

Date:			
Issue:	Policy 17 – Improvements to Settlements		
Objector(s):	Mrs Sally Spencer	Objection ref(s):	017f
	DW and IM Duncan		037f
	Alvie and Dalraddy Estate		439p

Reporter	Mrs Jill Moody
Procedure:	Written representation

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 in respect of Policy 17: Improvements to Settlements, 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 no further change be made to the policy.

2.0 Provision of the Local Plan

- 2.1 Policy 17 within the Deposit Local Plan as modified gives policy guidance to allow a consistent framework for development of proposals and for the assessment of applications which are within settlements. 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 affecting such sites are determined in a consistent manner.
- 2.2 The Policy has been modified in the 1st modifications (CD6.12) to the Deposit Local Plan with word changes to highlight the importance of prosperity, and expand the examples given regarding accessibility and amenity. A final paragraph has been added to clarify the approach which will be taken with developments that have a negative impact on vitality, viability and amenity.

3.0 Summary of Objection(s)

- 3.1 Three objections raising four issues have been lodged to this policy and wish to have their objections considered by written representation:
- The policy should create greater links between development and the HSE. **(017f)**
 - The policy should have a presumption against large scale supermarkets **(037f)**
 - The policy should encourage not only tourism development, but other economic activities **(439p)**
 - Affordable housing in settlements should not be permitted at the expense of aspects of settlements which add to the cultural heritage such as open spaces and the countryside around settlements. **(439p)**

4.0 Summary of Cairngorms National Park Authority Response

- Links to HSE - the policy, and plan in general, provide a development framework for the whole Park. It does not however override any other legislation or regulation enforced by other agencies or bodies, and as such cannot persuade the Health and Safety Executive to operate in

any different way. The issue is not one therefore considered appropriate for inclusion within a local plan. **(017f)**

- Supermarket development - the policy intends to protect the prosperity, accessibility and amenity of settlements, and set a framework to achieve this. It does not however presume to prevent any one form of development, as all proposals for development must be considered on their merits, against the policies of the plan, and other material considerations. The suggested modification would therefore not set this framework. **(037f)**
- Economic activity - the policy is intended to ensure town centres and other settlements are appealing, and their economic function supported. As such it is considered the policy addresses the objection raised. **(439p)**
- Regarding housing development adversely impacting on the character of settlements, developments must show, through this policy how they support the prosperity, accessibility and amenity of centres, and protect vitality. Together with the other policies in the plan, adequate protection is given to important cultural heritage found in and around settlements. **(439p)**

5.0 CNPA Commendation to Reporter

- 5.1 No issues are raised that could lead the Cairngorms National Park Authority to consider that the policy was deficient. It is therefore commended to the Reporter that these objections are rejected.

6.0 Assessment / Scope of Evidence

- 6.1 **017f** – considers the policy a good one, but not far reaching enough.
- 6.2 **Response:** The modification proposed should ensure the Health and Safety Executive take a more common sense approach to their role. The support for the policy is welcomed, but the change relating to the role and operation of the HSE goes beyond the role of the policy and Local Plan. The way in which other agencies operate cannot be controlled by the planning system, and as such the policy is not considered deficient or in need of further modification.
- 6.3 **037f** – objects to the lack of direct reference to limit the development of large scale supermarkets in order to protect existing retail businesses.
- 6.4 **Response:** Whilst the policy does not preclude against any one particular use or scale of development, it intends to protect the prosperity, accessibility and amenity of settlements, and set a framework to achieve this. Through the planning system, proposals for development must be considered on their merits, against the policies of the plan, and other material considerations. It is not therefore considered necessary to list developments that would not support this vitality and viability, and the wording of the policy is not considered deficient in this regard.
- 6.5 **439p** – objects to the wording of the policy, as it should create a better focus for economic growth, and not focus on tourism.
- 6.6 The policy has been developed to take on board the guidance provided in PAN 52: Planning for Small Towns (CD4.7). New developments within town centres and other settlements should be appealing and support the role of that centre as the economic focus for that community. In considering the wording of the policy, developments of all forms are supported where they

protect and enhance this economic vitality and viability. The policy therefore addresses the objection raised.

- 6.7 Also the objector raises the need for new development, and in particular housing development, to ensure that the cultural heritage of the affected community is not compromised, in terms of loss of open space within and around settlements. Developments of all types, including housing, must show, through this policy how they support the prosperity, accessibility and amenity of centres, and should not result in a loss of vitality. Together with the other policies in the plan, adequate protection is given to important cultural heritage found in and around settlements and no further modification is therefore proposed.

7.0 Strategic Issues

- 7.1 Planning Advice Note 52: Planning in Small Towns (CD4.7 page 10-11) supports the role of Local Plans as playing an important role in addressing economic, social and environmental issues facing small towns, and sees their role in promoting opportunities for development which increase the economic, social and physical well being of areas. They should also set out objectives for influencing the design of new development, in order to protect an area from inappropriate development and to enhance the environmental quality.

8.0 List of documents (including Core Documents)

- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPPI The Planning System
- CD4.7 Planning for Small Towns
- 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