

## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: ABERDEENSHIRE LOCAL PLAN INQUIRY  
REPORTERS' FINDINGS**

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### **Purpose**

1. This report is to brief and make recommendations to Members on the Reporters' findings relevant to the Park following the Aberdeenshire Local Plan Inquiry that took place between 31st August 2004 and 4th February 2005.

### **Recommendations**

2. That Aberdeenshire Council be requested to note in their consideration of the Report that future local plan policies and site allocations relating to the Cairngorms National Park part of the Marr area will be developed via the Cairngorms National Park Local Plan and any proposed modifications to the Aberdeenshire Local Plan should be considered within this context.
3. That CNPA write to the Scottish Executive Inquiry Reporters' Unit expressing concern that the Reporters did not differentiate the evidence given by Aberdeenshire Council and CNPA at the inquiry sessions in Ballater and have attributed all of the evidence to CNPA when this was not the case. In order to clarify matters the Reporters be requested to issue revised conclusions clearly attributing evidence as appropriate to the Council or CNPA.

### **Background**

4. The Cairngorms National Park Authority was formally constituted following publication of the finalised Aberdeenshire Local Plan. Prior to the Local Plan Inquiry various minor modifications were made to the wording of policies by Aberdeenshire Council to reflect the Park's existence. Because of the joint jurisdiction over part of the Aberdeenshire area, the Local Plan Inquiry was held in the names of both Aberdeenshire and CNPA.
5. Two Reporters from the Scottish Executive Inquiry Reporters' Unit were appointed by the authorities and held a public local inquiry into objections to the local plan between 31<sup>st</sup> August 2004 and 4<sup>th</sup> February 2005. Proceedings were a formal public local inquiry where requested, but mainly took the form of discussions at informal hearings. Two informal hearing sessions took place in Ballater in November 2004 where objections relating to Ballater, Braemar and

Ordie were discussed. Evidence was presented by objectors, Aberdeenshire Council and CNPA. The evidence from CNPA focussed on ensuring that the Reporters were apprised of the Park's geography and circumstances, the fact that work was underway on the Cairngorms National Park Local Plan, and a request that nothing should be included in the conclusions of the inquiry (particularly in relation to site allocations) that might prejudice the CNPA ability to plan properly for the needs of the Park.

6. The Reporters published their findings in July 2005 in 7 volumes: Volume 1 Introduction and Policies and Volumes 2 – 7 dealing with the various areas of Aberdeenshire. As far as the Park is concerned Volume 1 and Volume 7 (Marr Area) are the relevant volumes.

### **Reporters' Findings**

7. In terms of general policies there are no specific recommendations from the Reporters that will have any particular consequences for the Park. The Reporters recommend that *"reference to the Cairngorms National Park should be included throughout the local plan as appropriate."* Aberdeenshire Council have already addressed this issue in consultation with CNPA.
8. Copies of the extracts of the Reporters' conclusions relating to Braemar, Ballater and Ordie are attached to this report.

### **Ballater**

9. Discussions focussed on the allocation of additional housing land. The finalised local plan does not allocate any housing land, but identifies an area of search for future provision north of Monaltrie Park (Site fh1\*) for the period beyond 2010. Subsequently, in response to local objections to this proposal, Aberdeenshire Council proposed to remove the designation of Site fh1\* completely. Stewart Milne Group wished the site to be brought forward as a firm proposal, Ballater Royal Deeside Ltd did not support further housing land and there were other objections to encroachment of Site fh1\* onto a protection area for Monaltrie Park which hosts the Highland Games. The Reporter refers to the case for the National Park Authority, but it was actually Aberdeenshire Council and CNPA. CNPA concentrated on highlighting the preparation of the CNP Local Plan and would not therefore wish to see concrete land allocations in this plan. The Reporter concluded that the deletion of Site fh1\* could remove the means of meeting Ballater's housing needs and extending the protected area is simply inappropriate. He considered that, while the National Park Authority may prefer to keep all its options open, it appears to him to be incumbent on the authors of this plan (Aberdeenshire Council) to make reasonable provision to meet the recognised needs of the future. He recommended that the local plan's provisions in relation to Ballater should not be amended.

### **Braemar**

10. Following agreement between Mar Estate and Aberdeenshire Council on proposed modifications to address a number of objections, discussion focussed on a particular objection to the settlement line that would exclude almost the whole of the enclosed garden ground associated with Kindrochit

Lodge. NHS Grampian also requested that the settlement statement should identify a requirement for a new health centre in Braemar. The Reporter refers to the case for the National Park Authority, but it was actually solely Aberdeenshire Council. He recommended that the plan should be modified as suggested by Aberdeenshire Council to address the objections of Mar Estate, that the garden ground of Kindrochit Lodge should be included inside the settlement boundary and a footnote inserted in relation to the search for a new health centre site.

### **Ordie**

11. Discussion centred on the objection by Dinnet Estate to the omission of Ordie from the settlements identified in the local plan and its view that Ordie should be defined as a rural service centre. Aberdeenshire Council, not the National Park Authority as stated, did not consider Ordie to have the services or facilities to meet the definition of settlement, but its definition as a “cohesive group” would enable some new housing. The Reporter concluded by supporting the Council’s definition of Ordie, but that this would be consistent with the objector’s ambitions and he recommended that the plan’s provisions in relation to Ordie should not be modified.

### **Conclusions**

12. Although the inquiry was held jointly on behalf of both Aberdeenshire Council and the CNPA, there is a concern that the Reporters have referred solely to CNPA regarding evidence given at the sessions within the Park area. This is confusing to anyone who was not present as the Council responded to specific objections to the provisions of its plan and CNPA made a general submission on its intention to prepare the Cairngorms National Park Local Plan and requested that no firm allocations be made that would prejudice that plan. It would be beneficial if the Reporters could revise those sections of their conclusions to identify the sections of evidence attributable to each authority.
13. Some of the conclusions, particularly with regard to the future housing allocation in Ballater, will be considered as part of the Cairngorms National Park Local Plan process and there is a dialogue with Aberdeenshire Council to ensure ongoing clarity regarding future local plan coverage for the Park part of Marr area.
14. Members are asked to accept the two recommendations at the beginning of this report.

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**21<sup>st</sup> August 2005**  
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