

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **A REVIEW OF STATUTORY AND NON-STATUTORY PLANNING POLICIES AFFECTING THE CAIRNGORMS NATIONAL PARK**

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Purpose

The aim of Mr. Haworth's report is to assess the policies within the planning documents of the four constituent Local Authorities, with the view to identifying where there are policy inconsistencies across the four areas. For effective Development Control decision-making across the Park, we must have uniformity of policy across the four Local Authority areas.

This is of course highly unlikely, so Roger Haworth was commissioned to assess the policies across the four Local Authorities, not just focussing on Structure and Local Plans but on other non-statutory guidance as well. The resulting report is attached, and displays his findings; on page 1 there is a useful summary with 3 sections of topics, which he felt required, urgent, mid/long-term and review as necessary. Appendix 1 lists the planning documents, which have been reviewed; Appendix 2 lists all policies by subject.

Recommendations

- Due to the size of this document, I would recommend that extra time is given to read it and that we discuss it fully at the next Planning Committee (5th December 2003 in Nethy Bridge). This will also allow the Local Plan Working Group to discuss relevant issues on the 4th December prior to the board.

Executive Summary

There are numerous policy areas where there is inconsistency of approach across the four constituent Local Authorities. To achieve uniformity in the application of policy we will require Interim Policies and/or Supplementary Guidance to give us a consistent approach across the Park. Mr. Haworth's review provides a record of all the statutory and non-statutory planning documents being used by the four Local Authorities within the Park area. It also identifies topics where there is a lack of consistency, and gaps, in policies across Local Authority boundaries. These anomalies would, ideally, be resolved through the process of preparing a new local plan for the Park area; but, as that will inevitably take some time, there is an immediate need to tackle the most serious deficiencies in the short term by means of ad hoc review and guidance.

Contd.

Therefore, in the light of Mr. Haworth's findings and our own experience since the 1st September 2003, there is at the end of the report a provisional list of topics which we feel should be the subject of urgent interim policy guidance. If the Committee agree that these are priority topics, I will report to a future meeting on the likely timescale for producing such guidance.

A REVIEW OF STATUTORY AND NON-STATUTORY PLANNING POLICIES AFFECTING THE CAIRNGORMS NATIONAL PARK

By Roger Haworth, 15 September 2003

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Introduction and Summary of Recommendations

My brief was to appraise the policy content of statutory and non-statutory planning documents from the four constituent local authorities of the Cairngorm National Park, prepare a summary report describing the extent to which they can provide a coherent basis for development control decisions until a local plan for the Park can be produced, and identify topics which need most urgent review in the context of interim, non-statutory, policy guidance.

There is consistency and coherence between most policies in the various policy documents. However, it is considered that there is significant variation in the following policies to justify their being reviewed in order to have a consistent approach to development control within the Cairngorm National Park:

Urgent Review: These policies relate to the most common types of development, those which potentially have significant impact, or those areas of the park of greatest conservation or landscape importance:

1. Housing in the Countryside
2. Development affecting international, national and local conservation sites
3. Development within sites within Local Biodiversity Action Plans
4. Development affecting National Scenic Areas (NSA)
5. Development affecting Areas of Great Landscape Value
6. Development affecting Archaeological Sites
7. Mineral extraction
8. Forestry development

Mid- to Long-term Review: It is considered that, whilst a review of the following policies is required, there is less urgency:

1. Residential caravans and sites
2. Hill Vehicle Tracks:
3. Sustainable Urban Drainage Systems (SUDS)
4. Waste management, minimisation and recycling
5. Electricity lines
6. Telecommunication developments
7. Renewable energy developments.
8. Rural Shops
9. Non-standard forms of retailing
10. Advertisements
11. Control of Road Access

Review of the following policies will depend on further analysis of circumstances in each of the authorities:

1. Sites for traveling people
2. Fish Farming Development
3. Development of Ponds
4. Protecting Agricultural Land
5. Historic gardens and designed landscapes
6. Peat extraction
7. River engineering
8. Flooding
9. Distillery development
10. Retail – amenity considerations
11. Car and Caravan Sales

Overview of Statutory and non-statutory planning policies affecting the Cairngorm National Park

Appendix 1 lists the main policies currently used by the four authorities, Aberdeenshire, Angus, Highland and Moray, in the National Park. These consist of a combination of Structure Plans, Local Plans, subject strategies, development briefs and advice and guidance notes.

The Structure Plans are all less than 4 years old and can be considered current for today's planning needs. That for Angus is a joint plan with Dundee, and that for Aberdeenshire, a joint one with Aberdeen. The Moray Structure and Local Plans both cover the whole area of the Council.

Aberdeenshire Council produced a Local Plan for its whole area earlier this year which was issued for consultation. This is now complete and responses are being analysed. A public inquiry will probably be held towards the end of 2003. The Cairngorm National Park Authority (CNPA) has already considered the Plan and, in view of the lack of recognition of the National Park, has asked Aberdeenshire Council to excise from the plan all of the policies and proposals relative to the National Park area so that these can be appraised in a Park context by the CNPA or prepare and send to the CNPA for approval modifications to the plan addressing concerns detailed by the Authority¹. The CNPA agreed that, in the event of the Park area being excised from the local plan, it would approve the policies as a basis for interim, non-statutory development control guidance until it prepares a statutory local plan for the area. At the time of preparation of this report, Aberdeenshire had yet to make a decision on this issue. Therefore, for the purposes of this exercise, it is taken that the policies in the local plan will be used on a non-statutory basis.

Angus Council is also in the process of preparing a new local plan, again for its whole area, which was issued for consultation earlier this year. Responses are currently being analysed and it is anticipated that the plan will be completed by the end of the year. This report has been prepared on the basis of the existing local plan, produced in November 2000, although a comparison has been made between the two and where major changes in policies which would affect the Park area are proposed, these have been highlighted.

The Badenoch & Strathspey Local Plan is the relevant plan for the Highland Council area within the National Park. This was produced in 1997, nearly 6 years ago, and has become less relevant through time. There are no plans to be produced by the Council to produce a new one. In this report, therefore, where both the Structure Plan and the Local Plan contain policies on a subject, the former is used for comparison purposes with those of the other authorities. For example, the Local Plan makes reference to skiing development proposals in the Dalwhinnie Corries, references which are not included in the Structure Plan. The absence of an up-to-date local plan for the most populous and largest part of the National Park area underlines the importance of the CNPA producing its own plan as a matter of urgency.

As all Structure Plans have been approved by the Scottish Ministers, it can be taken that all cover the matters expected of them. Approach and format varies, as does the coverage of topics. For example, the intention of the Highland Structure Plan is not just to be a land use planning document, but is also seen as a corporate plan, a partnership statement and a lobbying document. However, on coverage of matters related to land use planning and development control, they are broadly consistent.

In the case of Aberdeenshire, Angus and Moray Councils, Local Plans were produced after the current Structure Plans, and there is a sequential and logical progression from one to the other.

¹ Report on the Finalised Aberdeenshire Local Plan 2003 to the CNPA by the Interim Planning Manager, 23 May 2003.

Review of Statutory and non-statutory planning policies affecting the Cairngorm National Park

There are over 600 policies and proposals in the various statutory plans, ranging from general development control policies to policies for specific sites. In addition, there are development briefs and guidance/advice notes for a range of locations, sites and subjects. An issue may be dealt with by one authority through a specific policy, and by another through a more general one. Wording and emphasis in policies varies from one authority to another. Policies also will reflect varying local circumstances. In assessing consistency of approach, therefore, it has been necessary to make judgements as to similarity or otherwise of meaning and intention of policy.

This report examines policies in terms of their consistency of coverage (do they all cover the same subjects, are there any significant gaps in coverage?) and consistency of approach. It does not make judgements as to the appropriateness of policies to a National Park.

Many policies will have limited relevance to the National Park area. However, rather than make a judgement on relevance at this stage, only policies which specifically state they refer to areas outwith the National Park have not been considered.

Reference is made throughout this report to **the ‘tiered’ or ‘sequential’ policy approach**. This has been adopted by Aberdeenshire and Moray Councils to cover specific policy areas. Angus Council propose to adopt it in its new Local Plan. In the case of Aberdeenshire and Angus, the policy areas are Mineral Extraction, Landfill and Landraise Sites and Renewable Energy. In that of Moray, Mineral Extraction is covered. Each authority’s area is divided into four tiers, based on a hierarchy of natural heritage designations and other factors considered to be important by the authority, for example, in terms of amenity and health and safety. The tiers are broadly based on international, national, local designations and areas with no designations.

The policies are reviewed by general classifications:

1.Housing

a)In the countryside

i)Definition of countryside

Highland Council and Moray Council address this by defining ‘settlements’ or ‘rural communities’ in the countryside. Angus Council divides its area into two types of Rural Settlement Units (RSU), and defines its approach to housing in the countryside. The whole of the Cairngorm National Park (CNP) area within its boundaries is an RSU2 (the less populated part of the authority). Aberdeenshire Council does not provide a definition. It does however identify settlements within its CNP area, and it is fair to assume that the remainder is countryside for the purposes of housing development control policy.

ii)The principle of new housing in the countryside

Each authority approaches this in a different way. Highland Council state that, whilst new housing in general should be in existing or planned settlements, it is acceptable in the countryside if it meets certain criteria, for example, it supports declining communities, it is required for the management of land, or it replaces an existing house which is Below Tolerable Standard and upgrading cannot be justified. Aberdeenshire also accepts the principle of Essential Worker status, but uses slightly different criteria to assess its justification. Angus Council states that it will support the provision of local needs housing in the Angus Glens (which include the National Park), and whilst accepting the needs of essential workers, considers that other new build in the countryside is also acceptable. Moray Council does not have criteria for the occupation of new housing.

iii) Location

The Highland Council has three types of countryside area within the Badenoch & Strathspey part of the National Park – general, fragile and restricted - and has different policies for new build in each of these. It also has specific policies for the Glenmore corridor and the Faeuie Cromdale area. Angus Council, as stated above, has divided its area into two for the purposes of rural development location. The RSU2 area which includes its National Park area is similar to the fragile areas in Highland. Moray and Aberdeenshire Councils each have a standard approach to all countryside (with the exception of areas of great landscape value).

iv) Siting and Design

Angus, Moray and Aberdeenshire provide specific guidelines on siting and design of housing both in the countryside and in settlements. Highland are in the process of producing these.

v) Re-use, conversion and replacement of housing in the countryside

Moray Council is quite specific, in terms of what remains of its existing structure, about what constitutes a building suitable for re-use as a house. Highland Council has a similar policy, i.e. the existing building must be up to wall-head level. Angus Council is less specific on defining the “completeness” of an existing structure and takes a slightly different approach on the replacement of existing houses. The criterion for replacement is that the existing house is “structurally incapable of rehabilitation” whilst the Highland Council qualifies this by taking into account the cost of renovation. Aberdeenshire will support conversion of property if it is a vernacular building contributing to the character and landscaping of an area. Buildings to be reused must be “largely intact”, structurally sound and contribute to the character of the area.

Conclusion: Whilst all four authorities have a reasonably consistent approach to the definition of countryside, there are differences on the principles of new housing, location, siting and design. In terms of re-use, conversion and reconstruction, authorities may adopt similar approaches in practice; however, policies vary in content and detail. There is a need for a consistent policy across the National Park area.

b) Housing development within settlements

i) Definition of settlement

Each of the four authorities identifies settlements within its part of the National Park area. Highland Council, through the Badenoch & Strathspey Local Plan and development briefs for Aviemore North and Grantown town centre provides policies for specifically identified sites. It also declares precisely what is acceptable in each community in terms of infill development. Moray Council local plan contains specific policies for housing development in Tomintoul. The Local Plan also identifies smaller rural communities, of which five are within the National Park area, and ascribes one of six character descriptions to these. Development will conform to these character descriptions and any other conditions defined in the description of each of these communities.

Only one settlement is defined within the National Park area in the Angus Local Plan (Clova) but there are no development criteria for this. Aberdeenshire has policies for housing in Braemar and Ballater. The Local Plan identifies six smaller communities or Rural Service Centres within the National Park area but has no housing policies for these.

ii) Infill and brownfield sites

The Badenoch & Strathspey Local Plan contains specific policies for identified sites. Angus Council will consider each proposal on its merits. Moray and Aberdeenshire Council will support such developments subject to no adverse impact on the character of the area and standard development control considerations.

Conclusion: There is reasonable consistency between the four authorities.

c) Affordable housing

Moray, Aberdeenshire and Angus Councils have policies on affordable housing on designated sites. However, there are no designated sites currently within their parts of the National Park. Highland Council has specific policies for sites identified within the Local Plan and development briefs (Aviemore North).

Conclusion: As Badenoch & Strathspey is the only part of the National Park containing sites for affordable housing, there is no immediate need for a policy review.

d) Special Needs

Badenoch & Strathspey Local Plan contains specific policies for identified sites. Moray, Aberdeenshire and Angus Councils will support developments which are accessible to a range of services, including community facilities, open space and transport.

Conclusion: There is general consistency in approach.

e) Residential and Nursing Homes

Moray, Angus and Aberdeenshire Councils have similar policies which support this type of development which is accessible to services and transport, and respects the amenity of the surrounding area. Moray and Angus indicate a preference for development within communities, although the former will consider rural sites which have access to emergency services and public transport. Highland Council has no general policy, but the Local Plan contains specific policies for identified sites.

Conclusion: There is a general consistency of approach.

f) Residential caravans and sites

Moray and Angus Councils have a presumption against new sites or extensions to existing ones. Angus Council will consider sites which are suitable for residential development, are for 6-25 vans, have a good environment and amenity space, and where individual vans are linked to services. Sites in the Highland Council should be in built up areas but not on sites suitable for housing. Individual caravans required when the occupant is building or renovating a house or when there is an emergency (flood, fire) will be acceptable on a temporary basis by all authorities

Conclusion: There are significant differences between the authorities which justify a review of policy.

g) Travelling people

Only Aberdeenshire Council has a policy – this supports the development of sites for travelling people subject to servicing and amenity considerations and to meeting the “pitch target” for its area. Angus will monitor demand and react as and when required.

Conclusion: Unless there is significant demand for sites for travelling people, there is no immediate need for a review of policy.

2. Natural Environment

a) International and national conservation sites

The Highland Council policy presumes against development which would have a significant detrimental effect. The three other authorities have a similar policy but include qualifications, for example, exceptions may be made where there is an over-riding public interest.

Conclusion: Because there is a distinction between the policies of Highland Council and the other three authorities, it is recommended that the Park Authority review policy on development on these sites.

b) Local Conservation Sites

Aberdeenshire has a presumption against development within these sites unless there is an overriding public benefit and no alternative sites are available. Both Angus and Moray Councils presume against development unless specific measures to minimise detrimental impact on the site are proposed. The Highland council will have regard to such designated sites in considering proposals for development.

Conclusion: Again, there are differences in policy between the authorities significant enough to justify

a review of policy within the National Park

c) Biodiversity

Highland and Angus Councils will have regard to Local Biodiversity Action Plans or protected habitats and species in considering development proposals. Angus Council further state that proposals will not normally be approved if they will have significant adverse effect. Aberdeenshire and Moray Councils have a presumption against development which will have an adverse effect, unless there are overriding public benefit interests.

Conclusion: Although all authorities have the same broad approach, the detail of policy is less clear. For example, it is not clear if Highland and Angus Councils would accept the principle of overriding public interest. The policy for the National Park area should, therefore, be reviewed.

d) National Scenic Areas (NSA)

Moray and Angus Councils have a presumption against development within national scenic areas unless it can be demonstrated that there will be no detrimental impact on the landscape or there is an overriding national interest. Aberdeenshire presumes against development where there will be a detrimental impact. The Highland Council has no development control policy specific to the NSA. There is however, a general policy on sustainability in the Structure Plan which is relevant.

Conclusion: There is not complete consistency on this matter. Given the presence of an important NSA within the CNP area, policy should be reviewed

e) Areas of great landscape value (AGLV)

There are no AGLVs within the National Park in Angus and Highland. The whole of the Park area in Moray is defined as an AGLV, as are parts within Aberdeenshire. There is a lack of geographical consistency between the AGLVs along the mutual border of Aberdeenshire and Moray, and, in the remaining part of the Park area, boundaries of AGLVs are determined purely by local government boundaries.

In terms of policy on development within AGLVs, Moray and Aberdeenshire share a similar approach, i.e. that new development will only be acceptable if high standards of siting and design are evident and there will be adverse effect on the amenity of the area.

Conclusion: Because of the lack of apparent geographical 'fit' between AGLVs, it is recommended that the Park Authority undertake a review of such sites within its area and adopt appropriate policies for these.

f) Landscape conservation

All four authorities take a similar approach in terms of general development control policy within other areas of landscape conservation. Angus has a specific policy for the Angus glens area, which requires that development should respect the character of the landscape. Highland Council has policies for specific sites within the Badenoch & Strathspey Local Plan.

Conclusion: There is a basic consistency of approach by all four authorities.

g) Trees and woodland

All four authorities have policies supporting the protection and retention of existing trees in established woodlands where development is proposed and will impose conditions to this effect on planning consent. In addition, the Highland Council has specific policies for amenity woodland within identified communities in the Badenoch & Strathspey Local Plan.

Conclusion: There is a basic consistency of approach by all four authorities.

h) Tree Preservation Orders and control of trees

Moray, Angus and Aberdeenshire Councils have similar policies in relation to the retention, felling and replacement of trees of significant value. Moray, because of problems related to windblow in exposed areas also has a policy presuming against removal of shelterbelts. The Badenoch & Strathspey Local Plan contains policies on trees on specific sites.

Conclusion: The authorities adopt a basically consistent approach.

i) Air Quality

Highland Council requires, where appropriate, the submission with planning applications of an environmental impact assessment on air pollution. Moray Council will apply conditions to development to control air pollution. Aberdeenshire covers this issue under policies on hazardous developments and its general sustainability principles, and Angus Council through its policy on general criteria for development.

Conclusion: There is a general consistency between authorities on this matter.

j)Light pollution

Moray and Angus Councils have specific requirements for exterior lighting within rural communities and the countryside. Aberdeenshire and Highland Councils cover this issue in more general environmental policies.

Conclusion: There is a generally consistent approach by all authorities.

k)Vehicle hill tracks

In its Structure Plan, Moray Council intends to seek a direction to restrict vehicle tracks above 150 metres within AGLVs. Aberdeenshire Council has a presumption against such developments unless they can be integrated into the landscape and have no environmental impact. Highland and Angus Councils have no specific policy on this matter but it is probably dealt with within the context of other policies (e.g. Angus Council policy ENV54 on the Angus Glens).

Conclusion: There are differences between policies which could lead to a lack of clarity and consistency on this matter. Given the potential impact of hill tracks on the National Park area, there should be a review of policy

3.Built Environment and Heritage

a)Listed Buildings

All authorities seek to safeguard and enhance listed buildings, both in terms of development of the building itself and development affecting its setting. Highland, Angus and Aberdeenshire have a stated presumption against development which could adversely affect the character and setting of such buildings. Angus Council policy is set out in more detail.

Conclusion: There are no major inconsistencies between the authorities which would require an immediate review of policy.

b)Local buildings not protected by statute

Moray and Aberdeenshire Councils have specific policies aimed at retaining and protecting vernacular buildings. Angus and Highland Councils do not, but the issue is covered by more general environmental policies.

Conclusion: There is general consistency of approach

c)Archaeological Sites

All authorities seek to protect ancient monuments and archaeological sites from development. Where this is not feasible, there is a requirement to excavate and record the site. Angus and Aberdeenshire accept that development can be approved where there is an overriding public interest.

Conclusion: There is a lack of stated consistency on the issue of whether or not public interest should override the conservation of sites, and policy within the National Park should be reviewed to address this issue.

d)Conservation areas

Whilst Moray and Angus Councils have detailed guidance on developments in conservation areas, there are no conservation areas within their parts of the National Park. Aberdeenshire and Highland Councils have specific guidance relating to the conservation areas within the National Park (Grantown-on-Spey, Ballater and Braemar).

Conclusion: There is no requirement to review policy at the present time.

e)Shop fronts, Dutch Canopies and Security Grills in Conservation Areas

Angus and Moray Council have similar policies controlling this type of development. Highland and

Aberdeenshire Councils have more general policies on development within Conservation Areas.

Conclusion: Subject to the manner in which the above general policies are interpreted, there is probable general consistency on these types of development.

f) Historic gardens and designed landscapes

Highland Council will seek to preserve such features and Local Plans will set out proposals for their protection. Angus and Aberdeenshire Councils have a presumption against development affecting such sites unless it can be demonstrated that they will cause no significant damage or there is an overriding public benefit. Moray Council will consult SNH on proposals affecting such sites. Currently, only Highland and Aberdeenshire have historic gardens within the National Park area.

Conclusion: There is a need for a consistent policy across the National Park. However, given the small number of designated sites at present, there may be no requirement to provide this in the short term.

4. Natural Resources

a) Agricultural Diversification

All four authorities encourage the diversification of agricultural activity either explicitly or implicitly.

Conclusion: There is general consistency of approach

b) Protecting Agricultural Land

All four authorities have a presumption against development which will sterilise prime quality agricultural land. However, three qualify this approach, Highland where the development is essential to the local community and no alternative location is feasible, Angus, where there is no viable alternative site, and Aberdeenshire, where social or economic benefit outweighs agricultural value and no alternative site exists.

Conclusion: Although similar in approach, the differences in wording between policies and the absence of any qualification of the presumption against development on prime agricultural land in one case could lead to inconsistency of development control decision-making within the Park area. This may or may not be of major concern, depending on the amount of prime quality land within the Park. If the amount is significant, the Park Authority should review current policies.

c) Mineral extraction

Moray and Aberdeenshire Councils have adopted a “tiered” approach to mineral extraction.² The current Angus Local Plan lists the criteria which will be used in assessing proposals. The proposed Local Plan has adopted a ‘tiered’ approach. The Highland Council, through both its Structure Plan and Local Plan has adopted a more general approach.

Conclusion: Given the fact that two of the authorities have adopted the same approach and the third intends to, it would be appropriate to extend this to the whole National Park area in the interests of consistency. Policy on mineral extraction should therefore be reviewed

d) Mineral Resource Protection

Aberdeenshire and Moray Councils have a presumption against the sterilisation of mineral resources, and Angus and Highland policy is to safeguard such resources.

Conclusion: There is general consistency on this matter.

e) Fish Farming

The Badenoch & Strathspey Local Plan sets out criteria for the consideration of proposals for fresh water fish farms and specific policies for identified sites. The other three authorities have no policies in this regard.

Conclusion: It may be that this is only a matter of concern in the Badenoch & Strathspey area. A review of activity in the other authorities should be undertaken to determine whether or not this is the case, and a decision on the need for a Park-wide policy made thereafter.

² See Page 3 for explanation

f)Forestry

An Indicative Forestry Strategy (IFS) exists in each of the authority areas which is used to inform responses to forestry proposals. Five broad categories of land are defined in each strategy: existing woodland, land unsuitable for forestry, land preferred for forestry planting, land with potential for forestry but with at least one constraint, sensitive areas where planting would generally be inappropriate. The plans available showing the zones in each authority area are not at a scale which makes accurate comparison possible, but it would appear that there is not always a consistency of approach along mutual boundaries within the National Park.

Each of the authority also considers proposals in terms of amenity, road safety and effects on other land use. Highland Council also has policies encouraging short rotation coppicing, conservation and expansion of native woodlands in the area, safeguarding established forest from other developments, and promoting good management and felling practice. Aberdeenshire Council will promote sensitively designed and managed forests, and Moray Council will safeguard valuable reserves of preferred areas for planting.

Conclusion: Whilst authorities have adopted the same approach in terms of IFS, it is not clear if there is consistency of zoning along mutual boundaries. These zonings should be examined in detail to determine whether or not there is a requirement for a review of the strategies affecting the national Park. Only two of the authorities have policies on the effects of other development on forest resources. It would be useful, therefore, if there were a consistent policy on this issue for the Park area.

g)Peat extraction

Highland Council has a presumption against large-scale peat extraction unless it can be demonstrated that the area in question is of low value conservation, archaeological and water catchment management value. The other authorities would address such development through more general policies.

Conclusion: It is not known what reserves of commercially extractable peat there are within the National Park. If these are considerable, a consistent policy for the area should be adopted.

h)River engineering

Highland Council has a general policy on the proper management of river systems. Moray and Aberdeenshire Councils have specific policies which take into account impact on the river, conservation, fisheries, landscape and flooding. Angus has no specific policy.

Conclusion: It would be appropriate to have a policy which covers the whole of the National Park area, although the urgency for this should be dictated by the frequency with which proposals are brought forward.

i)Flooding

In Highland, there is a presumption against building development within flood risk areas except if essential for agricultural use of the land. Moray and Aberdeenshire Councils have policies which vary according to the type of development proposed. For example, Aberdeenshire will divert development away from areas of significant risk unless the development has to be located there or is for essential transport or utilities infrastructure that suffer least from inundation. The Angus Local Plan states that the Council will consult SEPA on developments in areas at risk and may require the production of risk assessment studies. Moray will require developers to demonstrate that flooding can be mitigated in an environmentally sensitive way.

Conclusion: In its Structure Plan, Highland Council identifies the Spey as one area where early work on flood management is required. The policies in the other three authorities are primarily aimed at areas outwith the National Park. They may, however, have relevance to specific locations within the Park. This should be ascertained, and, if they do, a review of policy on flooding should be undertaken as each of the authorities adopts a different approach.

5.Economic Development

a)Industrial Land – Rural

Small scale and/or indigenous industry is encouraged by all authorities subject to environmental impact

and service considerations. Highland Council has proposals for specific sites within the landward area of Badenoch & Strathspey. Angus Council have preference for development within existing building groups, and Aberdeenshire Council for siting close to an existing workforce.

Conclusion: Policies are essentially consistent and there is no immediate need to review.

b)Industrial and commercial land within settlements

The Local Plan for Badenoch & Strathspey allocates land for industrial and commercial purposes in 14 specific settlements. Angus and Aberdeenshire councils have no proposals for settlements. Moray Council identifies sites in Tomintoul.

Conclusion: Each authority has made a judgement about the need to zone land for industrial and commercial purposes, based on population, size of settlements, demand, etc. This is a suitable approach and there is no immediate requirement for review.

c)Business Use on Industrial Land

Aberdeenshire and Moray have general policies restricting such uses on designated sites. There are, however, no designated sites within the Aberdeenshire part of the National Park, nor in the Angus part. There is one designated site at Tomintoul in the Moray part of the Park, and there are specific policies for its development. The Badenoch & Strathspey Local Plan has specific policies for identified sites.

Conclusion: There is general consistency of approach.

d)Servicing and Landscaping on Industrial Estates

Moray has a specific policy on this issue; the other authorities cover it through general development control policies and/or advice notes.

Conclusion: There is reasonable consistency between authorities.

e)Distilleries

The Moray Local Plan supports development associated with the strengthening of existing distillery activity and Highland Council has specific proposals for identified sites. The other two authorities have no policies on this matter.

Conclusion: The need for a Park-wide policy should be considered in the light of potential activity in Angus and Aberdeenshire.

f)Working from Home

Highland has no specific policy on this matter, although it has a broader policy supporting development of the rural economy. Moray is supportive of such development in relation to telematics. Aberdeenshire and Angus will favourably consider such development subject to amenity considerations.

Conclusion: There is reasonable consistency between authorities.

g)Telematics

The development of economic activity associated with telematics (e.g. call centres) is encouraged by Moray and Highland Councils. Angus and Aberdeenshire have no policies on the matter.

Conclusion: Two authorities see telematics as an important element of economic development strategy, whilst the other two do not. This in itself is not an inconsistency, and there is no requirement to review policy at the present time.

6.Tourism

a)Tourism attractions

All authorities have a similar approach, namely one of encouragement of tourist development subject to standard development control policies.

Conclusion: Although some differences of emphasis, policies are essentially consistent.

b)Skiing development

All four authorities support the consolidation and improvement of existing facilities, with a general presumption against new developments elsewhere, although Highland Council will consider proposals

but only if they can prove a secure economic base, meet general strategic principles, in particular sustainability, and have no adverse environmental impact.

Conclusion: Policies are essentially consistent. There is no immediate need for review.

c)Sporting interests

The Highland Council encourages the development of field sports subject to their having no adverse effect on landscapes and other countryside uses. Other than through the broad encouragement of agricultural diversification and general policies on rural activity, none of the other three authorities has a policy on this matter.

Conclusion: There is a general consistency on this matter.

d)Tourism Accommodation

The Highland Structure Plan is supportive of self-catering and hostel accommodation, including chalets, subject to no adverse community, environment and servicing impact, and the Badenoch & Strathspey Local Plan identifies specific sites for this type of development. Moray, Angus and Aberdeenshire have a similar approach, although the latter has no specific policy precluding permanent residential use of such development. There is a presumption against caravan and camping in the Angus Glens.

Conclusions: There are slightly different emphases on aspects of potential impact of this type of development between the authorities, but not enough to warrant a review of policy at the present time. Aberdeenshire should be asked for clarification on its attitude to the permanent occupation of tourist accommodation.

e)Sports, Leisure & Recreation

All four authorities seek to protect sports, leisure and recreation facilities and amenity open space from the adverse impact of other development. They all seek to encourage the development of such facilities subject to compatibility with other rural land use and environmental considerations. The Highland Council has specific proposals for identified sites and Angus Council will only support developments of this nature in the Angus Glens provided they will have no adverse environmental impact.

Conclusion: There are no significant differences in approach by the four authorities.

f)Golf courses

The Badenoch & Strathspey Local Plan contains specific proposals for identified sites at five locations, mostly related to the extension of existing facilities. The Highland Council Structure Plan is supportive of such developments if they are consistent with the Highland Golf Development Strategy. Angus will support such developments where there is unfulfilled demand and subject to them being consistent with other Local Plan policies. The Moray Local Plan also supports golf developments subject to no adverse environmental impact. Aberdeenshire has no specific policy but the matter is covered by a more general policy.

Conclusion: Although there are differences of approach between the authorities, it is considered that these are not significant enough to justify a review of policy at present time.

g)Noisy sports

Angus Council has a specific policy on noisy sports intended to protect environment, landscape and other recreational uses. Whilst having no specific policy on this matter, the other authorities cover the issue through more general policies.

Conclusion: There is general consistency between the authorities.

h)Public amenity and open space

The Badenoch & Strathspey Local Plan contains specific policies for identified sites within its area. Moray, Angus and Aberdeenshire Councils all discourage development which threatens to diminish such areas although Angus will consider developments where no alternative site is available.

Conclusion: There is a basic consistency of approach.

i)Ponds

Aberdeenshire Council will give favourable consideration to ponds if these are not in quality habitats, create new habitats and have no adverse health and safety and environmental implications. No other authority has a policy on this matter.

Conclusion: The Aberdeenshire policy stems from the development of fishing ponds as part of farm diversification, and may be an issue unique to this area. A review should be undertaken to assess the incidence of such development in the other authorities and a decision taken thereafter on the need for a Park policy.

j)Launch and Mooring Facilities

Highland Council supports the provision of such facilities for boat cruising and water sports subject to environmental considerations. The other authorities do not have specific policies.

Conclusion: The number of lochs suitable for boating and water sports in parts of the National Park other than Badenoch & Strathspey is small, and the absence of policy in all four authorities is probably not a hindrance.

7. Energy, Infrastructure and Services

a)Water supplies

Highland and Angus Councils have specific policies on the safeguarding of water supply catchment areas. A similar intention is implicit in more general policies of Moray and Aberdeenshire Councils.

Conclusion: The approach of the four authorities is basically consistent.

b)Private water supplies

Angus and Moray Councils have policies which accept the provision of private water supplies subject to their being fit for human consumption and non-polluting. This approach is implicit in more general Aberdeenshire and Highland Council policies.

Conclusion: There is general consistency of approach on this matter.

c)Waste water drainage, treatment and disposal

Angus, Moray and Aberdeenshire Councils have similar policies which accept private schemes subject to no adverse environmental effects, whilst Highland Council address this matter through a more general policy on sustainability. The effects of development on existing systems are dealt with through general development control policies in each authority. Highland and Moray Councils seek to safeguard treatment plants.

Conclusion: There is general consistency of approach on this matter.

d)Sustainable Urban Drainage Systems (SUDS)

Angus, Moray and Aberdeenshire Councils prefer the use of SUDS on development sites. Moray requires it on development sites identified in settlement plans and other sites with more than 10 residential units or 2000 sq. m. of non-residential development land. There is no reference to SUDS in Highland Council policy.

Conclusion: The requirements for SUDS vary and policy on this should be reviewed.

e)Waste management, minimisation and recycling

Highland, Aberdeenshire and Moray Councils encourage the reduction, re-use and recovery of waste. All four authorities have policies on waste disposal sites related to a range of similar considerations – visual amenity, transport impact, effect on other land uses, etc. Aberdeenshire has adopted a ‘tiered’ approach to this matter³, and Angus Council intends to do the same in its draft local plan.

Conclusion: There is general consistency of approach. Given the fact that two authorities will have the ‘tiered’ approach, it may be appropriate, in due course, to adopt it across the whole National Park.

f)Electricity lines

³ See page 3

Highland Council Structure Plan states that new and replacement lines will be assessed for their environmental impact, and, in sensitive areas, undergrounding should be strongly considered. Angus will consider environmental impact, and also health and safety issues. Aberdeenshire covers the safety issues under general policies on hazardous development and environmental impact. Moray Council has general policies on the impact of development in NSAs and AGLVs, thus covering the National Park area within its boundaries.

Conclusion: The environmental impact of electricity lines, particularly high voltage lines, is a matter of interest to the National Park Authority. There is a need for clearer consistency on this matter and policy should be reviewed.

g)Telecommunications

All authorities will favourably consider the erection of masts subject to amenity and health and safety considerations. Highland will oppose microwave telecommunications equipment within Council sensitive property, and Angus Council has policies controlling the installation of satellite dishes, and installations in Conservation Areas. Aberdeenshire Council has adopted a 'tiered' approach in addition to general amenity considerations.

Conclusion: Although all authorities broadly adopt the same approach, there are several differences in detail. A review of policy within the Park should be undertaken.

h)Renewable energy proposals

i) General

All authorities are supportive of such proposals subject to a range of environmental, amenity and safety considerations. Decommissioning plans to be implemented at the end of the project's lifetime are also required. Moray and Angus Councils will safeguard sites against other forms of development. Angus Council, in its draft Local Plan (2003) intends to adopt a 'tiered' approach⁴, setting out its approach in areas of different landscape and conservation value.

ii)Wind Energy

Moray Council has identified those parts of its area where there is potential for the development of wind farms. It does not consider they should be developed in the National Park area. Highland and Angus Councils are supportive subject to a range of environmental, amenity and safety considerations, and Highland will protect approved and operational sites from other development. As well as identifying health and safety issues to be considered, Aberdeenshire has adopted the 'tiered' approach related to areas of different landscape and conservation value.

iii)Other forms of renewable energy

Highland Council has specific policies on the development of hydro-electricity, centralised renewable energy projects and small community projects, all of which it supports subject to environmental, sustainability, amenity and community benefit considerations. Aberdeenshire Council will give favourable consideration to proposals subject to health and safety and amenity issues being satisfactorily addressed, and satisfactory decommissioning plans being in place for the termination of the development. Angus and Moray Councils do not have specific policies. *Conclusion: Although the general approach by the authorities is consistent, there are differences of emphasis and detail. Given the use of the 'tiered' approach to the consideration of developments, it may be appropriate to review policy, although the timing of this may be determined by the frequency with which such proposals come forward.*

i)Education facilities

The Highland Council will actively support the development of educational and associated facilities, including the University of the Highlands and Islands where these contribute to social and economic development. Angus Council policy is to support extra-curricular use of schools subject to no detrimental effect on facilities, compatibility with other uses or alternative provision can be provided in

⁴ See Page 3

the area. This approach is covered implicitly in the other authorities by more general policies.
 Conclusion: Unless the number of proposals requiring planning consent within the Park area is likely to be significant, the requirement for a specific policy is limited

8. Retail

a) Rural shops

Highland Council will support small scale shopping opportunities in the countryside where they will help strengthen rural communities. Moray Council accept the use of farm buildings for retail purposes when linked to recreation or tourism. Farm produce shops are acceptable when ancillary to an agricultural operation. Angus and Aberdeenshire Councils accept the development of local convenience shops, subject to amenity considerations, and Angus will accept shops ancillary to an existing rural business.

Conclusion: The four authorities adopt different approaches to rural shop development. It would be appropriate to develop a consistent policy for the National Park area.

b) Retail – amenity considerations

Angus and Aberdeenshire Councils has a range of policies addressing the environmental and amenity implications of public houses, hot food takeaways, restaurants and cafes and amusement arcades. Highland and Moray Councils do not have such specific policies although each has a range of general policies which should cover these issues.

Conclusion: Without a review of decisions on applications for developments of this nature in Moray and Highland, it is difficult to assess whether or not there is consistency with the stated policies of Angus and Aberdeenshire Council. It would be appropriate, therefore, to undertake such a review.

c) Non-standard forms of retailing

Angus Council has a range of policies addressing the environmental and amenity implications of retailing from filling stations, open-air markets and temporary sales (from, for example, village halls). The other authorities do not have specific policies.

Conclusion: Given the potential detrimental effect on rural shops of these types of activity, a policy for the whole National Park area should be considered.

d) Car and Caravan Sales

Highland and Aberdeenshire Councils have no specific policies on this issue. Angus and Moray Councils do, but approach the issue from different angles. Angus will not approve developments of this nature if in the countryside, if taking good quality employment land and are detrimental to the amenity of an area. Moray Council is seeking an Article 4 Direction to stop the change of use of car showrooms to shops outwith defined town centres without consent.

Conclusion: There is no consistency of approach on this matter. However, the urgency for a policy for the whole National Park depends on the frequency of applications for such development.

e) Roadside development

The Highland Council has a presumption against the provision of roadside commercial facilities on the A9 (this policy is currently being reviewed). It also has a general policy in relation to other roads. Moray Council will give favourable consideration to roadside service stations subject to environmental and road safety matters and justification for location if this is outside an existing community. The other two authorities have no such policies.

Conclusion: In terms of major routes within the National Park area, the A9 is probably unique in that its rebuilding in the 1970s involved the bypassing of settlements. The Council policy was developed, therefore, in the interests of the economy of the area. There is, therefore, no requirement to review policy on roadside development at the present time.

f) Advertisements

The Highland Council provides guidance on the siting and design of advertisements through its general policy No 4 and specific guidelines for Aviemore. The Angus Local Plan sets out precise criteria for

consideration of advertisements in the countryside and has an advice note on signs in conservation areas. There is a presumption in Moray against roadside signs and advertising and encouragement is given to following the policy developed with the local tourist board. Aberdeenshire has a similar presumption against advertising outward settlements unless this is for businesses or tourism facilities which cannot be seen from the highway. Elsewhere, applications will be considered in the context of the environment and road safety.

Conclusion: There are considerable differences in the levels of policy detail between the authorities. Even between Highland and Angus Councils, who provide the most detailed policies, there are differences of approach. Policy should therefore be reviewed.

9. Transport

a) Road Access

All four authorities have policies on the safety of new road accesses. Aberdeenshire will not approve new accesses onto roads carrying more than 2000 vehicles per day. Moray and Aberdeenshire will also consider their impact on landscape.

Conclusion: It would be appropriate to consider environmental as well as road safety matters within the National Park. Given, also, the traffic level restrictions imposed by Aberdeenshire, a review of policy is required.

b) Parking Standards

All authorities require developments to meet its car parking standards. In addition, Moray and Highland Councils have 'commuted' payments schemes, requiring developers to contribute towards the cost of public car parking in lieu of providing onsite parking. Aberdeenshire have a more general policy requiring developers to contribute towards mitigating impact.

Conclusion: There is general consistency of approach.

c) Public Transport Operations

There is a presumption within Moray against development prejudicing the operation of bus services or related facilities. Aberdeenshire will safeguard sites identified in the Local Plan, including unused railway lines which might contribute to the aims and objectives of the local transport strategy. Angus and Highland Councils do not have specific policies but the issue is covered by a number of general policies.

Conclusion: There is general consistency of approach.

d) Transport impact mitigation

Where a transport impact assessment identifies the requirement for offsite improvements, Moray Council will require developers to fund these by entering into a formal agreement. This includes forestry, planting and harvesting. The other three authorities have more general policies on funding agreements which cover this issue.

Conclusion: There is general consistency of approach.

e) Cycle tracks and paths

Moray and Angus Councils require cycle and footpath provision within designated development sites. In the Highland Council area, this is covered by more general policy, together with specific requirements set out in the development brief for North Aviemore. Aberdeenshire does not have a similar policy.

Conclusion: It would be appropriate to have a policy for the whole Park area, but given the likely scale of developments therein, there is probably no immediate need for a review.

10. General

a) Sustainable Principles

Aberdeenshire and Highland Councils have over-arching policy on sustainability. Most elements of these policies are covered in both general and subject specific policies by Angus and Moray Councils

Conclusion: There is general consistency of approach.

b)Siting, Design and Layout

All four authorities have general policies on these matters, the basic tenor of which is the same.

Conclusion: There is general consistency between authorities.

c)Development in Built-up and Rural Areas

All four authorities have general policies on these matters, the basic tenor of which is the same.

Conclusion: There is general consistency between authorities.

d)Impact assessment

Highland, Angus and Moray Councils have specific policies requiring, in appropriate circumstances, the submission of impact assessments with applications. This requirement is implied in a general policy of Aberdeenshire

Conclusion: There is general consistency between authorities.

e)Hazardous developments

Aberdeenshire Council policy states that developments will be refused if they cause pollution, are damaging to the amenity of an area and do not meet health and safety standards. The other authorities cover this type of development under more general development control policies.

Conclusion: There is general consistency of approach.

f)Contaminated land

Aberdeenshire Council will approve in principle development on contaminated land subject to an assessment of any health and safety and environmental risk and remedial action being taken to make the site fit for use. Angus Council has a similar policy. Moray and Highland Councils cover the matter under general policies.

Conclusion: There is general consistency between the authorities.

g)Safeguarding areas

The Badenoch & Strathspey Local Plan provides for safeguarding zones around power lines and waste disposal sites. Angus Council will refer proposals to appropriate agencies for consultation. Moray and Aberdeenshire Councils have no specific policies.

Conclusion: Provided there is statutory requirement for consultation with the responsible agency, there should be no need for a review of policy.

h)Settlement Edges

All authorities have a basic presumption against sporadic development immediately outwith settlement boundaries, although Angus will consider claims of overriding need. The Badenoch & Strathspey Local Plan has specific policies for identified settlements.

Conclusion: There is general consistency between the authorities.

i)Access for the less mobile

All four authorities have policies which encourage or reflect the need for access for the less mobile. This issue is also dealt with under the Building Regulations.

Conclusion: There is general consistency of approach.

APPENDIX 1: MAIN STATUTORY AND NON-STATUTORY PLANNING POLICIES USED BY HIGHLAND, MORAY, ABERDEENSHIRE AND ANGUS COUNCILS

Policy	Statutory/non-statutory	Adopted
The Highland Council		
Highland Council Structure Plan	Statutory	March 2001
Badenoch & Strathspey Local Plan	Statutory	September 1997
Development Control Policy No. 1 - Housing: Rural Townships and villages Intermediate Areas Town Suburbs Urban Centre	Non-statutory	April 1997
Development Control Policy No. 2 - Introduction of non-retail premises into shopping areas	Non-statutory	May 1976
Development Control Policy No.3 - Caravans & Sub-standard Residential Accommodation: Touring Caravan Sites Static Caravan Sites Accommodation for workforces Temporary sub-standard accommodation Long-term sub-standard accommodation Chalets	Non-statutory	July 1977
Development Control Policy No.4 - Display of advertisements	Non-statutory	September 1977
Development Control Policy No 5 - Extraction of Minerals & Peat	Non-statutory	July 1981
Development Control Policy No 6 - Waste Disposal	Non-statutory	April 1978
Development Control Policy No 7 - Control of Roadside Development	Non-statutory	July 1981
Development Control Policy No 8 - Areas of Great Landscape Value	Non-statutory	September 1981
Development Control Policy No 9 - Care Homes & Nursing Homes	Non-statutory	March 1987
Development Control Policy No 10 - Commuted Car Parking Schemes	Non-statutory	June 1988
Development Plan Policy Guidelines: Housing in the Countryside Affordable Housing Advertisement Signs - Aviemore Faebuie Cromdale: Supplementary Policy Note: Housing in the Countryside Grantown on Spey Town Centre Backland North Aviemore - Development Brief	Non-statutory Non-statutory Non-statutory Non-statutory Non-statutory Non-statutory	April 2003 April 2003 January 1996 February 2002 August 1999 February 2000
Highland Forestry Strategy	Non-statutory	March 1998
Moray Council		
Moray Development Plan - contains: Moray Structure Plan Moray Local Plan	Statutory Statutory	November 1999 April 2000
Development Policy Guidelines: Housing in the Countryside Wind Energy Forestry Strategy	Non-statutory Non-statutory Non-statutory	2002 October 2001 October 2002

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Policy	Statutory/non-statutory	Adopted
Angus Council		
Dundee & Angus Structure Plan	Statutory	October 2002
Angus Local Plan	Statutory	November 2000*
Local Transport Strategy	Part statutory/part non-statutory	2001
Tayside Indicative Forestry Strategy	Statutory (extract from 1993 Structure Plan)	November 2001
Planning Advice Notes:		
1. Farm Buildings	Non-statutory	June 2000
2. Shop fronts and signs in conservation areas	Non-statutory	January 2000
3. Roof space extensions	Non-statutory	September 2002
4. Car parking in front gardens	Non-statutory	February 2002
5. Houses in the open countryside	Non-statutory	April 1998
6. Backland housing development	Non-statutory	June 2000
7. Advertising in the countryside	Non-statutory	April 1997
8. Dutch canopies/sunblinds	Non-statutory	February 2002
9. Window alteration	Non-statutory	April 1999
10. Shop window security	Non-statutory	February 2002
11. Residential homes	Non-statutory	February 2002
12. Satellite antennae	Non-statutory	November 2002
13. Residential caravan sites	Non-statutory	July 2001
14. Small housing sites	Non-statutory	August 2002
15. Front extensions	Non-statutory	June 2000
16. Garages off/within communal parking areas	Non-statutory	February 2002
17. Miscellaneous planning policies	Non-statutory	February 2003
18. House extensions	Non-statutory	August 2002
19. Listed buildings and conservation areas	Non-statutory	November 2002
20. The siting and landscaping of built development in the countryside	Non-statutory	February 2002
21. The survey of trees on development sites	Non-statutory	February 2002
22. The specification of landscaping proposals for development sites	Non-statutory	February 2002
23. Residential boundary treatment	Non-statutory	March 2001
24. Agricultural land to garden land	Non-statutory	November 2002
25. Telecommunications development	Non-statutory	November 2001
26. Planning and contaminated land	Non-statutory	May 2002
27. Public rights of way	Non-statutory	May 2002
Aberdeenshire Council		
Aberdeen & Aberdeenshire Structure Plan	Statutory	December 2001
Aberdeenshire Local Plan	Statutory	To be approved
Finalised Forest & Woodland Strategy for Aberdeenshire and Aberdeen City	Non statutory	June 2003
Consolidated Aberdeenshire Local Plan (elements):	Statutory	1998
Areas of Regional Landscape Significance		
Areas of Local Landscape Significance		
Vehicle Hill Tracks		

APPENDIX 2: POLICIES BY SUBJECT

The following table sets out Structure Plan (SP) policies and Local Plan (LP) policies by subject for each of the four authorities. Planning Advice Notes, Development Control Policy statements and guidelines are included under Local Plans. Given the age of the Badenoch & Strathspey Local Plan, references to the Highland Structure Plan take precedence, where relevant.

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
1.	Housing								
a.	In the Countryside				H 8				
	Definition of countryside	12	HOU 4		H 8		2.1.2. DPPG ⁵	S/H 4	L/HC 1 L/HC 3 Housing in the Countryside
	The principle of new housing in the countryside	12	HOU 4 Appendix 1, 2		H 8, 9, 15	H 3	2.1.2 DPPG	S/H 4	L/HC 3 L/HC 4
	Location		HOU 4 Appendix 1, 2	H 5	H 8 PAN ⁶ 5	H 3	2.1.2 DPPG	S/H 4	L/HC 3 Housing in the Countryside
	Siting and Design		HOU 7 Appendix 1, 4		H 8, 21-25, 28 PAN 5, 15, 16, 18, 24		Faebuie Cromdale Policy Note	S/H 4	L/HC 5 Housing in the Countryside
	Re-use, conversion and replacement of housing in the countryside		HOU 5, 6 Appendix 1, 3		H 10-14	H 3	DPPG	S/H 4	L/HC 2 Housing in the Countryside
b.	Housing development within settlements								
	Definition of settlement	8, 9, 10, 11	HOU 4		H 5, 6		DCP ⁷ 1 Specific area policy guidelines		L/HC 1

⁵ DPPG – Development Plan Policy Guidelines

⁶ PAN – Planning Advice Note

⁷ DCP – Development Control Policy

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
	Infill and brownfield sites		GEN 4		H 5 PAN 14		Specific site references in LP		L/H 4
c.	Affordable housing	14	HOU 8 Appendix 7	H 6	H 16	H 5	DPPG Aviemore North Dev. Brief	S/H 5	L/H 7
d.	Special Needs	14	HOU 9	H 6	H 17	H 7	Specific site references in LP	S/H 5	L/H 8
e.	Residential and Nursing Homes		HOU 10		H 19 PAN 11		Specific site references in LP DCP 9		L/H 9
f.	Residential caravans and sites		HOU 11		H 20 PAN 13		DCP 3	S/H 6	L/H 10
g.	Travelling people		HOU 12		H 18		-		
2.	Natural Environment								
a.	International and national conservation sites	19	ENV 1, 2	ENV 1	ENV13 &14	G 6, N 1	2.5.5 4.14.1	S/ENV 2	L/ENV 1
b.	Local Conservation Sites		ENV 3	ENV 1	ENV 15	N 1	2.5.6	S/ENV 2	L/ENV 2
c.	Biodiversity		ENV 4	ENV 2	ENV 18, 20, 21	N 4		S/ENV 2	L/ENV 2
d.	National Scenic Areas (NSA)		ENV 5 Appendices 1, 5		ENV 7	L 4		S/ENV 3	L/ENV 6
e.	Areas of great landscape value (AGLV)		ENV 5 CALP ⁸		-	L 4	DPC 8	S/ENV 3	L/ENV 7
f.	Landscape conservation		ENV 7 CALP		ENV8	L 4	2.5.10	S/ENV 3	

⁸ CALP – Consolidated Aberdeenshire Local Plan – policies still current from previous local plan.

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
g.	Trees and woodland		ENV 8, 9		ENV 26		2.5.4 Specific site references in LP and dev. briefs		L/ENV 5
h.	TPOs and control of trees		ENV 8		ENV 28-30		Specific site references in LP		L/ENV 4, 5
i.	Air Quality		GEN 1, 2		ENV 3	W 12			L/ENV 22 L/IMP 2
j.	Light pollution		GEN 6		ENV 62	G 2			L/ENV 8
k.	Vehicle hill tracks		ENV 23 CALP		ENV 54				L/ENV 7
3.	Built Environment and Heritage								
a.	Listed Buildings	20	ENV 18 Appendix 4	ENV 5A	ENV 42 – 44, 48, 49 PAN 19	BC 5	2.5.13	S/ENV 5	L/ENV 14
b.	Local buildings not protected by statute	20	ENV 21	ENV 5A	ENV 33-34			S/ENV 5	L/ENV 16
c.	Archaeological Sites	20	ENV 19	ENV 5A	ENV 51	BC 1	2.5.14	S/ENV 5	L/ENV 12, 13
d.	Conservation areas	20	ENV 17. Appendix 4. Detailed guidance for Ballater and Braemar.	ENV 5A	ENV 35-41 PAN 9, 19	G 6, BC 5	3.5.1. Grantown- on-Spey town centre backland policy guidelines	S/ENV 5	L/ENV 15
e.	Shop fronts, Dutch Canopies and Security Grills in Conservation Areas				ENV 45-48 PAN 2, 8, 10				L/ENV 13, 15
f.	Historic gardens and designed landscapes	20	ENV 20	ENV 5A	ENV 52	BC 4			L/ENV 17

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
4.	Natural Resources								
a.	Agricultural Diversification		EMP 3		EMP 9 PAN 1	A 2	2.2.1b		L/ED 15
b.	Protecting Agricultural Land		ENV 11	ENV 7	ENV 11	A 1		S/ED 5	L/ED 12
c.	Mineral extraction	24, 26	ENV 13 Appendix 12	ENV 9	EMP 12	M 2	DCP 5		L/ED 11
d.	Mineral Resource Protection	24	ENV 12	ENV 9	EMP 13-14	M 3, 4		S/ED 5	
e.	Fish Farming		-		-	FA 4			-
f.	Forestry	23	Indicative Forest Strategy	ENV 8	Indicative Forest Strategy ENV 22	F 1, 2, 6	Indicative Forest Strategy	S/ED 5	Indicative Forest Strategy ENV 9, 10
g.	Peat extraction				-	M 7	DCP 5		
h.	River engineering		ENV 5		-	FA 11			L/ENV 25
i.	Flooding	22	GEN 8	ENV 4	INF 8,9		2.4.12	S/ENV 9	L/ENV 26
5.	Economic Development								
a.	Industrial Land – Rural	1, 2, 3	EMP 1, 3 Appendix 1, 3	EMP 7	EMP 9	B 7	2.2.1a	S/ED 7	L/ED 15
b.	Industrial and commercial land within settlements	1, 2, 3	EMP 1		EMP 6	B 1, 3	Specific site references in LP	S/ED 1	L/ED 1
c.	Business Use on Industrial Land		EMP 1		EMP 7		Specific site references in LP		L/ED 2
d.	Servicing and Landscaping on Industrial Estates	2	EMP 1, 3 Appendix 5		ENV 9	G 2			L/ED 3
e.	Distilleries		-			-	Specific site references in LP		L/ED15

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
f.	Working from Home		EMP 4 Appendix 1, 3		EMP 11 PAN 17				L/ED 8
g.	Telematics				-	B 9			L/ ED 8
6.	Tourism								
a.	Tourism attractions	6	EMP 9	EMP 5	RT 10, 17	T 2	2.2.9-14 Specific site references in LP	S/ED 8	L/ED 16
b.	Skiing development	18			RT 8	SR 8		S/CF 4	L/CF 4, 5
c.	Sporting interests		-		-		2.2.2		-
d.	Tourism Accommodation		EMP 9		RT 17-20	T 3, 4	DCP 3		L/ED 16
e.	Sports, Leisure & Recreation	16	EMP 10	EMP 5	RT 1	SR 2	2.2.9 Specific site references in LP	S/CF 1, 3	L/CF 1-4
f.	Golf courses		EMP 10		RT 3	SR 3	Specific site references in LP		L/CF 6
g.	Noisy sports	-			RT 7	G 2		-	-
h.	Public amenity and open space	17	ENV 7	ENV 5B	RT 5 & 6		Specific site references in LP	S/CF 2	L/ENV 18
i.	Ponds		ENV 14		-	-	-		-
j.	Launch and Mooring Facilities		-		-	SR 4			-
7.	Energy, Infrastructure & Services								
a.	Water supplies	22			INF 6	U 3	2.4.6-8		
b.	Private water supplies		ENV 16		INF 7	G 2			L/ENV 23
c.	Waste water drainage, treatment and disposal		INF 4		INF 3	G 2	2.4.9 Specific site references in LP		L/ENV 21, 22

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
d.	Sustainable Urban Drainage Systems (SUDS)		INF 5		INF 4			S/ENV 8	L/ENV 24
e.	Waste management, minimisation and recycling	25, 26	INF 6 Appendix 12	ENV 11	ENV 57-59	W1-7	2.4.13-14 DCP 6	S/ENV 7	L/ENV 20
f.	Electricity lines		GEN 6		INF 10-11	U 1	2.4.15-16	S/ENV 3	L/ENV 6, 7
g.	Telecommunications	4	INF 9		PAN 12, 25	U4, 5		S/ED 4	L/ED 9
h.	Renewable energy proposals								
	-General	5	INF 8	ENV 10	INF 14	E 1	2.4.17		L/ED10
	-Wind Energy	5, 26	INF 7		INF 13, 14	E 2, 3		S/ED4A	Wind Energy Policy
	-Other forms of renewable energy		INF 8			E 4, 7, 8			
i.	Education facilities		GEN 1		INF 20	S 2		L/IMP 1, 2 L/CF 2	
8.	Retail								
a.	Rural shops		EMP 6, 7	TCR 6	TCR 10	R 7	Specific site references in LP		L/R 10, 11
b.	Retail – amenity considerations				TCR 16-19				
c.	Non-standard forms of retailing				TCR 12-14 PAN 17				
d.	Car and Caravan Sales				TCR 15				L/R 9
e.	Roadside development				-	TC 8	DCP 7		L/T 3
f.	Advertisements		GEN 9		ENV 10 PAN 7, 17		DPC 4 Policy Note - Aviemore		L/ED 17
9.	Transport								
a.	Road Access				PAN 17		DCP 1		L/T 4
b.	Parking Standards				TRA 14	TC 9	DCP 10		L/T 7
c.	Public Transport Operations	32		TRA 2		G 4			L/T 8
d.	Transport impact mitigation			TRA 3, 4		G 4			L/T 9
e.	Cycle tracks and paths			TRA 3, 4	TRA 10	G 2		S/T 8, 9	L/T 10

	Policy	Aberdeenshire		Angus		Highland		Moray	
		SP	LP	SP	LP	SP	LP	SP	LP
10.	General								
a.	Sustainable Principles		GEN 1		-	G 2			
b.	Siting, Design and Layout	21, 31	HOU 13 GEN 2, 5 Appendices 1, 5, 6		H 8 PAN 3, 4, 17, 20, 21, 22, 23	G 2			L/IMP 3
c.	Development in Built-up and Rural Areas		GEN 1 Appendix 2		ENV 5, 6	G 2			L/IMP 1, 2
d.	Impact assessment	22	GEN 1		ENV 2, 3	G 3			L/IMP 5
e.	Hazardous developments		GEN 6		EMP 6	G 2			L/IMP 1,2
f.	Contaminated land		GEN 7		ENV 61 PAN 26	G 2			L/IMP 3, 5
g.	Safeguarding areas				INF 10		2.4.13 & 15		
h.	Settlement Edges		GEN 2		ENV 4		2.5.15 Specific site references in LP		L/ENV 10
i.	Access for the less mobile		INF 3		TRA 13	G 2			

END OF ROGER HAWORTH REPORT.

Officer Recommendation; Topics Requiring Urgent Review and Policy Guidance:

- a. The principle of housing in the countryside.
- b. Renewable energy developments.
- c. Vehicle hill tracks.
- d. Telecommunication developments.
- e. Design and siting of (all) development in the countryside, NSA's and Areas of Landscape Significance.
- f. Mineral extraction.
- g. Design of developments within Conservation Areas and affecting Listed Buildings.

This list should be read as preliminary and not definitive; more issues will arise over time which will need policy review, but this short-list covers the issues which require immediate attention. The reasons why these 7 issues are problematic are as follows:

- a) There is already a great pressure for new housing in the countryside, and this may well increase with the National Park status. The individual and cumulative effect of such development could be extremely damaging to the quality, character and appearance of the Park's landscape. This must of course be balanced against the need for essential worker and/or affordable housing where it is most needed.
- b) The Park is already under considerable pressure from hydro-electric and wind farm schemes; while the 'eco-ethos' of the Park would support such developments in principle, the landscape of the Park has been designated as being of national importance for a reason. Scotland is geographically suited to both types of these developments, over much of its area, so should we compromise our undeveloped and protected landscape when there must be many alternative locations?
- c) This issue is notable as there are currently 3 contentious developments within the Park. The need for good access to carry out estate management/sporting functions must be carefully balanced against landscape, cultural and environmental issues.
- d) Technological advances and requirements will lead to increased demand for telecom masts and antennae; these will of course have an environmental and landscape impact, something which must be carefully regulated within the Park.
- e) The quality of new development, in terms of siting and design, is of paramount importance within such areas. Detailed guidance can set standards for achieving the highest quality.
- f) The national and local requirements for mineral resources must be tempered by the highest environmental and landscape stewardship; such development should be resources outwith the Park where at all possible.
- g) The cultural and built heritage within the Park is already protected by legislation, but can easily be compromised by unsympathetic detailing or alterations; the highest standards of design and practice need to be applied to any such development.

Conclusions

For a consistent policy approach across the Park, we must have uniformity of policy across the four constituent Local Authorities' development plans and guidance. Many policy areas do have such uniformity, but in some critical areas there may be a completely different approach or just a difference in the way that the policy is worded.

Mr Haworth's report has assessed all planning policies across the four Local Authorities; this has been followed by our assessment of policies which are already causing problems for the effective application of Development Control. The seven issues which have been highlighted will now be the subject of Supplementary Guidance and/or Interim Policies, if agreed by Committee.

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