

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### FOR DECISION

**Title:** APPROVAL OF SECOND MODIFICATIONS TO DEPOSIT LOCAL PLAN

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#### **Purpose**

To formally approve the second modifications to the Cairngorms National Park Deposit Local Plan, agree the next steps in the adoption process and agree a timetable for the production of supplementary planning guidance.

#### **Recommendations**

**That the Board:**

1. Formally approve the Second Modifications to the Deposit Local Plan and the associated publicity associated with the modifications.
2. Note the prioritised list of supplementary planning guidance.

#### **Executive Summary**

The Cairngorms National Park Authority has a duty to prepare Local Plans for the Park and has been engaged in Local Plan preparation since September 2004. The Deposit version of the Local Plan was published for consultation on 9<sup>th</sup> July 2007 and a series of initial modifications published for consultation from 16<sup>th</sup> June to 25<sup>th</sup> July 2008. Following an excellent response, a number of additional second modifications are now proposed to take into account comments received. The modifications reinforce the role the Local Plan has to play in contributing to the coordinated delivery of the aims of the Park and the National Park Plan.

This paper asks the Board to approve the publication of the second modifications to the Local Plan and carry out further formal consultation in order to continue its development.

To support the Local Plan once adopted, a series of supplementary planning guidance documents are also necessary and the paper prioritises these to manage their production. The agreement of this list will clarify for all involved what is to be produced and at which stage in the process.

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## APPROVAL OF SECOND MODIFICATIONS TO THE DEPOSIT LOCAL PLAN - FOR DECISION

### Background

1. The Cairngorms National Park Authority was established in September 2003. The Designation Order for the Park (S.S.I. 2003/1) conferred the duty to prepare Local Plans under the Town and Country Planning (Scotland) Act 1997 to the Park Authority. The National Park Authority publicised its intention to prepare the Local Plan in September 2004.
2. The Local Plan was placed on deposit following public consultation and discussions with stakeholders and partners. Commencing on 9<sup>th</sup> July 2007 for a period of 12 weeks, this deposit period generated an excellent response, with 477 respondees raising 1551 separate issues or objections. Each policy and settlement attracted some level of comment ranging from single objections to particular wording, to numerous comments on particularly contentious issues.
3. Analysis and consideration of the objections raised lead to a variety of modifications to the original deposit Local Plan, which were the subject of additional public consultation for a period of 6 weeks, and again an excellent response was received from 487 respondees. Whilst the modifications allowed the withdrawal or incorporation of 488 issues into other objections, 1155 issues remain outstanding. Many of these objections relate to the points originally raised to the deposit local plan, with new issues relating only to the modified wording or site allocations.
4. In light of the comments raised to the modifications, a number of second modifications are now proposed. These modifications clarify sections of text and correct previous errors. They do not propose any radical change of policy. The reasoning behind the changes proposed is included within Appendix 1 together with the proposed changes to the wording. All modifications come as a result of weighing up the comments made, which have in many cases been varied, diverse, and in some cases conflicting. Where necessary discussions have also assisted in clarifying objector's positions, and highlighted key areas of concern.
5. The Local Plan has been subject to Strategic Environmental Assessment (SEA) throughout its development. Revisions to this as a result of the proposed modifications continue, and on agreement of the modifications the SEA and its environmental report will also be updated. This process of updating and review will continue throughout the further development and implementation of the Local Plan.

6. In addition work is now complete on the assessment of the impact of the Plan on European sites under the Appropriate Assessment process. This Assessment will continue to be updated and reviewed until the adoption of the Local Plan.

### **Modifications to the Deposit Local Plan**

7. The Local Plan as amended has been prepared under The Town & Country Planning (Scotland) Act 1997. The various stages of modification are important as they allow consideration of refinements to policies and proposals and provide further short periods of consultation on these changes. A minimum period for consultation on the second modifications is 6 weeks which will run from 7<sup>th</sup> November to 19<sup>th</sup> December.
8. If the Board agree to the content of the second modifications, its publication and the necessary further consultation, the appended table and maps, any necessary amendments to the SEA environmental report and the Appropriate Assessment will be placed on the National Park Authority web site for public view. All objectors will also be notified of the commencement of the formal period of consultation.

### **Supplementary Planning Guidance**

9. To support the implementation of the Local Plan, a series of Supplementary Planning Guidance is proposed. These will help make the Local Plan user friendly for users of the Plan. To facilitate the production of the guidance in a timely fashion, and to clarify when the Board should expect to receive them, they have been prioritised (see appendix 2). The Board are therefore asked to note this list.

### **Recommendation**

10. **That the Board formally approve the second modifications to the Deposit Local Plan, and the associated publicity associated with modifying the Deposit Plan.**
11. **That the Board note the prioritised list of supplementary planning guidance.**

### **Implications for Partners and Stakeholders**

12. The final adoption and publication of the Local Plan has implications for many of our partners in delivery and other stakeholders. The aim of the Local Plan is to set out clearly what is expected from applicants in formulating their development proposals. There are implications for all developers and applicants, and the Local Plan will place an emphasis on

developers providing sufficient information, adapting to sites and designing sensitive schemes. Some of the requirements will have financial implications.

13. The Local Authorities in particular are affected by the Local Plan as a material consideration in development management. This requires a level of staff awareness, training and adaptation to ensure that the Plan is used and interpreted consistently by individual officers and planning committee members across the local authorities and National Park Authority. As the main public service delivery organisations in the park area, the local authorities may also find other new implications for service delivery from the Local Plan. The proposed mechanisms for securing additional affordable housing and developer contributions, for example, will have implications for procedures and working practices.

### **Financial Implications for the Park Authority**

14. The budget for publication and consultation on the Local Plan is planned for in the operational plan.

### **Presentational Implications**

15. The second modifications to the Local Plan is an important stage in moving towards an adopted Plan and it is important that we help people to continue their effective involvement in the process as it continues through what is a very formal stage.
16. The purpose of the second modifications is to make a number of amendments and changes to the plan and its associated maps to add clarity and correct any errors, and move the Plan forward in a positive manner. This stage is not an opportunity to revisit parts of the Plan which did not attract objection during the previous stages of consultation. All objections to the second modifications will have to be taken into account as the Plan moves closer to adoption. The National Park Authority has an important role in helping communities and individuals comment and object as effectively as possible. Officers will therefore continue their work in helping objectors through the complex process.

### **Next Steps**

17. Subject to the Board agreeing the recommendations of this paper the next steps will be:
  - a) To make any further second modifications to the plan that are agreed by the Board, further proof the text and check the consistency of the document;

- b) Make any necessary amendments to the Environmental Report of the SEA which supports the Local Plan;
  - c) Contact all remaining objectors to clarify the next steps in the process, and assess their views on the modifications;
  - d) Subject the second modifications to the Local Plan to a six week period of consultation commencing on 7<sup>th</sup> November until 19<sup>th</sup> December 2008.
18. Following this six week consultation, the National Park Authority will assess the responses to clarify where objections are maintained which will then proceed towards a formal Local Plan Inquiry.
19. Where objections are maintained or new objections raised as a result of the second modifications, the necessary steps will be taken to continue ongoing work with the Scottish Government's Directorate for Planning and Environmental Appeals to appoint a Reporter and move towards an inquiry to consider the outstanding issues.

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**20<sup>th</sup> October 2008**

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