plan and edited to make as relevant and simple to understand as possible. The Committee are asked to approve the submission of the Supplementary Guidance to Scottish Ministers for their period of consideration before it can be finally adopted as part of the development plan.

Recommendation

That the Planning Committee approve modifications to Supplementary Guidance for the Local Development Plan and its submission to Scottish Ministers.

SUPPLEMENTARY GUIDANCE FOR THE LOCAL DEVELOPMENT PLAN

Background

1. The Cairngorms National Park Authority (CNPA) Board adopted the Cairngorms National Park Local Development Plan 2015 (LDP) on 27 March 2015. When the CNPA published the proposed LDP for consultation in 2013, we also published and consulted on 11 items of Supplementary Guidance (SG) to accompany the Plan. SG can only be prepared for topics specifically identified in the LDP as being topics for SG and must be limited to the provision of further information or detail in respect of policies or proposals set out in the LDP.
2. Once adopted by the planning authority, SG has the same status as the Development Plan in decision making. The CNPA can still prepare non-statutory planning guidance where required during the life of the Plan. Any non-statutory planning guidance we prepare will not be part of the development plan but where it is relevant, up to date and backed up by evidence and consultation, it can carry weight in decision making. The CNPA Board have already indicated that officers should investigate whether a form of non-statutory planning guidance can be prepared for the allocated housing site HI at Carr-Bridge.
3. The representations we received on the SG were collated at the same time as representations on the proposed LDP. There were fewer representation on the SG (18 individuals making direct representations) than the 142 individuals who commented on the proposed LDP itself. The proposed SG and representations made on it were not considered by the Reporters in the Examination of the Proposed LDP as the SG simply provides further detail on the principles that are established in the policies or proposals of the Plan.

Procedure to Adoption

4. It is for the CNPA to consider how to take account of representations made on SG, to make modifications as required, and subsequently send the SG we propose to adopt to Scottish Ministers for a period of consideration. If Scottish Ministers don't tell us otherwise within 28 days, then the CNPA can adopt the SG. Scottish Ministers have the same powers to extend their period for consideration of and direct changes to the SG as they exercised on the newly adopted LDP.

Changes to the Supplementary Guidance

5. The proposed Supplementary Guidance has been modified and is included as Appendix I. It is presented as one document for simplicity but we expect to publish the adopted SG as 11 individual documents on the CNPA website. Changes have been made to the SG in response to representations raised through the consultation on it, to modifications made to the LDP, and officer's review of the appropriate detail and how helpful it will be for both applicants and planning authority.

6. The representations made on SG, the CNPA's response and changes made to the SG are summarised in Appendix 2. This takes a similar form to the 'Schedule 4' templates used to organise representations made on the proposed LDP to inform the Examination process.
7. There are no very significant changes to the SG. The policies and proposals in the LDP changed relatively little through the Examination and modifications, so changes to SG are relatively minor. In most cases SG has been shortened to make clearer, avoid repetition or unnecessary text and be as clear as possible.
8. The Core Paths Plan, which was originally proposed as part of the SG, has now been approved by Ministers and adopted by the CNPA Board. It is no longer an individual SG in its own right but is clearly mentioned in policy and referred to in the Sustainable Design SG. No new SG has been prepared for additional policy added by the Reporter on 'The Siting and Design of Telecommunications Infrastructure'. The policy in the LDP already provides a significant level of detail, repeats policy principles established elsewhere in the LDP and is effectively dealt with through other SG.

Next Steps

9. Assuming planning committee approval to submit the modified SG to Scottish Ministers, officers will make any further changes required and send the SG to Scottish Ministers along with the Schedule 4 documents as a record of the representations received and ways they were considered. We will bring the SG back to Planning Committee for adoption as soon as possible following Ministers' consideration period and any directions given by them.

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17 April 2015

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Appendices:

1. Modified Supplementary Guidance for LDP
2. 'Schedule 4' records of representations and changes to Supplementary Guidance