

Date:			
Issue:	Policy 28 – Retail Development		
Objector(s):	Dr A Watson	Objection ref(s):	020i
	Cooperative Group		370a/b
	Alvie and Dalraddy Estate		439zf

Reporter	
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 (CD6.12) in respect of Policy 28: Retail 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 the support offered to local economic vitality, and how proposals outwith town and village centres will be considered. No further changes are now proposed for this policy.

2.0 Provision of the Local Plan:

2.1 Policy 28 (previously Policy 21 within the Deposit Local Plan (CP6.11 page 39) as modified gives policy guidance on how development proposals for retail development will be assessed giving guidance on sites within settlement centres, within settlements but outwith centres, and outwith 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 for development within the National Park adequately consider the impact that development will have on the landscape within the Park.

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 clarify a clear support for local economic vitality. Additional information to be submitted in support of applications is also clarified. The Policy relates to all retail development proposals within the National Park.

3.0 Summary of objection(s)

3.1 Three objections raising six issues have been lodged to this policy and wish to have their objections considered by written representation:

- In a) wording should encourage retail and commercial development in town centres rather than a presumption against development. **(370a)**
- The policy should mention design and materials. **(020i)**
- Wording in 5.14 is incorrect. **(020i)**
- Shops less than eg 200 sq m should be exempt from any sequential approach to site selection. **(370b)**
- In b) reference should be made to out of centre sites as well as edge of centre sites. **(370b)**
- The policy is unreasonably restrictive and prescriptive and will hamper economic development. **(439zf)**

4.0 Summary of Cairngorms National Park Authority Response

- Tone of wording –to give greater encouragement to retail development in all areas the wording has been amended as included in the 1st modifications. **(370a, 439zf)**
- Design and materials – these are considered under Policy 18. Para 1.20 clarifies the need to refer to all relevant policies and no further change is therefore needed. **(020i)**
- Para 5.14 – the wording here has been changed in the 1st modifications. **(020i)**
- Sequential approach – the policy has been drafted in accordance with SPP8 Town Centres and Retailing (CD2.8) and is not considered deficient or in need of further change. **(370b)**
- Out of centre sites – the policy has been redrafted in the 1st modifications, and now includes reference to sites which are within settlements but are outwith the centre. **(370b)**

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 should therefore be retained.
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6.0 Assessment / Scope of Evidence

- 6.1 **020i** objects to the lack of mention within the policy to design and materials.
- 6.2 **Response:** The importance of both is recognised within the Plan, but is not repeated in all policies, with Policy 18 giving the policy context. Paragraph 1.20 states that all relevant policies of the plan should be considered, and where design and materials impact on a retail development this would be the case. No repetition is given and no change to the policy is therefore considered necessary.
- 6.3 There is also an objection to the wording used. The background text to the policy has been amended in the 1st modifications (Para 5.81) and the objection is considered to have been addressed.
- 6.4 **370a/b** objects to the tone of the policy, considering the need for the policy to be more encouraging to retail and commercial development.
- 6.5 The proposed modification removed the term ‘retail’ from the sentence regarding the need to make a contribution to economic growth, vitality and viability of town centres. Through the 1st modifications the overall tone of the policy has been changed to be more supportive. The wording of para a) sets out the criteria against which proposals will be assessed. The setting of such criteria allows a transparent and consistent approach to the decision making process. The policy has been drafted in line with SPP8 Town Centres and Retailing (CD2.8) and is not considered deficient or overly restrictive. No further change is therefore proposed.
- 6.6 Objection is also made to the use of sequential approach to site selection. Their modification proposed suggests that units of less than 200 sq m should be exempt. As above, the policy has been drafted in line with the guidance provided in SPP8 (CD2.8), and sets out the method whereby an assessment of the selected site should be made. This will apply to all units to illustrate the need for the development and the impact it will have on the economy. This is

intended to provide clarity to applicants on the requirements of the decision making process. No further change is therefore proposed.

- 6.7 **425I** objects to the policy considering its remit should be extended to include other commercial developments.
- 6.8 The policy through the 1st modifications has been amended to clarify that it relates only to retail developments. Other business proposals would therefore be considered under Policy 27: Business Development, while tourism and leisure related proposals should refer to Policy 33: Tourism Development and Policy 35: Sport and Recreation Facilities. Para 1.20 clarifies the need to consider all relevant policies of the plan. No further change is therefore considered necessary.
- 6.9 **439zf** objects to the restrictive nature of the policy and suggests it will act as a disincentive to development.
- 6.10 The policy through 1st modifications has been amended to ensure the tone of the policy is supportive of appropriate development. The background text has also been amended to give additional clarity on what information will be required in support of applications. The approach has been drawn up in accordance with SPP8 (CD2.8) and no further change is therefore considered necessary.

7.0 Strategic Issues

- 7.1 A key priority for the National Park Plan is to ensure the long term sustainability of the National Park through a diverse and vibrant economy that is based on, and actively works to conserve and enhance the special qualities of the area and benefits local communities. (CP7.1) The local plan in support of this therefore sets out a framework for the economy that supports all sectors, including retail, for the benefit of local communities, and to encourage appropriate growth.

8.0 List of documents (including Core Documents)

- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPP1 The Planning System
- CD2.8 SPP8 Town Centres and Retailing
- 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