

Cairngorms National Park Supplementary Planning Guidance consultation

Carbon Emissions, Developer Contributions, Wildness

March – May 2011

Summary of responses received

CARBON EMISSIONS

In general, very few comments received on this guidance; however the following points were made and should be considered:

Historic Scotland – welcome guidance but no specific comments to make

Scottish Environment Protection Agency

- peatland areas that are of good quality should be considered a significant constraint on development in the area
- final para in section 4.0 should make specific reference to peatlands as well as moorlands
- pleased to note issues relating to generation of waste peat are addressed
- welcome reference to need to protect and enhance carbon sinks and to demonstrate impacts of development on peat hydrology and stability
- welcome reference to the need for projects to demonstrate carbon balance, but more consideration will need to be given as to how these assessments can be validated by CNPA, and what input SEPA can have to these.

Scottish Natural Heritage

- welcome guidance but feel more info is needed
 - to help explain what evidence should be gathered and what information should accompany any planning application (To take account of carbon emissions)
 - to explain how the importance of carbon emissions for any proposed development should be assessed
- at present guidance is more limited to a description of carbon sinks, but still not clear how to quantify and evaluate these – suggest rename guidance ‘Development and Carbon Sinks’
- clarify if this guidance will be a consideration in relation to forestry and woodland schemes

- need to provide criteria against which developments will be assessed, particularly in relation to justifying non adherence to the approach
- section 5 needs to be clearer in terms of which bullet points should be met, and if all bullet points are applicable to all developments
- question how the provision of equivalent carbon emissions savings elsewhere can be measured and monitored, and also the timescales relating to this

DEVELOPER CONTRIBUTIONS

A significant amount of discussion and debate was prompted by this guidance. Much of that was due in part to lack of understanding of the adopted Local Plan policy, and therefore of the role of this guidance. Also there was a lot of confusion about the difference between our approach to developer contributions, and our approach to the financial impacts of affordable housing provision, and the associated local plan policies and the two related pieces of SPG (Affordable Housing and Developer Contributions).

For ease of understanding, I have grouped this summary of responses under a series of heading to reflect the variety of different types of organisations / individuals who took the time to respond to our consultation. I have summarised the comments and this is a list of the main issues raised, points of clarification will be dealt with in proposed changes to the documents themselves.

Finally, I have included a section summarising the comments we received on our approach to affordable housing, which was not up for discussion / consideration during this consultation, but which are worth noting for the future.

Organisations

Scottish Environment Protection Agency

- welcome guidance, strongly support promotion of recycling facilities, and welcome contributions towards natural heritage interests where appropriate
- need to make clear contributions towards wastewater drainage infrastructure

Scottish Natural Heritage

- need clearer links to natural heritage SPG and the fact that development proposals should if possible avoid area of high quality habitat – think at present anomalies between Developer Contributions and Natural Heritage SPG

sportScotland

- where new schools are proposed, suggest reference made to the the potential for combined provision of school and community facilities
- consideration of access rights should refer to provision of access infrastructure to inland water
- clarify what community facilities will be required, and seek inclusion of indoor sports facilities in this section
- welcome approach to setting out requirements for new pitch provision, but this should be informed by a playing field strategy, and not by standard guidelines
- if development proposed is not big enough to warrant a full size pitch, seek confirmation that contributions will still be sought and that the sums received will be used to provide a strategic pitch serving a number of new developments in the future
- consider the recreational importance of some of the habitats referred to under natural heritage section. Need for compensation for loss of recreational uses as well as nature conservation value

RSPB

- support developer contributions towards natural heritage interests, but seek clarity in SPG on strict tests of Habitats and Birds Directives
- suggest cost of land on which habitats to be recreated should also be included in calculations for natural heritage contributions, and not just landscape or habitats feature costs

Transport Scotland

- SPG needs more info on requirements relating to trunk roads – at present wording on transport and access isn't clear to developers about the scale and nature of interventions or contributions that may be required in relation to trunk roads

Cairngorms Business Partnership

- Some confusion about our developer contributions guidance and existing planning gain work – misunderstanding that our guidance is on top of planning gain
- Concern contributions being sought will stifle economic growth in the area
- Concern about impacts on local builders and building industry businesses
- Contributions will stifle housing development in the area, which is needed
- Concern over level of contributions being sought

- Confusion about the amount of contributions that will apply to any one given development
- Introducing what is in effect a building tax is contrary to 4th aim of National Park
- Developer contributions and financial contributions for affordable housing will in the long run prove incompatible with a rural Highland economy, the life blood of which are small businesses
- Question administration costs associated with negotiating contributions
- Clarification required as to what types of developments will be covered by requirement for developer contributions
- Question administration costs associated with negotiating contributions
- What is expected income to be raised each year
- Need for independent body to scrutinise all developer contributions and implications
- Question links between developer contributions SPG and affordable housing SPG and different timescales for consultation

HIE

- Important that developer contributions do not act to restrict development or be used to prevent or curtail developments, especially as to size or type
- Contributions must be linked to the actual site and not viewed as a means of funding wider infrastructure as this would place undue and unfair burden on an individual project

Community Councils

- need clarity in roles of Local Authorities and CNPA in terms of negotiations
- welcome clear expression of role for community councils
- suggest need for reference to contributions towards waste water (mains sewer) and mains water piping and infrastructure where appropriate
- make clearer links between small developments, and need for the overall picture to be considered when looking at developer contributions, even if individual planning applications considered on own merits
- contributions should be sought from wider range of developments, and not just those listed in para 3.10

- question need for reference to secondary schools as cannot foresee any developments of 500-600 units
- wording could be stronger in relation to open space provision
- need more information on who administers the guidance, and clarity as to where contributions will be spent
- seek publication of monetary contributions agreed for any given development
- feel CNPA should hold monies and not local authorities
- seek bonds to ensure ongoing maintenance of landscaping in case developers go into administration
- welcome role for community councils in terms of keeping note of local requirements that can feed into subsequent developer contributions negotiations
- generally supportive, but need to clarify role of developer contributions in terms of social housing developments, and the cumulative effect of the guidance along with financial contributions for affordable housing as set out in other CNPA policy / SPG

Developers / developers agents / local businesses

- Concerns requirements of SPG may make developments unviable
- Welcome focus on seeking to secure infrastructure requirements through planning applications, and reduce times when financial contributions are required
- Support focus on reasonable and appropriate contributions
- Support pragmatic approach
- Seek more clarity on types of contributions to be sought from smaller scale developments – much of SPG at present relates to large scale developments
- Suggest need for clearer cross reference to affordable housing SPG, or inclusion of financial requirements relating to affordable housing policy to also be set out in this guidance
- Development industry experiencing major downturn and all efforts must be made to reduce red tape – abandoning this guidance would be a step in the right direction
- This guidance is an extra layer of red tape which is not needed by small businesses
- This adds nothing to existing planning gain work

- SNP policy is to encourage growth, this guidance will only hamper it
- Local builders don't want further regulation
- Abandon notion of developer contributions in its entirety as the added burden to development is completely unjustified and will be a drag on the economy

Individuals

- Developer contributions need to be 'means tested'
- Question need for developer contributions at all
- Question need for developer contributions from small local businesses
- Question administration costs associated with negotiating contributions
- Question if CNPA have the capacity to carry out these negotiations
- Seek guarantee that none of money received in terms of contributions will be spent on administration
- What is expected income to be raised each year
- Need for independent body to scrutinise all developer contributions and implications
- Concern over human rights issues relating to developer contributions
- Concern over impact of costs associated with developer contributions and impacts on local builders / trades people
- Concerns about potential loss of jobs caused by imposition of developer contributions and associated increase in illegal drug use and drug sales in the area
- Clarification required as to what types of developments will be covered by requirement for developer contributions
- Question seeking developer contributions from individual and self build cooperatives
- Seek review of SPG in relation to SNP manifesto pledges and new Scottish government policies coming forward now SNP majority
- Small businesses already faced with overload of red tape, this is another unnecessary layer which could hinder small businesses and stop development
- Extra layer of unnecessary red tape for small building companies
- Only change suggest is a radical reassessment of the document

- Feeling 6 week period of consultation no long enough, and not at right time of year
- This SPG and Affordable Housing SPG are at odds with having a sustainable economy in the Park. Need more homes (that are affordable) and more skilled workers and these SPG's will hinder both
- Infrastructure requirements should be met by infrastructure providers and not developers
- Developers should receive any interest accrued if monies collected are not spent immediately
- SPG's will lead to more building on periphery of the Park and associated increase in house prices in the Park
- Suggest levy on all housing sales in Park to widen the net from which you can get gain and impact less on the local development community

Comments on Affordable Housing (issues outwith the remit of this consultation)

- reference made to letter from Scottish Government's chief planner, Jim McKinnon (sent to all planning authorities in March 2011 and not related to our SPG consultation) and focus on being realistic about levels of affordable housing provision being required in current economic climate
- Consider more innovative approaches to sourcing revenue for affordable housing from developers
 - Income from banks and buildings societies
 - Advertising revenue from CNPA website
 - Build a new dam for income from hydro
- Consider new designs for housing to ensure more flexibility of space over long term
- Have CNPA placed a benchmark ceiling on cost of affordable housing?
- Consultation on Affordable Housing SPG and Developer Contributions SPG should have been carried out at the same time