

Date:			
Issue:	Policy 18 – Design Standards for Development		
Objector(s):	Muir Homes	Objection ref(s):	038h/i
	The Proprietors of Mar Centre		394g
	Scottish and Southern Energy plc		447f/g

Reporter	Mrs Jill Moody
Procedure	Informal hearing.

1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified (CD6.12) in respect of Policy 18: Design Standards for Development, and supplements the response made to those objections by the Cairngorms National Park Authority in its reports to Committee (CD7.3,4 and 5). It suggests a further modification is made to the Plan in respect of this policy, to remove reference to any checklist which may accompany supplementary planning guidance in the form of a sustainable design guide. It also proposes reference be made in b) of the policy to innovation.

2.0 Provision of the Local Plan

- 2.1 Policy 18 within the Deposit Local Plan as modified gives policy guidance to allow a consistent framework for development of proposals and for the assessment of all applications within the National Park in regard to the design standards achieved by these applications. During the current transitional arrangements set out in the Planning etc. (Scotland) Act 2006 (Development Planning) (Saving, Transitional and Consequential Provisions) Order 2008, the policy is intended to provide an appropriate level of guidance to meet the requirements of SPPI (CD2.2 para 37-38) and Scottish Planning Policy (CD2.1 para 15-18) and ensure that the design standards required in all developments within the National Park are assessed in a consistent manner.
- 2.2 The Policy has been modified in the 1st modifications to the Deposit Local Plan with the policy redrafted to set out a clear list of considerations which will be taken into account in the assessment of all applications within the National Park. An additional requirement has also been added to necessitate the submission of a design statement to accompany applications, which sets out how these criteria have been met through the design of the development proposal.
- 2.3 The Policy has been further modified in the 2nd modifications to the Deposit Local Plan to include an additional criterion relating to waste.
- 2.4 In considering the objections, modifications made to the policy, and how the policy will be implemented on adoption, it is now considered that the section regarding implementation refers in excessive detail to background documentation which has yet to be prepared. The reference to what a document yet to be consulted on will or will not contain is therefore considered inappropriate, and this should therefore be removed from the wording of the background text supporting the policy.
Paragraph 5.14 delete:
'The guide will contain a checklist which must be filled in and submitted with every planning application. This checklist will generate a sustainability score and all proposals will be expected to attain an agreed score as a minimum standard. Proposals which exceed this minimum will be encouraged. The average score of developments within the National Park will be used to monitor improvements in this field.'

Innovative and exemplar examples of sustainable design will also be highlighted within Park publications to help others learn from local best practice.'

This is an officer recommendation which has not been endorsed by the CNPA Board.

- 2.5 Further, to clarify the support given to contemporary design an additional modification to the policy wording is proposed. Additional wording to b) as follows is therefore proposed: b) *'reflect and reinforce the traditional pattern and character of the surrounding area, and reinforce the local vernacular and local distinctiveness, while encouraging contemporary and innovative design and use of materials'*.

This is an officer recommendation which has not been endorsed by the CNPA Board.

3.0 Summary of objection(s)

- 3.1 Four objections raising eight issues have been lodged to this policy and wish to have their objections considered by informal hearing:

- The policy should encourage innovation and contemporary design. **(394g)**
- The policy should not apply to all developments, and as written is unacceptable **(447f/g)**
- The wording of the policy contradicts other statements of the Plan **(447g)**
- The status of the sustainable design guide is unclear. If it does not form part of the local plan how can it become a requirement **(038h)**
- The plan does not establish the special qualities that might be affected by development **(447g)**
- There is no locational guidance on where infrastructure development might be looked on favourably **(447g)**
- The plan should include settlement statements that set out what the traditional development pattern is so that new development can fit into this, since the characters found across the Park vary widely **(038i)**

4.0 Summary of Cairngorms National Park Authority Response

- Sustainable Design Guide Checklist – The proposed change above is intended to address the objections of **038h**.
- Innovative design – The proposed change above is intended to address the objections of **394g**.
- Applicable to all developments – the objection raised relates to wording from the Deposit Plan Policy 18 (CD6.11 page 36). The policy has been entirely modified from this version, making it more flexible and applicable only where appropriate. Modifications also ensure no contradiction with other policies. The changes made are considered to address the original objections. **(447f/g)**
- Special qualities – Cairngorms National Park Authority is working with partners on a project to develop a professional assessment of these. This issue is also addressed through CD7.22 – Topic Paper 2 The Special Qualities of the Cairngorms National Park. No change is therefore considered necessary. **(447g)**
- The policy is intended to raise the standards of design of new development in the Park. It is not an allocations policy in that sense. The guidance given through the policy is considered appropriate and no change is proposed. **(447g)**
- Settlement statements – the policy is intended to improve the standard of design across the Park, rather than set out a rigid set of criteria to be complied with. The production of a set of statements as suggested would not allow flexibility to encourage innovation and contemporary design, and would also only apply to settlements. The policy is intended to apply to all development proposals in the Park. No change is therefore considered necessary. **(038i)**

5.0 CNPA Commendation to Reporter

- 5.1 It is commended to the Reporter that the objections to the issues regarding the policy text raised are rejected subject to the deletion from Para 5.14 as above, and the inclusion within b) of the Policy to innovation and contemporary design.
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6.0 Assessment / Scope of Evidence

- 6.1 **038h/i** objects to the reference to the sustainable design guide and its checklist in the supporting text. The status of this document is unclear, and the wording should therefore be modified.
- 6.2 **Response:** The proposed additional modification to the wording of the supporting text, above, is intended to address this objection, and remove inappropriate levels of detail. This will allow for full consultation on the sustainable design guide in the future to consider the appropriateness of any checklist.
- 6.3 The use of settlement statements is also promoted by the objector, to add clarity to what will be expected in regard to reflecting and reinforcing the traditional pattern of the area. The policy is intended to give guidance to improve the quality of design for new developments across the Park and is not limited to settlements. Where a traditional pattern of built form exists therefore, this should be taken into account in a development proposal. Where none exists this part of the policy would not be applicable. The wording is intended to give suitable guidance to clarify to developers what issues should be addressed, without creating a rigid set of rules to follow. The wording of the policy is therefore considered to be adequately clear, and no change is therefore proposed in this regard.
- 6.4 **394g** objects to the lack of reference to contemporary design.
- 6.5 **Response:** The additional modification proposed above is intended to clarify general support for both innovation and contemporary design, and is hoped to address this objection.
- 6.6 **447f/g** object to the policy being applied to all development. The objection relates to the wording of the policy in the Deposit Plan (CP6.11).
- 6.7 **Response:** The wording has been completely modified in the 1st modifications, and further modified in the 2nd modifications. The modified wording however still causes concern to the objector, as the term 'where appropriate' is ambiguous. The wording of the policy is intended to ensure that all applications consider the impact they have in terms of design. Applicants will be expected to state how they have met the requirements of the policy, and where this has not occurred to give a justification showing that the policy is not relevant. The policy is in line with the expectations of the Scottish Government to improve design standards across Scotland, and is not considered onerous or ambiguous.
- 6.8 The objector also considers the wording to be contradictory with other statements of the Plan. The modifications at both 1st and 2nd stages of change have completely changed the wording, and there is now no conflict with the other policies of the plan.

6.9 The objector considers that where the special qualities of the Park are mentioned, they should be listed, or the reference clarified to explain what they are. The National Park Authority is currently working with partner organisations and Loch Lomond and the Trossachs National Park to develop a clear and professional assessment of the special qualities of both National Parks. Topic Paper 2 The Special Qualities of the Cairngorms National Paper (CD7.22) also sets out the Cairngorms National Park Authority view on the special qualities. The ongoing work will address the issue raised by the objector, and no further change to the policy is therefore proposed.

7.0 Strategic Issues

7.1 The National Park Plan recognises the importance of sustainable design in its strategic objectives for housing (CP7.1 page 72). Linking sustainable design to the special qualities of the Park through careful design and siting will be key to achieving this objective. This is highlighted in the Priorities for Action on housing (CP7.1 page 113) where the need for a sustainable design guide is identified as a way of encouraging new development and infrastructure to complement the built and landscape character of the Park.

8.0 List of documents (including Core Documents)

- CD1.17 Designing Places: A Policy Statement for Scotland
- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPPI The Planning System
- CD4.15 PAN68 Design Statements
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1st modifications
- CD7.1 Cairngorms National Park Plan 2007
- CD7.3 CNPA Committee Report Consultation May 2008
- CD7.4 CNPA Committee Report 1st Modifications October 2008
- CD7.5 CNPA Committee Report 2nd Modifications February 2009

9.0 Cairngorms National Park Authority Witnesses for Informal Hearing

- Karen Major – Local Plan/Policy Officer