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SCOTTISH EXECUTIVE

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Cairngorms National
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- 8 DEC 2004

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06 December 2004

Dear Don

CAIRNGORMS NATIONAL PARK: RELATIONSHIP BETWEEN STATUTORY PLANS

Thanks for your note following our meeting on 27 October.

Your understanding of the situation accords with our view, namely,

- Under the proposed Modernising Planning agenda, it is envisaged that local development plans will replace structure plans and local plans outwith 4 city-regions. These plans will provide a strategic planning context and detailed policies and proposals for the development and use of land.
- As indicated at the meeting, these changes are dependent on a new Planning Bill coming forward. We are awaiting a decision on the timing of a Bill. The current provisional timetable, based on the Bill being in the 2005/06 legislative programme, would see the introduction in 2007 of a requirement for existing structure plans and local plans to be replaced with local development plans within a 3 year transitional period.
- You indicated that it was your intention to prepare a Cairngorms National Park Local Plan in the interim. This would be prepared broadly in tandem with your National Park Plan taking its objectives and policy direction. This would be taken to deposit stage.
- National Park Plans will set out policy for managing a National Park and co-ordinating Park Authority functions and the functions of other public bodies and office holders so far as affecting the National Park. It is envisaged that this, among other things, will provide an overarching context for planning policy within the area.
- The Cairngorms National Park Plan and Local Plan would be material considerations in development control decisions as would the Interim Planning Policy Statements which have been prepared to reflect National Park planning issues.
- There is the outstanding issue of compatibility with existing structure plans. All of these plans pre-date the establishment of the Cairngorms National Park. It will be for the Park Authority to justify differences in policy direction in the National Park Plan and Local Plan and whether these, as material considerations, outweigh the policies in existing structure plans. This is no different to past situations where new policy issues or directions overtake



outdated plans, both structure and local. The proposed new development plan system will supersede and remove the requirement for conformity with structure plans.

As indicated at the meeting, we hope shortly to be in a better position to clarify the timescale for any Planning Bill. You also indicated that you would seek to ensure compatibility on preparation timetables for your National Park Plan and Local Plan.

You will appreciate that this constitutes our view rather than any legal opinion.

Regards



Steve Dowell
Principal Planner

