

Date:			
Issue:	Policy 22 – Housing Development within settlement boundaries		
Objector(s):	Muir Homes	Objection ref(s):	038m
	Mr and Mrs Houston		096c
	The Proprietors of Mar Centre		394k
	Badenoch and Strathspey Conservation Group		400k
	Mr P Swan		462j

Reporter	Mrs Jill Moody / Mr Hugh Begg
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 (CD6.11, 12 and 13) in respect of Policy 22: Housing Development within Settlement Boundaries, and supplements the response made to those objections by the Cairngorms National Park Authority in its reports to Committee (CD7.2 CD7.3 and CD7.4). The policy as modified includes additional guidance on opportunities for development within settlements, and also within the supporting text, a guide to house size balance, previously contained within Policy 23 of the Deposit Plan (CD6.11). No further changes are now proposed for this policy.

2.0 Provision of the Local Plan

- 2.1 Policy 22 within the Deposit Local Plan as modified gives policy guidance to allow a consistent framework for development proposals and for the assessment of applications for housing within settlement boundaries as identified within the proposals maps of the Plan. 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 assessment of development proposals is carried out in a consistent manner.
- 2.2 The Policy has been added to the Plan through the 1st modifications (CP6.13) as an additional policy to the original Deposit Local Plan.
- 2.3 In considering the objections to this policy and its subsequent modifications, it is now considered that information in paragraph 5.58 is erroneous and does not accurately reflect the information that will be taken into account when assessing need for particular forms of development in any given case. A post inquiry modification is therefore proposed to rectify this.
 Paragraph 5.58 delete *‘Where no such information exists a benchmark of 75% two and three bed units will be used as a guide to reflect the findings of ‘Planning for affordable housing in the Cairngorms National Park’ Communities Scotland, March 2008.’*
 Assessments will therefore take into account the information provided in the list at the beginning of the paragraph which will include local housing strategies.
 This is an officer recommendation which has not been endorsed by the CNPA Board.

3.0 Summary of objection(s)

- 3.1 Five objections raising seven issues have been lodged to this policy and wish to have their objections considered by informal hearing:
- The policy should be more flexible to react to demand when it arises, both in terms of the policy and the settlement boundaries in the proposals maps. **(038m, 394k)**
 - Where settlement boundaries are identified, cross referencing to other policies should be included to indicate the considerations which will be taken into account to allow development within settlements to occur. **(038m)**
 - In b) any compatibility with existing uses is contradictory **(038m)**
 - Object to supporting text 5.52 final sentence ‘their growth is key to the aims’ **(400k)**
 - Object to supporting text 5.53 implication that new housing developments support communities **(400k)**
 - Object to supporting text 5.60 which should also refer to sales and rented properties. Also object in this paragraph to ‘adequate land supply at all times’ as a limit to growth should be set **(400k)**
 - Para 5.58 in the 2nd modifications refers to a publication produced by Communities Scotland. This document is flawed and accurate information should be used as the basis for any requirement for particular percentages of bedroom units. **(096c, 462j)**

4.0 Summary of Cairngorms National Park Authority response

- Flexibility – the policy is intended to clarify the opportunities for development within settlement boundaries, in line with SPPI, and the proposed flexible approach to boundaries would blur this clarity. **(038m, 394k)**
- Cross referencing – Para 1.20 clearly states that the plan in its entirety should be looked, and that cross referencing is not used as all the policies are important depending on the nature of the proposal. No further change is therefore considered necessary. **(038m)**
- B) is not considered contradictory as it is appropriate that new developments within settlements should take account of neighbouring uses and the amenity of others. **(038m)**
- Para 5.52 clarifies the important role settlements have in providing services and the reference is therefore considered appropriate. **(400k)**
- Para 5.53 supports the objective of the National Park Plan regarding housing, and it is considered appropriate to highlight that quality residential environments within settlements are important. No change is therefore suggested. **(400k)**
- Para 5.60 relates to monitoring, and in using housing needs surveys all aspects of the market in terms of need will be monitored. No change is considered necessary. **(400k)**
- Para 5.58 – the objection is noted, and to reconcile the issue, the final sentence of the paragraph is to be deleted by way of a post inquiry modification. **(096c, 462j)**

5.0 CNPA Commendation to Reporter

- 5.1 It is commended to the Reporter that all objections are rejected subject to the deletion of the above wording in Para 5.58.
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6.0 Assessment / Scope of Evidence

- 6.1 **038m** objects to the policy since, on an allocated site, there should be a presumption in favour of development and of its status as an allocation within the Plan.

- 6.2 **Response:** Paragraph 1.20 of the plan explains clearly how the plan is to be used. Whilst the allocation of a site within the proposals section of the Plan is a clear recognition of the nature of development that would be expected on the site, it does not preclude that development from compliance with the policies of the plan, as well as any other regulations or material considerations which may be relevant. The policy is therefore considered appropriate for inclusion within the Local Plan.
- 6.3 Also **objection** is raised to the use of rigid settlement boundaries considering a more appropriate approach would be to set boundaries that are flexible to react to demand.
- 6.4 **Response:** The approach taken in regard to settlement boundaries reflects the hierarchy of settlements used within the Plan (Para 7.2). This hierarchy reflects the expectation that the majority of development would be within strategic settlements, with intermediate and rural settlements seeing development to support communities. It is clearly stated that outwith these boundaries development proposals will be considered against the policies of the Plan. In Para 7.5 developments outwith boundaries are expected to provide a justification for the selected location. The approach to settlement boundaries does not therefore preclude development outwith the boundary, but rather seeks additional consideration as to the need for the location. This sequential approach to site selection is intended to provide adequate flexibility to meet demand, whilst ensuring the best sites are selected. No change to this approach is therefore proposed.
- 6.5 **Objection** is also raised to the 2nd modifications, requiring new developments to be compatible with existing and adjacent land uses. On allocated sites, this should not apply, as the sites should not be allocated for a particular use if it is not compatible with neighbouring uses.
- 6.6 **Response:** The wording is however considered appropriate as it is right for all new development within settlements to take account of neighbouring uses and the amenity of others. While the allocated use will be considered appropriate, the actual impact of that development by way of its design and layout should ensure that the impact on neighbouring uses should be properly considered. No change is therefore proposed.
- 6.7 **096c** objects to paragraph 5.58 on the basis that reference is made to the findings of 'Planning for affordable housing in the Cairngorms National Park' report by Communities Scotland. The objector considers the information contained within this report to be inaccurate, and so an inappropriate basis for the policy and its implementation.
- 6.8 **Response:** In considering this and other objections made to this policy, and its subsequent modifications, it is now considered that information in paragraph 5.58 is erroneous and does not accurately reflect the information that will be taken into account when assessing need for particular forms of development in any given case. A post inquiry modification is therefore proposed to rectify this (para 2.3 above). The policy will therefore be implemented taking into account local community needs surveys, local housing needs assessments, local waiting lists, and any other information available including local housing strategies.
- 6.9 The proposed post inquiry modification is therefore considered to address the objection raised. No further change is proposed.

- 6.10 **394k** objects to the setting of any rigid criteria to dictate the balance of house sizes, which could deter development as a whole, and create criteria, which does not reflect market need or current demand.
- 6.11 **Response:** Proposed modifications put forward by the objectors request the deletion of para 5.57-5.59, or rewording to expect house sizes to reflect community aspirations. The original policy of the deposit plan, Policy 23, did set a rigid percent benchmark for house sizes in all developments, but through the 1st modifications, this policy has been deleted.
- 6.12 Supporting text to Policy 22 now highlights the need for community needs assessments, local housing needs studies, local waiting lists or other information to influence the mix of house sizes within developments. Where none exists a benchmark is given as guidance. This change is considered now to provide appropriate flexibility to the policy, and allow for the most up to date information to be taken into account when looking at what balance to develop. No further change is therefore proposed.
- 6.13 **400k** makes specific objection to wording in Para 5.52. This wording is however included to clarify the important role settlements have in providing services and the reference is therefore considered appropriate.
- 6.14 **Objection** is made to Para 5.53. Since housing provision within the National Park supports the housing objective of the National Park Plan (CD7.1 page 67) it is considered appropriate to highlight that quality residential environments within settlements are important. No change is therefore suggested.
- 6.15 **Objection** is also made to Para 5.60. This paragraph relates to monitoring of the policy. It is the intention that monitoring of the policy will look at house completions of all tenures, and specific reference is therefore not required to highlighted the type of tenure. This issue will be flagged up through the monitoring of policy 21 and is therefore not required to be repeated here.
- 6.16 **462j** also objects to paragraph paragraph 5.58 on the basis that reference is made to the findings of 'Planning for affordable housing in the Cairngorms National Park' report by Communities Scotland. The objector considers the information contained within this report to be inaccurate, and so an inappropriate basis for the policy and its implementation.
- 6.17 **Response:** In considering this and other objections made to this policy, and its subsequent modifications, it is now considered that information in paragraph 5.58 is erroneous and does not accurately reflect the information that will be taken into account when assessing need for particular forms of development in any given case. A post inquiry modification is therefore proposed to rectify this (para 2.3 above). The policy will therefore be implemented taking into account local community needs surveys, local housing needs assessments, local waiting lists, and any other information available including local housing strategies.
- 6.18 The proposed post inquiry modification is therefore considered to address the objection raised. No further change is proposed.

7.0 Strategic Issues

7.1 The approach taken supports the strategic objectives of the National Park Plan (CD7.1) regarding sustainable communities (Page 67). Here the aim is to focus settlement growth on the main settlements and plan growth to meet community needs in other settlements.

8.0 List of documents (including Core Documents)

- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPP1 The Planning System
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1st modifications
- CD6.13 Deposit Local Plan 2nd modifications
- CP7.1 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