
CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: ECONOMIC GROWTH, OPEN SPACE, SPORT AND RECREATION AND RESOURCES NON-STATUTORY GUIDANCE

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Purpose of Report

1. To ask the Planning Committee to approve for consultation Draft Economic Growth, Open Space, Sport and Recreation and Resources Non-Statutory Guidance to support the next LDP.

Summary

2. The Cairngorms National Park Proposed Local Development Plan was submitted to Scottish Ministers on September 20th 2019. The reporters' examination of unresolved representations is now underway. At the end of the process, the Reporter will publish an Examination Report, which will set out a list of recommended modifications to the Plan. Examination reports are largely binding on planning authorities, and the CNPA will have a three month period to consider the Reporter's recommendations and submit the Proposed Plan as modified to Scottish Ministers. Following agreement with Scottish Ministers, the Cairngorms National Park will adopt the LDP.
3. Supplementary Guidance and non-statutory guidance will support the LDP, though these do not need to undergo examination. The CNPA has been preparing the guidance with the intention that it be adopted alongside or shortly after the adoption of the LDP. It is intended that the consultation on these documents be staggered to enable those with an interest time to fully consider the contents of the guidance.
4. It is therefore proposed to produce that the following non-statutory guidance be consulted on first:
 - a) Economic Growth
 - b) Open Space, Sport and Recreation
 - c) Resources

Recommendation

5. That the Planning Committee approve the publication of the following non-statutory guidance for a six week period of public consultation:
 - a) Economic Development
 - b) Open Space, Sport and Recreation
 - c) Resources

Background

6. The Cairngorms National Park Proposed Local Development Plan was submitted to Scottish Ministers on September 20th 2019. The reporters' examination of unresolved representations is now underway. At the end of the process, the Reporter will publish an Examination Report, which will set out a list of recommended modifications to the Plan. Examination reports are largely binding on planning authorities, and the CNPA will have a three month period to consider the Reporter's recommendations and submit the Proposed Plan as modified to Scottish Ministers. Following agreement with Scottish Ministers, the Cairngorms National Park will adopt the LDP.
7. Supplementary Guidance and non-statutory guidance will support the LDP, though these do not need to undergo examination. The CNPA has been preparing the guidance with the intention that it be adopted alongside or shortly after the adoption of the LDP. It should be noted that non-statutory guidance cannot introduce any additional policy requirements not currently within the LDP. It should also be noted that policy requirements within the LDP may change as a result of the examination, therefore amendments may need to be made to the non-statutory guidance following the receipt of the Examination Report. However, it is not envisaged that these changes will be significant enough to require the non-supplementary guidance to be re-consulted on.
8. It is intended that the consultation on the Supplementary and non-statutory guidance be staggered to enable those with an interest time to fully consider their contents. This paper therefore requests that the following four pieces of non-statutory guidance be approved for public consultation:
 - a) Economic Growth
 - b) Open Space, Sport and Recreation
 - c) Resources
9. It is proposed that the consultation period will last six weeks.
10. It is intended that draft supplementary guidance on housing and developer obligations and non-statutory guidance on design and placemaking be brought to committee in September.
11. A brief summary of the guidance under consideration at this Planning Committee is provided below. Full copies of the guidance is provided in the appendices.

Economic Growth

12. This non-statutory guidance will support Policy 2: Supporting Economic Growth of the Local Development Plan, which aims to enable and encourage appropriate economic development within the National Park that contributes to the sustainable growth of its economy. The policy and its supporting guidance is central in sustaining the long term vitality and viability of the National Park's towns and communities and retaining young people in this rural area.
13. The he non-statutory guidance provides additional information on how the policy should be applied, including providing further information on what assessments large developments need to be supported by.

Open Space, Sport and Recreation Non-Statutory Guidance

14. This non-statutory guidance will support Policy 8: Open Space, Sport and Recreation of the Local Development Plan which aims to ensure the needs of local communities and visitors for recreational space and facilities are accommodated, and existing facilities protected. This includes informal and formal recreation provision. The policy encourages the development of good quality open spaces and recognises the environmental, social and health benefits they can generate through green infrastructure, biodiversity and placemaking.
15. It is intended that this guidance be used during the early preparation of planning applications, to identify measures to safeguard and /or enhance open space, sport & recreation assets within developments.

Resources Non-Statutory Guidance

16. This non-statutory guidance will support Policy 10: Resources of the Local Development Plan. Reducing our consumption, managing waste and protecting our limited resources is integral to conserving what is important about the National Park, and helping our communities adapt to a lower carbon way of living. This stretches from the need to protect the resources that exist, to facilitating development in a way that minimises any negative impacts and promotes positive improvement to the environment. It also ensures protection of public health in so far as it is impacted by the development process
17. The policy and non-statutory guidance will apply to most developments, with the guidance providing further details on how water resources, flooding, waste management, landfill, mineral and aggregate extraction and contaminated land need to be taken into account.

Next Steps

18. We propose that the Draft Non-Supplementary Guidance will be published for a six week period of public consultation, which is expected to commence in July 2020. The consultation will be publicised on the CNPA's website and social media platforms.

19. All consultation comments will be summarised and used to inform the final non-statutory guidance. It should also be noted that modifications may also arise due to changes to the LDP that might be required the Reporter.
20. The consultation comments and a proposed final non-statutory guidance will be reported back to the Planning Committee for adoption. Once adopted, the guidance will support the implementation of the LDP and will be a material consideration for the future planning applications. It is anticipated that the proposed non-statutory guidance will be reported back to the Board for approval alongside the LDP in autumn 2020.

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June 2020

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Appendices:

1. Draft Economic Growth non-statutory guidance
2. Draft Open Space, Sport and Recreation non-statutory guidance
3. Draft Resources Energy non-statutory guidance