



Proposed Local Development Plan

Paper for decision

1. Introduction

This Report presents the Proposed Local Development Plan and accompanying Draft Supplementary and Planning Guidance for Members approval for public consultation during May and June. This follows the two LIVE Park consultations during 2014 and sets out the Authority's settled view on an updated Local Development Plan for the National Park, providing the opportunity for public and partners formal representation.

2. Background

2.1 Consultation Responses – There has been extensive discussion and engagement with our communities, businesses, landowners and partner organisations on the policies and development land that needs to be included in our new Local Development Plan since 2011. This culminated in the [LIVE Park Main Issues Report](#) consultation between April and July 2014 which identified 4 main issues that we should be focusing on over the next 20 years; Rural Economy, Housing, Visitor Experience and Infrastructure & Services in terms of new development and an update of potential development sites across the Park.

As reported to the Board at its October 2014 meeting, this consultation received 131 responses from individuals and organisations which generated over 650 individual comments. Additional feedback was received at public meetings/events, meetings with stakeholders, our workshop for young people and on social media. Further details of the issues raised are outlined in the [Board Report](#) from this meeting and all comments received were published in September and available on the LIVE Park [website](#).

Subsequent to this a further consultation on '[Additional Sites Report](#)' was held during November and December, which sought feedback on our assessment of new or amended sites submitted during the earlier consultation. This resulted in 55 representations from 43 individuals and organisations. All comments received were published in February and are available on the LIVE Park [website](#).

This Proposed Plan has been prepared following a review of all the comments received last year along with some further discussions with partner organisations and communities. The Main Issues Report set out the preferred and alternative options which the Proposed Plan must reflect. For example, new policy areas, approaches or sites can be introduced at this stage. Officer's response and recommendations in light of these comments, as reflected in the Proposed Plan, are summarised in Appendix 1 attached to this report, with key recommendations outlined later in this report.

2.2 Statutory Requirements – The Planning etc. (Scotland) Act 2006 requires each local planning authority to prepare a single Development Plan for its area. The National Park Authority is therefore required to prepare a Local Development Plan which once Adopted will replace our [Local Plan](#) hopefully late in 2016.

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Scottish Government's policy and procedures on the implementation of the Act and accompanying Regulations are set out within [Planning Circular 6/2013](#). There are specific requirements in this Circular on the content of the Local Development Plan, including the requirement to include a Vision Statement, Spatial Strategy, Proposals Maps and policies for the development land amongst other provisions. Local development Plans are expected to be concise, map-based documents and can utilise Supplementary Guidance to provide detail on policies that previously would be within the Plan.

The key differences from the preparation of the Local Plan at this stage include:

- The requirement to include a schedule of land owned by the Authority or our Local Authority's affected by any of the policies, proposals or views expressed in the plan, and,
- The requirement to notify the owners, lessees or occupiers of sites and land neighbouring (i.e. within 20 metres of) the sites which the Proposed Plan specifically proposes to be developed unless sites have current planning permission.
- Maintain an up to date outline of how the public and interested groups or organisations can participate in the consultation – known as our Participation Statement – and this is outlined in Section 4 below. Members are asked to approve this as an update to our Development Plan Scheme.
- Prepare a draft Action Programme that sets out:
 - A list of actions required to deliver each of the plan's policies and proposals;
 - the name of the person who is to carry out the action; and
 - the timescale for carrying out each action.

This is being prepared and will be issued with the consultation.

Following the 6 week consultation in May and June 2015, all representations will be reported to a Scottish Government appointed officer – known as a Reporter - to review following the Board's consideration of the representations and any update on the Authority's position on issues raised. This appointed officer will hold an 'examination' into these issues, considering the Authority's stance and those of in the representations, which can include requesting further information, site visits and hearings. The recommendations made by the Reporter are largely legally binding which would then be applied and the Plan can be Adopted.

The consultation campaign will again follow the same approach as last year, ensuring we reach as wide an audience as possible while reflecting the more formal consultation on proposals. It is important to highlight that while last year we were promoting discussion and debate on issues and options, this time we are consulting on firm proposals and so it is much more focused.

There are a number of more technical assessments that are required to be undertaken in preparing the Proposed Plan, namely:

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- Strategic Environmental Assessment (SEA) is a statutory requirement to assess the potential positive and negative environmental impacts of implementing the policies and proposals contained in the Plan and Supplementary Guidance.
- Article 6(3) of the EC Habitats Directive requires that any plan (or project) which is not directly connected with or necessary to the management of a European Site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an “appropriate assessment” of its implications for the European Site in view of the site’s conservation objectives. However having considered mitigation measures, if the likelihood of having a significant effect on a European Site can be ruled out on the basis of objective information, then those plans or policies can be screened out. This procedure is applied in Scotland through The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and is known as the “Habitats Regulations Appraisal” of plans. The Proposed Plan can only be adopted if it can be ascertained that the plan will not adversely affect the integrity of a European Site.
- In keeping with our responsibilities under equalities legislation, an Equality Impact Assessment has been undertaken to assess against discrimination to prescribed groups of the contents of the Plan and its implementation.

These three assessments have been prepared and will be issued with the consultation. Comments can be made on the SEA.

3. The Proposed Local Development Plan

The Proposed Plan – attached as Appendix 2 to this report – will follow a similar style to that of last year’s Main Issues Report, written and presented in an accessible way. Many of the policy requirements have not changed significantly but have been updated and packaged up differently, including the introduction of overarching policies that will apply to all proposals with the number of policies have also been reduced. Along with the review of comments received last year, consideration of the updated requirements within Scottish Planning Policy and the National Planning Framework are also reflected in the updated policies. The following provides a summary of some of the more significant changes in the Plan:

- Most new development is still directed to our Towns and Villages, but with Callander and the Arrochar/Succoth area being a focus for larger scale housing, tourism and infrastructure improvements.
- Two areas in the Park – West Loch Lomondside and Buchanan South - have been identified as countryside areas requiring greater clarity on what development would be supported or resisted due to their unique development pressures and opportunities. Draft Rural Development Frameworks have been prepared and are attached within the appendixes.
- New sites for development are identified in Arrochar and Succoth, Balmaha, Callander, Crainlarich, Drymen, Aberfoyle, Gartocharn, Tarbet and Killin. All these sites were consulted on during 2014. The proposed visitor accommodation site proposed at Braeval is not included although policy offers support for tourism

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accommodation in the Aberfoyle area pending a future review of opportunities with partner organisations and communities.

- The affordable housing percentage requirement within our Towns and Villages for housing developments over 4 homes has been changed – this will be either 50% in the Loch Lomondside Villages (was 100%), 33% in the more accessible and pressured Stirling area Towns and Villages including Callander, Gartmore and Aberfoyle, and 25% everywhere else.
- The 10 year restriction on the occupancy of new homes in the Loch Lomondside Villages has been removed.
- Housing developments up to 3 homes in Loch Lomondside Villages, Gartmore, Aberfoyle and Callander will require either to be an affordable home or alternatively a financial contribution will be required which in turn will be used to help fund affordable housing provision elsewhere within the local area.
- Policy requirements have been updated in terms of; reductions in greenhouse gas emissions, peat removal, economic development, woodland removal, design and place-making and design and unconventional gas.

The Plan is accompanied by a number of Draft Supplementary Guidance and Draft Planning Guidance documents that explain in more detail how policy requirements can be met. Planning Guidance is not as formal as Supplementary Guidance as it does not require sign off from Scottish Government or a SEA and we can re-issue without consultation. These are still a material consideration in the determination of planning applications. The following lists the Guidance to be issued for consultation (hyperlinked appendixes to this report):

Supplementary Guidance (Statutory)

- Design and Placemaking
- Housing Development
- West Lochlomondside Rural Development Framework
- Buchanan South Rural Development Framework

Planning Guidance (Non-Statutory)

- Callander South Masterplan Framework
- Visitor Experience Developments
- Developer Contributions
- Listed Buildings and Conservation Areas

4. Consultation

The Authority is required to set a clear timetable of when it is intended to reach key stages in the process of preparing our Local Development Plan, which will eventually replace our Local Plan, and also includes a Participation Statement explaining how we will engage with our communities and stakeholders. This is set out in our [Development Plan Scheme](#) which was updated and published in August 2014 following approval by June's Planning & Access Committee. The Government Appointed Reporter will assess if we have conducted the consultation in keeping with the Participation Statement, and therefore this needs to be updated. The following updates Section 6.7 in the Scheme and sets out the key methods of consultation:

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Key Consultation Campaign elements:

- Availability of information and consultation documents through our website – www.ourlivepark.com, promoted by social media, email and letter updates.
- Provide updates at key stages to those who have requested to receive updates or responded to the 2014 LIVE Park consultations.
- Disseminate information through Community Councils, Development Trusts, National Park offices and local libraries.
- Placing articles and adverts in local and community media (magazine /newspapers / websites etc).
- Attend Public Meetings and other Community Meetings and Events (Community Council meetings or Community Area Network events).
- Interactive online mapping of Proposed Local Development Plan.
- Community drop-in events to be offered in key locations.
- Briefing meetings to be arranged for Councils and Government agencies.
- Staff available to answer questions or provide information in person at our offices or via telephone, email and social media.
- Regular consultation updates to be provided during the consultation via blogs on our website promoted by social media.
- Social media: Information feeds and sharing feedback through facebook and twitter.
- Workshop with Young People – focused on our Secondary Schools.
- Providing for formal comments to be submitted online and as a traditional response form.
- Notify site owners / agents, tenants of proposed development sites and neighbours.

5. Recommendation

That Members:

- Approve** the Proposed Local Development Plan – Appendix 2 to this report - for a 6 week consultation starting on the 18 May and finishing on the 29 June 2015;
- Approve** the following Draft Supplementary Guidance for consultation
 - Design and Placemaking
 - Housing Development
 - West Lochlomondside Rural Development Framework
 - Buchanan South Rural Development Framework;
- Approve** the following Draft Planning Guidance for consultation
 - Callander South Masterplan Framework

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- Visitor Experience
 - Developer Contributions
 - Listed Buildings and Conservation Areas;
- ii. **Agree** to delegate responsibility to the Head of Planning & Rural Development for making any final minor editorial amendments and desktop publishing with the use of drawings, illustrations or diagrams in the consultation documents;
- iii. **Agree** to delegate responsibility to the Head of Planning & Rural Development for finalising the accompanying Strategic Environmental Assessment, Appropriate Assessment and the draft Action Programme; and,
- iv. **Approve** Section 4 as an updated Participation Statement and publish an updated Development Plan Scheme.

Appendices:

- Appendix 1 – Summary Report of Consultation
- Appendix 2 – Proposed Local Development Plan – within two files; maps and text
- Appendix 3 – Design and Placemaking Draft Supplementary Guidance
- Appendix 4 – Housing Development Draft Supplementary Guidance
- Appendix 5 – West Lochlomondside Draft Rural Development Framework Supplementary Guidance
- Appendix 6 – Buchanan South Draft Rural Development Framework Supplementary Guidance
- Appendix 7 – Callander South Masterplan Framework Draft Planning Guidance
- Appendix 8 – Visitor Experience Draft Planning Guidance
- Appendix 9 – Developer Contributions Draft Planning Guidance
- Appendix 10 – Listed Buildings and Conservation Areas Draft Planning Guidance

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