

Date:			
Issue:	Policy 27 – Business Development		
Objector(s):	James & Evelyn Sunley	Objection ref(s):	056k
	The Proprietors of Mar Centre		394n
	Badenoch and Strathspey Conservation Group		400g(b)
	Glenmore Properties Ltd		453h

Reporter	Mrs Jill Moody
Procedure	Informal Hearing

1.0 Overview

1.0 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified in respect of Policy 27: Business Development, and supplements the response made to those objections by the Cairngorms National Park Authority in its report to Committee (CD7.3,4 and 5). The policy as modified includes clarity on site specific considerations and offers additional support to economic development. No further changes are now proposed for this policy.

2.0 Provision of the Local Plan:

2.1 Policy 27 (previously Policy 20 within the Deposit Local Plan (CD6.11 page 38) as modified gives policy guidance on how development proposals for business development will be assessed, giving guidance on sites within settlements, outwith settlements and other opportunities. 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 applications for business development 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 to clarify the different considerations for the various locations, and to give a clear support to proposals that encourage local economic development. The background text has also been modified to clarify the importance of economic development within the National Park, and to relate this to the aims of the Park (CD1.3). Additional information to be submitted in support of applications is also clarified. The Policy relates to all business development proposals within the National Park.

3.0 Summary of objection(s)

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

- The policy should highlight the need for government agencies to give rates relief and tax breaks to support business. **(056k)**
- The wording of the policy implies pre-empting the planning process. **(400g(b))**
- The policy should not imply declining populations is a problem. **(400g(b))**
- The policy should allow for loss of business where there is no demand for the site in business use. **(453h)**
- The policy is overly restrictive. **(394n)**

4.0 Summary of Cairngorms National Park Authority Response

- Financial relief to support business – the Local Plan provides a development framework and creates a clear and consistent approach to guide development proposals within the National Park. It cannot however go any further than is permitted within planning legislation. Any issues regarding financial support from government agencies for businesses would be outwith the remit of the Local Plan. **(056k)**
- Tone of wording – The policy must be considered with the others in the Plan (Para 1.20) and without appropriate compliance with all policies, and other material considerations relevant to the decision making process at the time, proposals will not gain permission. **(400g(b))**
- Declining population – the support of sustainable economic and social development is in accordance with the 4th aim of the Park and the strategic objectives of the National Park Act (CD7.1), and the policy is intended to provide a framework to ensure this. **(400g(b))**
- Exceptions to the policy – 2nd modifications include an amendment to allow for the loss of a business where its retention would not prove viable. No further change to exceptions within the policy is proposed. **(453h)**
- The policy as modified gives clear support to economic development and no further change is therefore considered necessary. **(394n)**

5.0 CNPA Commendation to Reporter

- 5.1 It is commended to the Reporter that all objections are rejected. No issues are raised that could lead the Cairngorms National Park Authority to consider that the policy was deficient. The wording of the policy and the areas identified on the proposals maps should therefore be retained.

6.0 Assessment / Scope of Evidence

- 6.1 **056k** objects to the policy as it should highlight the need for Government agencies to help encourage new business in the form of tax breaks and rates relief.
- 6.2 **Response:** The Local Plan is a document to set a framework for development and to clarify how development proposals will be assessed in a clear and consistent manner. The National Park Authority prepares the local plan in line with the requirements of the National Parks (Scotland) Act 2000. (CD1.3) This together with the Town and Country Planning (Scotland) Act 1997 (CD1.1) and Planning etc. (Scotland) Act 2006 (CD1.2) set out the remit for local plans. The request to include reference to other government agencies and any financial support that they could offer to businesses goes beyond this remit. The National Park Plan (CD7.1 page 69) in its strategic objectives for Economy and Employment sets out how it will seek to support the economy. The importance of partnership working is highlighted throughout the National Park Plan (CD7.1), and in particular in the implementation section. (CD7.1 Chapter 7, page 121) This partnership working will continue through the implementation of plans and strategies of many other organisations and groups. (CD7.1 Page 125, 7.6) In this way the National Park Authority, in parallel to supporting business and the economy through the planning process, will work with others to ensure the best outcome for local communities and businesses. No change is therefore proposed to the policy.
- 6.3 **394n** objects to the restrictive nature of the policy.

- 6.4 **Response:** The policy through 1st and 2nd modifications has been amended to give a clear indication of support for economic development, and links directly the policy with the National Park Plan (CD7.1) where the strategic setting is given. The 2nd modifications included an exemption to the policy where it can be demonstrated that the retention of the business on the site is not viable. The wording of the policy is not therefore considered to be restrictive and is in line with SPP2 Economic Development. (CD2.3) No further change is therefore proposed.
- 6.5 **400g(b)** objects to the implication in the supporting text that if population levels were to fall, that this would be seen as a problem.
- 6.6 **Response:** The National Park Plan (CD7.1 page 67) in its strategic objectives regarding sustainable communities clearly states that it is important to actively encourage a population in the National Park that can continue to support thriving communities in the long term. In the short term this means seeking to retain or attract more young people. A declining population as suggested by the objection would not be in line with this objective, and the policy is therefore not considered to be deficient in any way in relation to the National Park Plan.
- 6.7 The wording implies that developments could bypass the planning process. The policy does not imply any bypass of due process in the consideration of applications, and paragraph 1.20 of the Plan states clearly how the plan will be implemented, taking into consideration all policies relevant to the proposal.
- 6.8 **453h** objects to the policy in that there should be an allowance for proposals which would result in a loss of business use where there is no demand for the site in that business use.
- 6.9 **Response:** The policy through 2nd modifications has included an exemption to the policy where it can be demonstrated that the retention of the business on the site is not viable. This change is therefore considered to have addressed the objection and no further change is needed.

7.0 Strategic Issues

- 7.1 The National Park Plan (CD7.1) highlights the importance of the economy and sets a series of strategic objectives to strengthen the economy, ensure its sustainability and ensure it contributes positively to the 4 aims of the National Park (CD7.1 page 70). Priorities for action to achieve these objectives are set out (CD7.1 page 109) and the Local Plan policy is intended to enable businesses to grow in line with these objectives.

8.0 List of documents (including Core Documents)

- CD1.1 The Town and Country Planning Act (Scotland) 1997
- CD1.2 The Planning etc. (Scotland) Act 2006
- CD1.3 The National Parks (Scotland) 2000
- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPP1 The Planning System
- CD2.3 SPP2 Economic Development
- CD6.11 Deposit Local Plan
- 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 CNPA Committee Report 2nd Modifications February 2009-03-26

9.0 Cairngorms National Park Authority Witnesses for Formal Inquiry

- Karen Major – Local Plan/Policy Officer