

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: ADOPTION OF STATUTORY SUPPLEMENTARY GUIDANCE AND NON STATUTORY PLANNING GUIDANCE

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Purpose of Report

To ask the Planning Committee to approve changes to and adopt Design and Placemaking non-statutory planning guidance following consultation and to approve changes to Developer Obligations Supplementary Guidance for submission to Scottish Ministers to support the Cairngorms National Park Local Development Plan 2021.

Recommendation:

That the Planning Committee:

- A. approve modifications to and adopt the Design and Placemaking non statutory planning guidance; and**
- B. approve modifications to the Developer Obligations Supplementary Guidance for the Local Development Plan 2021 and its submission to Scottish Ministers.**

Background

1. The Cairngorms National Park Local Development Plan (LDP) was adopted on the 26th March 2021. The CNPA has prepared eight pieces of non-statutory guidance and two pieces of statutory Supplementary Guidance to support it. This paper presents two items of guidance on Design and Placemaking and Developer Contributions that were subject to a period of public consultation from the 5 October 2021 till 19 November 2021.
2. Seven items of non-statutory guidance have already been adopted (in April 2021) for the following policies:
 - a) Supporting Economic Growth Non-Statutory Guidance
 - b) Natural Heritage Non-Statutory Guidance
 - c) Landscape Non-Statutory Guidance
 - d) Renewable Non-Statutory Guidance
 - e) Open Space, Sport and Recreation Non-Statutory Guidance

- f) Cultural Heritage Non-Statutory Guidance
 - g) Resources Non-Statutory Guidance
3. In addition to the above, statutory Supplementary Guidance has been prepared for New Housing Development. That guidance will be presented to Committee at a future Planning Committee.
 4. The purpose of both supplementary guidance and non-statutory guidance is to provide further information and clarification about how LDP policies should be interpreted and applied. However Supplementary Guidance can only be prepared where it has been specifically identified in the LDP and is limited to providing further information or detail on the policies or proposals set out in the LDP and cannot introduce new policy requirements not already set out in the LDP. Once adopted by the planning authority, Supplementary Guidance has the same status as the Development Plan in decision making.

Design and Placemaking Non-statutory Planning Guidance

5. The Design and Placemaking Non-statutory Planning Guidance specifically provides supporting information on the implementation of LDP Policy 3: Design and Placemaking.
6. Appendix I shows the guidance and modified and Appendix 2 shows the responses to the consultation and the ways they have been addressed. Comments were received from five organisations and one individual and officers have made a range of small changes to the guidance as a result.

Developer Obligations Supplementary Guidance

7. The Developer Obligations Supplementary Guidance specifically provides supporting information on the implementation of LDP Policy 11: Developer Obligations and proves the framework for developer contributions that may be secured by through the planning process and by legal obligations.
8. Appendix I shows the guidance and modified and Appendix 2 shows the responses to the consultation and the ways they have been addressed. Comments were received from six organisations and officers have made a range of small changes to the guidance as a result.

Next Steps

9. The Design and Placemaking guidance will be part of the suite of adopted non-statutory planning guidance if the Planning Committee adopt it today.
10. Following Planning Committee approval of the Developer Obligations Supplementary Guidance, officers will submit a copy of the Supplementary Guidance as modified to Scottish Ministers together with a Statement setting out the publicity measures they have undertaken, the comments they received, and an explanation of how these

comments were taken into account. After 28 days have elapsed, the Authority may adopt the Supplementary Guidance unless Scottish Ministers have directed otherwise. Officers will bring the Supplementary Guidance back to Planning Committee for adoption as soon as possible following Ministers' consideration period and any directions given by them.

Appendices:

Appendix 1 - Design and Placemaking Non-statutory Planning Guidance

Appendix 2 - Consultation Responses to Design and Placemaking Non-statutory Guidance

Appendix 3 - Developer Contributions Supplementary Guidance

Appendix 4 - Consultation Responses to Developer Contributions Supplementary Guidance

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