

AGENDA ITEM 12

APPENDIX 1

DEVELOPMENT PLAN SCHEME 2021

Development Plan Scheme 2021

Cairngorms
NATIONAL PARK





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Introduction: The Development Plan Scheme

Every Local Authority must produce a Development Plan Scheme (DPS), at least annually, as required by section 20B of the Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2006), the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and the Planning (Scotland) Act 2019. It sets out the programme for preparing and reviewing the Local Development Plan (LDP).

It includes:

- Updates on the position of the proposed or current plan.
- Information about the process and timescales for the adoption of the LDP2 or/ and the preparation of the forthcoming LDP3.
- Highlights changes, or proposed changes to the Planning Act that may affect the development of the LDP3.
- A participation statement which sets out how and when public consultation will take place. The steps taken to ensure sufficient community and stakeholder engagement is achieved in the development of the next LDP.
- In addition to an explanation of what a Development Plan is, and how it will guide the right development in the right place.

This is 1st edition of the Cairngorms National Park Planning Authority Development Plan Scheme for the LDP3 and includes:

- An update on the legislative framework in line with the introduction of the 2019 Act, and
- The proposed timeline for the creation of the next LDP (LDP3)





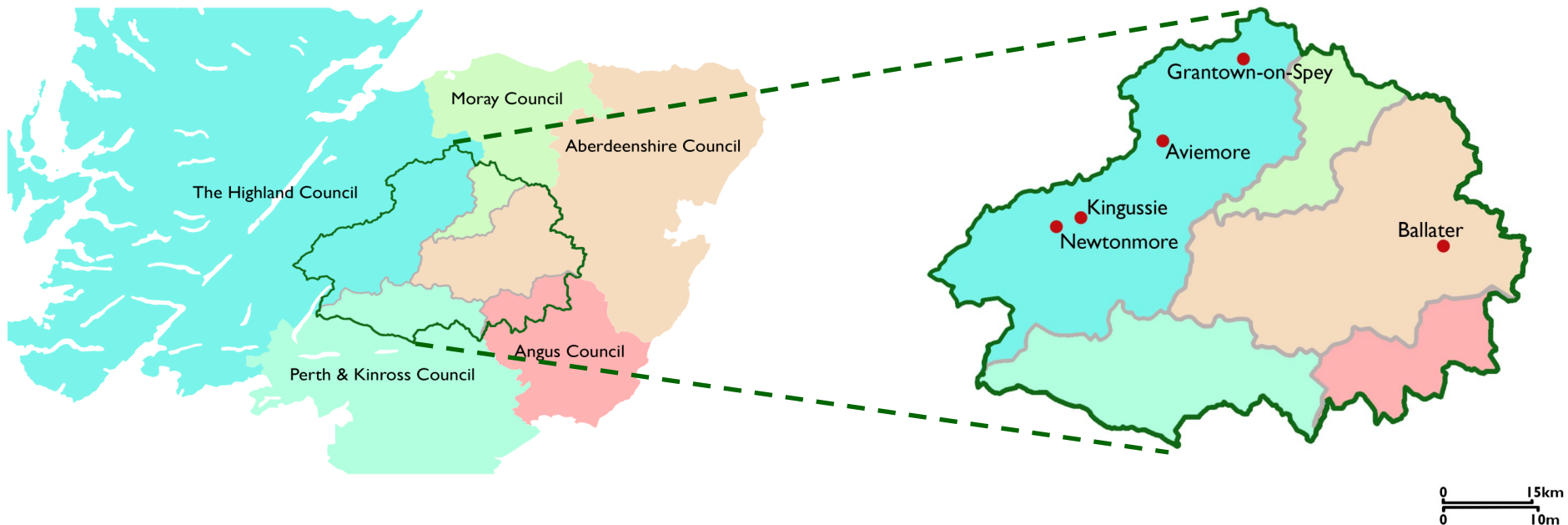
The Development Plan

The Local Development Plan (the Development Plan) sets out the statutory basis for guiding any development within the National Park that is considered to be significant to the Aims of the National Park.

The planning system in Scotland is a 'plan-led' system dictating the need for a plan to be produced that sets out the strategy for future development. The current plan, adopted in 2021, focuses on the period 2021 – 2025. It also includes development proposals for the 10 year period to 2030, as well as longer term aspirations for development as far as 20 years into the future.

The LDP for the Cairngorms National Park Authority covers the areas of the National Park encompassing part of the five adjoining Local Authorities: Highland, Aberdeenshire, Moray, Angus and Perth & Kinross which overlap the Parks boundaries.

The Cairngorms National Park (Strategic Settlements)





The Current LDP

On 26th March 2021 the Cairngorms National Park Authority (CNPA) Board adopted the Proposed Local Development Plan (LDP2) replacing the previous LDPI (2015).

The plan covers the geographic area of the Cairngorms National Park (CNP). The five Local Authorities that overlap with the Parks boundaries must adhere to the CNP LDP 2021 in planning decisions for the areas of their Authorities within the National Park boundary.

Under the current system a Local Development Plan must be created or updated every 5 years and the next plan will be due by April 2026.

Under the current system outlines in the NPF3 the recently adopted plan has gone through the following stages of development prior to being adopted:

1. Evidence Report – setting out the National Parks social, economic and environmental issues (Regulation 15(5))
2. Submission and approval of the evidence report to Scottish Ministers (gate check)
3. Preparation of the LDP by the policy planners, then approval of the Planning Committee to publish the proposed plan for public consultation
4. Taking into account and after responding to all the public consultation responses the plan was then submitted to Scottish Ministers for Examination.
5. The Reporter (appointed by Scottish Ministers) then made recommendations (if any) for changes to the LDP. The changes were Implemented and the Plan returned to Scottish ministers to request approval for adoption.
6. An appeal from Transport Scotland (a consultee) to include specific labelling and reference information on the maps that included the A9 was made to Scottish Ministers and it was subsequently includes subject to their approval.
7. Finally the LDP was presented to the Planning Committee to receive permission to adopt at which point it was legally adopted and replaced the previous LDP.



LDP Supporting Documents

Supplementary and Non-Statutory Guidance

To support the development managers and Planning Committee in their decisions based on the LDP2 the authority also produces a range of guidance that support the interpretation and gives further detail on the policies it contains.

These documents are produced by the Policy Planners and then following permission by the Planning Committee published in a proposed form for public consultation for 6 weeks. The planners will then review and respond to every consultation response before submitting the (revised) guidance to the Planning Committee for adoption. The following Non-statutory Guidance (NSG) documents have been adopted to support the LDP2 (2021):

- Supporting Economic Growth
- Natural Heritage
- Landscape
- Renewable Energy
- Open Space, Sport and Recreation
- Cultural Heritage
- Resources

The following documents have been prepared and are awaiting consent by the Planning Committee to proceed to the public consultation stage:

- Housing Supplementary Guidance– expected to be submitted for consultation to the Planning Committee in June 2021
- Developer Obligations Supplementary Guidance - expected to be submitted for consultation to the Planning Committee in June 2021
- Design and Placemaking NSG – expected to be submitted for consultation to the Planning Committee in August 2021

At present the following guidance supporting the LDPI (2015) remains in place until replaced:

- New Housing Development Non-statutory Guidance
- Sustainable Design Non-statutory Guidance
- Developer Contributions Non-statutory Guidance

For the preparation of the LDP3 in line with the new Planning (Scotland) Act 2019 supplementary guidance will no longer be produced as part of the LDP. The CNPA is expected continue to produce Non-statutory Guidance to support the delivery of the LDP's Policies



LDP Supporting Documents

Action Program

The CNPA is currently preparing the annually produced Action Programme (a statutory requirement under the Town and Country Planning (Development Planning) (Scotland) Regulations 2008).

The Action programme gives an update of the progress or position of the LDP and aims to support its delivery. At present the focus of work will be on the preparation of the NPPP. It will cover the adoption of the LDP3 and supporting guidance that has been adopted or is expected to be adopted after public consultation. Under the current NPF3 the Action Program will reflect the most-to-date position on significant developments with the delivery of the LDP. It will list:

- The actions required to deliver the LDP2's policies and proposals
- Designate the organisation that will be responsible for carrying out a specific action.
- Give the expected timescales for completing each action.

Under the current framework (NPF3) the Action Program 2021 aims “to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term” (para. 31).

National Park Partnership Plan (NPPP)

As a designated National Park the CNPA is also legally required to produce a NPPP setting out the management plan for the Cairngorms National Park. It sets out the plan for all those responsible for the Park to coordinate and work together to tackle the most important issues.

At present the CNPA is engaged in preparing the next NPPP which will be published in 2022. This provide the opportunity for public consultation and engagement from residents and stakeholders on the main issues in the Park which will also inform the creation of the LDP3 engagement program. Alongside the public participation and engagement the CNPA is currently engaged in research that will also for the basis of the evidence papers for the LDP3.



The Legislative Framework

In July 2019, The Planning (Scotland) Act 2019 was granted Royal Assent which brought with it significant changes to the implementation of the Town and Country Planning (Scotland) Act 1997, in particular changes to the system of development planning.

Supporting legislation for the full implementation of the changes outlined in the 2019 Act are in the process of being released, however due to the setbacks in delivery due to the Coronavirus Pandemic the expected completion date is likely to be in 2022. In the Cairngorms National Park we have begun the preparation of the next National Park Partnership Plan (NPPP) which will be adopted in 2022. Upon its adoption the focus will shift to the preparation of the Local Development Plan 2026. There will however be an expected overlap in the data used for the NPPP and the next plan as these plans will run concurrent for 2 years. This expected start date for the LDP3 will coincide with the expected delivery of the new recommendations set out in legislation supporting the 2019 Act that will guide the delivery and preparation of the new style LDP's early in 2022.

Due to the expected changes and greater weight given to placemaking and development delivery the LDP3 will benefit from its initial preparation commencing in 2022 to ensure it adheres to and reflects the new legislative framework.

The Planning (Scotland) Act 2019

The Act when fully adopted through the subsequent regulations will include a range of changes to the current system of managing development in the Cairngorms including:

- Changes to the way the Local Development Plan is produced.
- Introduction of a Regional Spatial Strategy covering the area of the National Park
- A clearer and more defined focus on delivery and improving performance
- A move towards a more proactive approach to master planning

National Planning Framework (NPF)

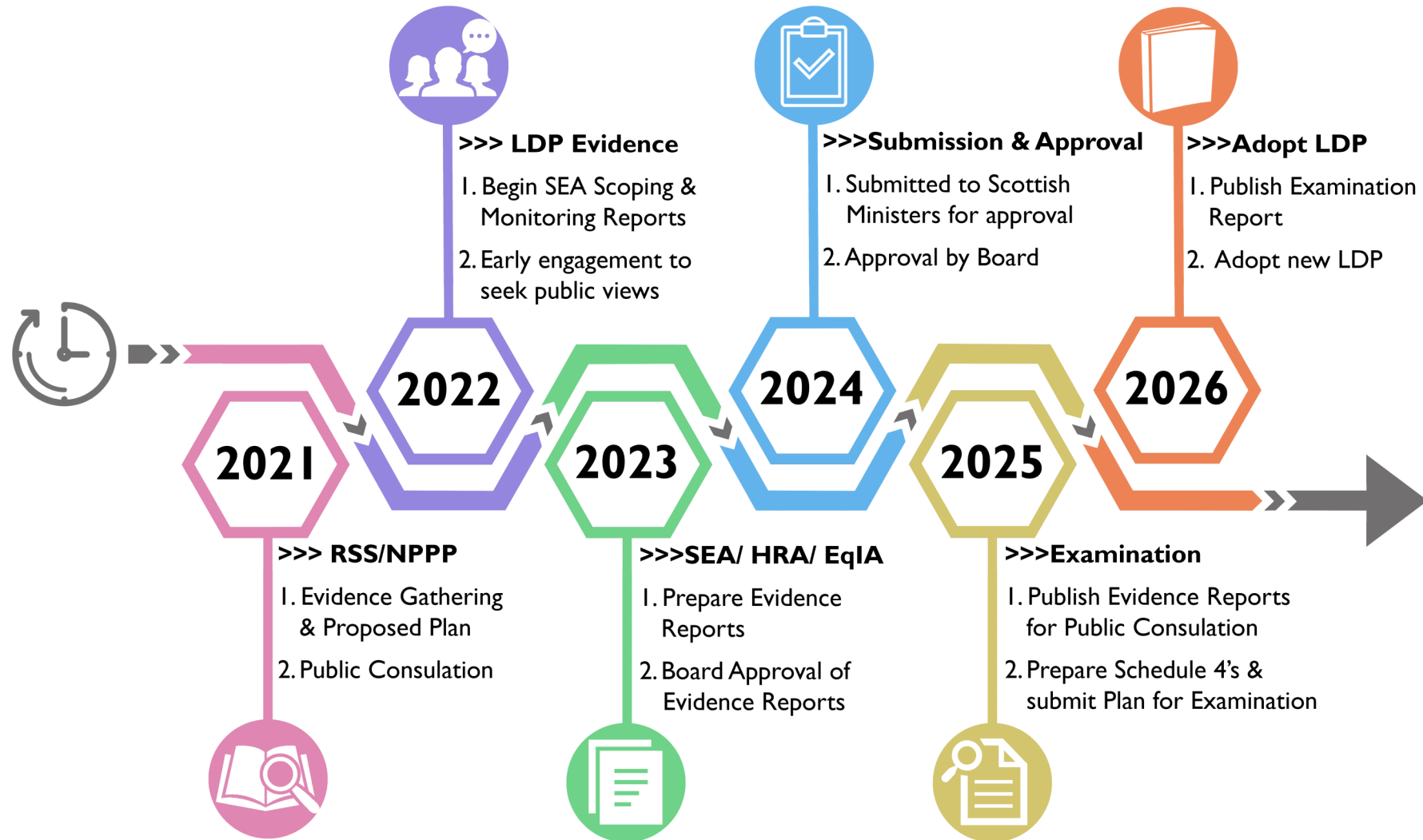
The current NPF3 (published in June 2014) sets out the long term vision and broad spatial strategy for development in Scotland. It represents Scottish Ministers priorities for development within its adopted period. This is framework within which the recently adopted LDP has been created.

The LDP3 will be created with the new emerging framework set out by the NPF4. The NPF4 has suffered delays due to the Coronavirus Pandemic with a draft proposal set to be submitted to Parliament in Autumn 2021, with a final form approved in 2022.

The NPF4 will incorporate SPP being part of the Development Plan subject to Parliamentary approval. The requirement for Strategic Development Plans (not currently a requirement for the Cairngorms National Park area) are due to be withdrawn and replaced with Regional Spatial Strategies (RSS). The Planning (Scotland) Act 2019 states that NPF4 should be informed by the Regional Spatial Strategy (RSS) which in the Park context is the NPPP.



Project Plan Summary





Changes to the LDP Plan Process

The Planning (Scotland) Act 2019 introduced changes to the pre-existing process followed by Local Authorities in the preparation of the LDP. As already mentioned the new LDP must have regard for the adopted RSS (in our case the NPPP).

The new LDP will have to include:

- Targets for meeting local housing need, in particular needs of specific groups: students, older people, disabled people; provision for those (listed and recorded) seeking land for self-build in the Park.
- Local outcomes improvement plan (if necessary).
- Fulfilment of Health and Education need, including appraisal of the education services in district.
- Analysis of areas (rural) which are experiencing substantial decline in population and the land deemed to be required for resettlement/ repopulation.
- The desirability of ensuring the protection of existing cultural facilities and community need.
- Investigation into the preservation of the existing but unused rail lines for future repurposing.

Evidence Report

The evidence report will replace the Main Issues Report and will be the first document, in the process, produced by the CNPA reflecting the CNPA's view on land use in the Park. This will include substantial public and community council engagement but most importantly will not involve the development industry at this stage. Once approved by the planning committee we will submit the Evidence Report to Scottish Ministers for approval. Following successful approval from Ministers we will move into the next stage of developing the Proposed Plan.

Summary

The main change in the process involve the replacement for the need for the Main Issues Report with an Evidence Report. There will be no public consultation on the Evidence Report once it is completed, shifting the engagement to the evidence gathering and Evidence Report preparation stage.

Delivery Plans will replace Action Plans. RSS's will be used to inform the Plan. In our case this will be substituted by the NPPP, which will be produced prior to the start of the LDP3 development process.

The remainder of the process surrounding the Proposed Plan, its public consultation and approval by Ministers before adoption remain unchanged.



Participation Statement

Consultation and Engagement Programme

Key tenets to delivering a successful plan be that the LDP or NPPP rely on successful engagement and consultation. The CNPA will continue to adhere to the National Standards for Community Engagement. The Standards are good-practice principles that aim to improve and support effective community engagement which in turn improves the outcomes.



We are now in the early engagement and public and stakeholder participation stage of the production for the NPPP, which as previously mentioned will alongside the evidence papers for the basis for the determination of the main issue to be addressed by the next NPPP. In place of the RRS, the NPPP will also inform the direction of the LDP3. This evidence will also be used to inform the evidence gathering and early engagement from 2022 when the CNPA will begin to draft the Main Issues Report for the LDP3.

Our **Participation Statement** below outlines how we committed to involving you in the preparation of LDP3. The CNPA will:

- Ensure people and communities are aware of the process and the opportunities to comment at key stages in the production of LDP2. We will distribute consultation information to council offices, National Park Authority offices and will also disseminate information through Community Councils, our community liaison officers, and community planning networks.
- Widely encourage involvement using a range of methods. We will publish information on the CNPA website and publicise the consultation processes through the media, newspaper adverts and articles.
- Produce documents which are accessible, transparent and written in jargon-free language which avoids technical terms.
- Publish an updated Development Plan Scheme every year, setting out how and when people can get involved in the preparation process.

<http://www.voicescotland.org.uk/>



Contact Details

If you want to be kept informed of progress with the development of the LDP3, or if you have any questions that you would like answered, please contact:

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