

PERTH AND KINROSS COUNCIL

Enterprise and Infrastructure Committee

28 August 2013

**CAIRNGORMS NATIONAL PARK PROPOSED LOCAL DEVELOPMENT PLAN
CONSULTATION APRIL - JULY 2013****Report by Executive Director (Environment Services)****PURPOSE OF REPORT**

This report has been prepared to inform Members of the Cairngorms Proposed Local Development Plan and homologate the comments which were submitted in response to the consultation which closed on 5 July 2013. This report highlights the relevant content of this document and its supporting information and how it applies to Perth and Kinross Council area.

1. BACKGROUND

- 1.1 The Planning etc (Scotland) Act 2006 places a duty on the Cairngorms National Park Authority (CNPA) to prepare a Local Development Plan. Following the production of the Main Issues Report which was reported to Members on 23 November 2011 (Report 11/577) the CNPA published its Proposed Local Development Plan (LDP) and supporting information in April 2013 for representations. The Proposed LDP sets out the Authority policies and proposals for the development and use of land for next 5-10 years and will provide the basis for assessment of all planning applications made across the whole of the National Park including those parts that are within Perth and Kinross area. The closing date for representations was 5 July 2013. As a result it was necessary to submit the representation in advance of this Committee.
- 1.2 This report has been prepared to bring Members' attention to the relevant parts of the Proposed LDP and seek to homologate the representations submitted on behalf of the Council. The Proposed LDP and supporting information can be viewed online at <http://cairngorms.co.uk/park-authority/planning/local-plan/local-development-plan#>

2. CAIRNGORMS NATIONAL PARK PROPOSED LDP

- 2.1 The Proposed LDP sets out the Vision, Spatial Strategy, Policies and Proposals for the next 5-10 years.

Vision

- 2.2 The Vision set out in the CNPA is for “An outstanding National Park, enjoyed and valued by everyone, where nature and people thrive together”, to be delivered through three long term outcomes:
- A sustainable economy supporting thriving businesses and communities
 - People enjoying the Park through outstanding visitor and learning experiences
 - A special place for people and nature with natural and cultural heritage enhanced.

Spatial Strategy

- 2.3 The Strategy within the National Park identifies the opportunities for economic growth and diversification within, between and around the existing settlements of the Park. A strategy diagram (Figure 3, page 12) is included in the Plan and shows where development is to be focused in settlements within the Plan, including the new settlement of An Camas Mòr (south east of Aviemore). The strategy for the settlements within Perth & Kinross is broadly similar to the current Local Plan.
- 2.4 The spatial strategy is generally supported however there appeared to be an error in the strategy diagram. The following representation was submitted to the CNPA with regards to the Strategy diagram:

Strategy Diagram page 12

- *Issue - The settlements are shown as yellow dots in the diagram but red dots in the key. There are four settlements listed in the plan along the A9 corridor (Blair Atholl, Killiecrankie, Bruar/Pitagowan and Calvine) and only three dots shown in the Diagram.*
- *Modification sought - Key and the diagram to be clear and the same and the listed settlements to all be shown in the diagram and named.*
- *Reason - For clarity and to aid understanding of the Plan*

Proposed LDP Policies

- 2.5 Following the Strategy the Proposed LDP sets out the CNPA planning policies which cover the following policy topics:
- New Housing Development
 - Supporting Economic Growth
 - Sustainable Design
 - Natural Heritage
 - Landscape
 - Renewable Energy

- Sport and Recreation
- Cultural Heritage
- Resources
- Developer Contribution

2.6 The policy framework is generally supported however for consistency with Perth & Kinross policy the following representation was made with regards to the New Housing Development Policy and associated Supplementary Guidance in relation to Affordable Housing:

New Housing Development – Affordable Housing

- *Issues - The Cairngorms National Park Authority is not a housing authority, but the Supplementary Guidance Part 2 – “New Housing Development” makes reference to any commuted sums being used for provision in the “local area”. The local area is also further defined in paragraph 2.17 as being the relevant secondary school catchment. This does not reflect the policies of all the housing authorities covered by the Cairngorms National Park area where some (Aberdeenshire) will look to spend commuted sums within the catchment of the local academy but others (Angus, Highland and Perth and Kinross) will look to spend commuted sums within the same Housing Market Area in which they are collected.*
- *Modification sought - The Supplementary Guidance should be amended in paragraph 2.17 to state that “The contribution will be put towards the provision of affordable housing to meet the need in the same housing market area or other such appropriate area as defined by the relevant housing authority.”*
- *Reason - To reflect the existing delivery mechanisms of all housing authorities within the Park area.*

Community Information - Settlements

2.7 The final section of the plan looks at individual settlements and their role within the settlement hierarchy. The settlement hierarchy establishes three tiers of settlement. The first tier is strategic which seeks to provide the majority of development and provision of facilities. The second tier is intermediate where development should support the local communities and ensure their sustainability for the future. The third tier is rural community where there are limited growth opportunities but encouragement would be given to opportunities for new facilities which would support the local community. The community information for each settlement is followed by a map for most of the settlements. It was however noted that some Perth & Kinross settlement boundaries were omitted including Bruar/Pitagowan, Calvine and Glenshee.

- 2.8 The following representation was submitted with regards to the settlement boundaries:

Settlement boundaries

- *Issues - There are no settlement boundaries or maps for Bruar/Pitagowan, Calvine and Glenshee despite them being identified as settlements in the strategy diagram and the plan containing text which indicates that they are settlements. The plan also contains policy text at paragraph 13.7 which indicates that settlement boundaries will be identified and development outwith the boundaries will be resisted. This seems a confusing and inconsistent approach.*
- *Modification sought - Settlement boundaries identified for Bruar/Pitagowan, Calvine and Glenshee based on those shown in the Highland and Eastern Area Local Plans.*
- *Reason - For clarity and to aid the future implementation of the plan*

Specific Proposals – Killiecrankie

- 2.9 The owner of site housing H1 in Killiecrankie approached the Council to indicate that they did not wish to see the site developed. The Council had been previously aware of this issue and the site is recorded as not effective in the annual Housing Land Audit. In addition to advising the owner to submit their comments to the Park Authority the following representation was submitted.

Killiecrankie

- *Issues - Housing site H1 is shown for 12 houses but only 5 in the action plan. The site is identified as non effective In Perth and Kinross Council's housing land audit and more recent communication indicates that the owner is unwilling to release it for development. The topography and narrowness of the access will not support a development of 12 houses and a more reasonable and practical approach would be to retain the site within the settlement boundary but not identify it as a specific housing site.*
- *Modification sought - Site H1 not be identified as a specific housing site but the settlement boundary to remain unaltered.*
- *Reason - To take account of current information*

Note it might also be useful to give an indication that the entire settlement lies within the Killiecrankie battlefield as shown on the inventory.

3. CONCLUSION

- 3.1 Whilst generally supportive of the Cairngorms National Park Proposed Local Development Plan the Council would wish to see some modifications to the Plan prior to adoption. The main issues raised are in relation to affordable housing, settlement boundaries and a housing designation in Killiecrankie.
- 3.2 Recommendation: Homologate the comments submitted to the Cairngorms National Park Proposed Local Development Plan.

Author(s)

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Approved

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 This report supports the provision of affordable housing in accordance with the aspirations of the Community Plan / Single Outcome Agreement.

Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- i) Giving every child the best start in life
 - ii) Developing educated, responsible and informed citizens
 - iii) Promoting a prosperous, inclusive and sustainable economy
 - iv) Supporting people to lead independent, healthy and active lives
 - v) Creating a safe and sustainable place for future generations.
- 1.3 This report relates to iii), iv) and v) above.

2. Resource Implications

Financial

2.1 None.

Workforce

2.2 None.

Asset Management (land, property, IST)

2.3 None.

3. Assessments

Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 This report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS prepared by Cairngorms National Park Authority who is the responsible authority in this instance.

Sustainability

3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

3.6 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS prepared by Cairngorms National Park Authority who is the responsible authority in this instance.

3.7 Legal and Governance

None.

3.8 Risk

None

4. Consultation

Internal

4.1 The Executive Director (Housing & Community Care) has been consulted in the preparation of this report.

2. BACKGROUND PAPERS

The Cairngorms National Park Proposed Local Development Plan 2013
The Cairngorms National Park Main Issues Report 2011
Enterprise and Infrastructure Committee of 23rd November 2011 (Report No. 11/577)
Highland Area Local Plan 2000
Eastern Area Local Plan 1998
Housing Land Audit 2012