

AGENDA ITEM 7

APPENDIX I

DEVELOPMENT PLAN SCHEME 2022/23

Development Plan Scheme 2022

Cairngorms
NATIONAL PARK



Cairngorms National Park Planning Authority

August 2022



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Introduction: The Development Plan Scheme

Every Local Authority must produce a Development Plan Scheme (DPS), at least annually, as required by section 20B of the Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2006), the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and the Planning (Scotland) Act 2019. It sets out the programme for preparing and reviewing the Local Development Plan (LDP).

It includes:

- Updates on the position of the proposed or current plan.
- Information about the process and timescales for the adoption of the LDP2 or/ and the preparation of the forthcoming LDP3.
- Highlights changes, or proposed changes to the Planning Act that may affect the development of the LDP3.
- A participation statement which sets out how and when public consultation will take place. The steps taken to ensure sufficient community and stakeholder engagement is achieved in the development of the next LDP.
- In addition to an explanation of what a Local Development Plan is, and how it will guide the right development in the right place.

This is 2nd edition of the Cairngorms National Park Authority Development Plan Scheme for the LDP3 and includes:

- An update on the status of the next National Park Partnership Plan 2022-2027 (NPPP), which provides the strategic direction for some aspects of the LDP
- An overview of the legislative framework reflecting the introduction of the 2019 Act
- The proposed timeline for the creation of the next LDP (LDP3)



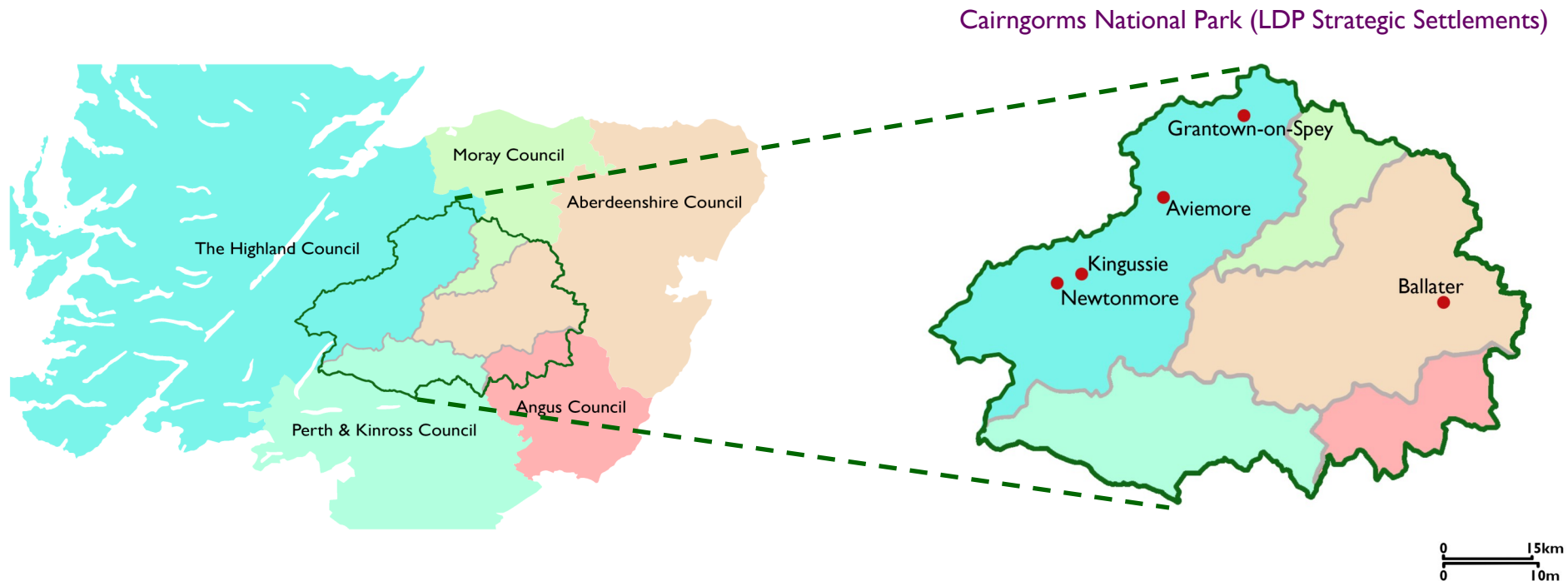


The Local Development Plan

The Local Development Plan (LDP) sets out the statutory basis for guiding any development within the National Park that is considered to be significant to the Aims of the National Park.

The planning system in Scotland is a ‘plan-led’ system dictating the need for a plan to be produced that sets out the strategy for future development. The current plan, adopted in 2021, focuses on the period 2021 – 2026. It also includes development proposals for the 10 year period to 2031, as well as longer term aspirations for development as far as 20 years into the future.

The LDP for the Cairngorms National Park Authority covers the areas of the National Park that overlap the five Local Authorities that partially fall within the National Park boundary; Highland, Aberdeenshire, Moray, Angus and Perth & Kinross.





The Current LDP

On 26th March 2021 the Cairngorms National Park Authority (CNPA) Board adopted the Local Development Plan 2021 (LDP2) replacing the previous LDPI (2015).

The LDP covers the whole geographic area of the Cairngorms National Park (CNP). The five Local Authorities that overlap with the National Park's boundary must apply the CNP LDP 2021 in planning decisions for the development within the National Park that they are determining.

Under the current system under the Planning (Scotland) Act 1997 (as amended in Scotland), a LDP must be created or updated every 5 years and so the next LDP will be due by April 2026.

The LDP 2021 went through the following stages prior to being adopted:

1. Main Issues Report (MIR) – setting out the National Parks social, economic and environmental issues and how the future LDP could address these, with public consultation on the MIR.
2. Preparation of the proposed LDP by CNPA, taking account of consultation responses on the MIR, followed by approval by the Planning Committee to publish the proposed LDP for public consultation.
3. Taking into account of the public consultation responses, the proposed LDP and supporting information was submitted to Scottish Ministers for Examination.
4. The Reporter (appointed by Scottish Ministers) examined and instructed changes to the LDP. The changes were implemented and the LDP returned to Scottish ministers to request approval for adoption.
5. Finally, the LDP was presented to the Planning Committee to receive their approval to adopt, at which point it was legally adopted and replaced the previous (2015) LDP.



LDP Supporting Documents

Supplementary and Non-Statutory Guidance

CNPA also produces a range of guidance that supports and provides further information for policies within the LDP.

The guidance is prepared in draft form, and following feedback from planning committee, is published in a proposed form for public consultation for. The consultation responses are reviewed and used to amend the guidance where appropriate. The amended guidance is then submitted to the planning committee for approval to publish. The following non-statutory guidance documents have been adopted to support the LDP2 (2021):

- Supporting Economic Growth
- Natural Heritage
- Landscape
- Renewable Energy
- Open Space, Sport and Recreation
- Cultural Heritage
- Resources
- Design and Placemaking

Public consultation has been conducted on the remaining two pieces of supplementary guidance:

- Housing supplementary guidance
- Developer Obligations supplementary guidance

Revisions have been made to reflect the consultation responses and following approval from the Planning Committee in 2022, both documents were submitted to Scottish Ministers for approval. It is hoped that they can be formally adopted later in 2022.

Until adopted, the existing guidance produced to support the previous LDP remains in place:

- New Housing Development non-statutory guidance
- Developer Contributions non-statutory guidance

For the preparation of the LDP3 in line with the new Planning (Scotland) Act 2019, separate supplementary guidance will no longer be produced as it is expected to be incorporated within the LDP.



Update: LDP Supporting Documents

Action Program

The CNPA prepares an Action Programme (a statutory requirement under the Town and Country Planning (Development Planning) (Scotland) Regulations 2008) annually.

The Action Programme gives an update of the progress or position of the LDP and aims to support its delivery. The Action Program reflects the most-to-date position on significant developments with the delivery of the LDP. It lists:

- The actions required to deliver the policies and proposals of the LDP2
- Identify the organisation that will be responsible for carrying out a specific action.
- Give the expected timescales for completing each action.

Under the current framework, the Action Program 2021 aims “to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term” (para. 31).

The second Action Programme supporting the current LDP (2021) has been produced and will be presented to the Planning Committee for approval in August 2022. Once approved it will be published on the CNPA’s website.

National Park Partnership Plan (NPPP)

As a designated National Park the CNPA is legally required to produce a NPPP setting out the management plan for the Cairngorms National Park. It is the National Park’s main strategic document and acts as the Regional Spatial Strategy (RSS) for the Cairngorms National Park. It sets out the plan for all those responsible for the National Park to coordinate and work together to tackle the most important issues.

The public consultation on the draft NPPP in 2021 produced over 1,400 responses. This represents an 367% increase in response to the previous NPPP:

- Over half of all responses came from residents of the National Park.
- Over 50 organisations responded.
- 12,163 postcards were sent to National Park residents.
- More than 500 people attended physical events in the National Park.
- 16 interviews were held with key groups within the National Park.

The process provided the opportunity for engagement with residents and stakeholders on the main issues in the National Park, which will also inform the basis of the LDP3 engagement process. Alongside the public participation and engagement, CNPA is currently engaged in research that will also feed into the evidence papers for the next LDP.

The final draft of the NPPP has been finalised and was approved by the Cairngorms National Park Authority Board in June 2022. It has now been submitted to Scottish Ministers with, subject to their approval, an expected adoption date in August 2022.



The Legislative Framework

In July 2019, the Planning (Scotland) Act 2019 was granted Royal Assent, which brought with it significant changes to the implementation of the Town and Country Planning (Scotland) Act 1997, in particular changes to the system of development planning.

The Planning (Scotland) Act 2019

The Act, when fully adopted through the subsequent regulations, will include a range of changes to the current system of managing development in the Cairngorms including:

- Changes to the way the LDP is produced and the time period it covers (extended from 5 years to 10 years).
- Requirement for a Regional Spatial Strategy.
- A clearer and more defined focus on delivery and improving performance.
- A move towards a more proactive approach to master planning.

Local Place Plans (LPPs)

Local Place Plans were introduced by the Planning (Scotland) Act 2019 with a view to improving community engagement in the development planning process, through empowering communities to have more influence on the production of the LDP in their area.

In January 2022, Scottish Government issued the Planning circular, 1/2022: Local Place Plans, to provide guidance to communities and planning authorities on the preparation, submission and registration of the LPPs.

Once the LPPs are completed and registered by the CNPA, they will form a material consideration for the preparation of the next LDP.

National Planning Framework (NPF)

The current NPF3 (published in June 2014) sets out the long-term vision and broad spatial strategy for development in Scotland. It represents Scottish Ministers priorities for development within its adopted period. This is framework within which the recently adopted LDP was created.

The next LDP will be created with reference to the new emerging framework set out by the NPF4. NPF4 will be a long term plan for the whole of Scotland, looking forward to 2045. It will guide nationally important spatial development, set out national planning policies, designate national developments and highlight regional spatial priorities.

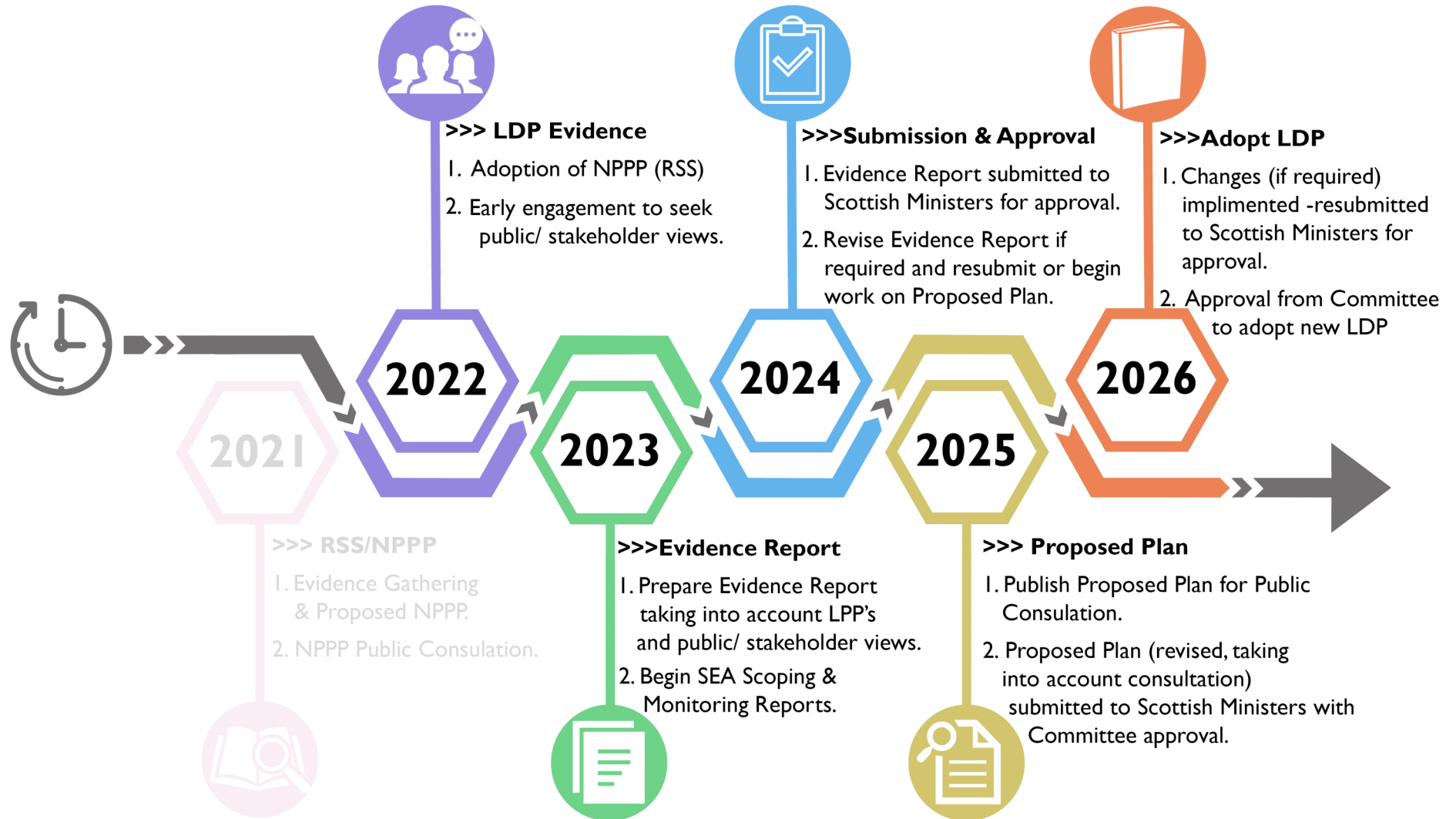
The draft NPF4 was laid in the Scottish Parliament in November 2021 for Parliamentary scrutiny of the draft.

The NPF4 draft was also subjected to a public consultation, which CNPA responded to at the beginning of 2022. The formal consultation on the NPF4 closed on the 31st March 2022.

The final adoption of the NPF4 will depend on the approval of Scottish Government and the finalised version is expected to be laid for approval during the summer 2022.



LDP 3 Project Plan Summary





Changes to the LDP Plan Process

The Planning (Scotland) Act 2019 introduced changes to the pre-existing process followed by Planning Authorities in the preparation of the LDP. The new LDP must have regard for the adopted RSS (which for the National Park is the NPPP currently with Scottish Ministers for approval).

The new LDP will have to address:

- Targets for meeting local housing need, in particular needs of specific groups: students, older people, disabled people; provision for those (listed and recorded) seeking land for self-build in the Park.
- Local outcomes improvement plan (if necessary).
- Fulfilment of health and education need, including appraisal of the education services in district.
- Analysis of areas (rural) that are experiencing substantial decline in population and the land deemed to be required for resettlement/ repopulation.
- The desirability of ensuring the protection of existing cultural facilities and community need.
- Investigation into the preservation of the existing but unused rail lines for future repurposing.

Process changes

The main change in the process is the replacement for the need for the Main Issues Report with an Evidence Report. There will be no public consultation on the Evidence Report once it is completed, shifting the engagement to the earlier evidence gathering and Evidence Report preparation stage.

Local Place Plans (LPPs) will be a material consideration for the development of the next LDP.

Delivery Plans will replace Action Plans. The RSS (NPPP) will be used to inform the LDP.

The remainder of the process surrounding the LDP, its public consultation and approval by Ministers before adoption remain unchanged.



Participation Statement

Consultation and Engagement Programme

Delivering a successful LDP relies on successful engagement and consultation. CNPA will continue to adhere to the National Standards for Community Engagement. The Standards are good-practice principles that aim to improve and support effective community engagement, which in turn improves the outcomes.



<http://www.voicescotland.org.uk/>

Following the successful engagement by both the public and stakeholders during the consultation for the NPPP (page 6) the feedback on the draft NPPP will, in conjunction with the evidence papers, inform the main issues to be addressed by the next LDP. It will also help identify further engagement or data needed to produce the Evidence Report for the next LDP. Acting as the RRS, the NPPP will also inform the direction of the next LDP.

The **Participation Statement** below outlines how CNPA are committed to involving the public in the preparation of next LDP. CNPA will:

- Ensure people and communities are aware of the process and the opportunities to comment at key stages in the production of LDP. CNPA will distribute consultation information to council offices, National Park Authority offices and will also disseminate information through Community Councils, via CNPA community liaison officers, and community planning networks.
- Widely encourage involvement using a range of methods. CNPA will publish information on the CNPA website and publicise the consultation processes through the media, newspaper adverts and articles.
- Produce documents that are accessible, transparent and written in jargon-free language that avoids or otherwise explains necessary technical terms.
- Publish an updated Development Plan Scheme every year, setting out how and when people can get involved in the preparation process.



Contact Details

If you want to be kept informed of progress with the development of the next LDP, or if you have any questions that you would like answered, please contact:

Planning Team
Cairngorms National Park Authority
14 The Square
Granttown-on-Spey
PH26 3HG

Tel: 01479 873535

Email: planning@cairngorms.co.uk

Website: www.cairngorms.co.uk

Planning Service Charter: www.cairngorms.co.uk/authority/publication/362/

