
**CAIRNGORMS NATIONAL PARK
PUBLIC LOCAL INQUIRY 2009**

**OBJECTION REFERENCE: 394d
Expanded Written Submissions**

**POLICY 3: NATIONAL NATURAL
HERITAGE DESIGNATIONS**

APRIL 2009

On behalf of The Mar Estate



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PLANNING

CONTENTS

1	INTRODUCTION	2
2	SUBMITTED REPRESENTATIONS	2
3	EXPANDED WRITTEN SUBMISSIONS	3
4	ADDITIONAL DOCUMENTS	4

1 INTRODUCTION

This is an expanded written submission prepared by Halliday Fraser Munro on behalf of The Mar Estate. It relates to Policy 3: National Natural Heritage Designations and follows on from discussions with CNPA Planning Officers in February 2009.

2 SUBMITTED REPRESENTATIONS

Halliday Fraser Munro have submitted objections to the First Modifications and Second Modifications of the CNPA Local Plan on behalf of "The Mar Estate" (not "Proprietors of the Mar Centre" as it has been referenced). These expanded upon or confirmed the initial objections made by Savills (Document MAR 1.2) on the Deposit Local Plan on behalf of the Mar Estate or made new points in relation to the Modified sections of the Plan. For the avoidance of doubt Halliday Fraser Munro have taken over the lead planning advisor role in respect of the Local Plan Inquiry for The Mar Estate. We continue to work together with Savills in this respect and have adopted their initial representations set out in Document MAR 1.2.

Our previous submitted representations indicated:

Policy 3 sets out to protect nationally important designations. This is a laudable aim and one that is generally supported by The Mar Estate. Policy 3, however, could be interpreted in such a manner as to exclude development in and around existing settlements. Braemar is a case in point as it is affected by many of the protected designations but maintains an economic and social need to consolidate existing development opportunities and find means to expand to protect existing and encourage new community support facilities. We support the policy wording in section b) of the policy but point out that the Implementation and Monitoring section (4.16) is at odds with that. 4.16 only allows development that may have an adverse impact if the social or economic benefits are of national importance. The National Park must also operate at a local level and we suggest that where development is located close to an existing settlement then local economic or social need are just as important, if not more so, than national benefits. Indeed this policy in its current form, taking the policy wording and the associated text together, suggests only large-scale developments could fall into the acceptable category.

None of the identified blanket designations are an argument against development but do require appropriately designed and located development.

Changes Required to Resolve the Objection

*We suggest that the policy implementation section be altered to allow for developments of **local economic or social benefit** within national natural heritage designations.*

The CNPA Response, set out in their Hearing Statement of April 2009 is that they consider *“that the policy does not prevent development around existing settlements or inside national natural heritage designations. Development that demonstrates it does not compromise the interests and overall integrity of the designated area is permitted by the policy, whether small or large scale. The policy reflects national planning policy guidance NPPG14 (CD3.2, paragraph 25) and the National Parks (Scotland) Act 2000 (CD1.3). No changes to the policy are necessary”*

3 EXPANDED WRITTEN SUBMISSIONS

We welcome the CNPA recognition that the policy will allow for both small and large-scale development in the areas affected by the national natural heritage designations. In reality, however, the practical application of this policy will have to rely on its actual wording. This policy applies to the whole Park, not just specific designations, and it effectively applies a policy that will not allow development that adversely affects the interests or integrity of the Park UNLESS any “significant” impacts are outweighed by social or economic benefits of “national importance”.

To be of national social or economic benefits we believe that the type of development proposed will have to be of a larger scale. Indeed we are of the view that there will be very few large enough scale developments in the Park that would trigger such a national importance exception. What is more likely, and we have stated Braemar as an example, is small scale development that could have local social or economic benefit and is situated around/adjacent to the existing settlements. As it stands this policy doesn’t allow for this type of exception.

We also suggest that it is not entirely in line with the National Parks (Scotland) Act 2000, section 1 as quoted in the Introduction of the CNPA Local Plan i.e. *to promote sustainable economic and social development of the area’s communities.* Sustainable economic and social development in local communities, given their scale in the Park and especially the eastern side of the Park, means small-scale locally required development. Braemar is surrounded by national nature designations and is therefore potentially more constrained than other settlements as a result of this policy. The particulars of Braemar will

be discussed in detail at the Hearing in that respect. This policy, however, should allow for development that might have an adverse impact on the national designations and the Park BUT that are outweighed by more local social or economic benefits. Otherwise these settlements, especially with the very tight boundaries drawn around them and very limited opportunities for development inside the tight boundaries, will not develop sustainably and in line with local economic and social needs. Communities will not develop to become more varied in age structure, economy, and the provision/retention of much needed services. This is especially so on the eastern side of the Park where very little new development opportunities have been identified, in stark contrast to the western side of the Park.

We suggest, therefore, that the policy is altered to read:

“b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance or clearly identified local significance and are mitigated by enhancement of qualities of equal importance to the natural heritage designation.”

And that this is reflected in the Implementation section of the wording.

4 ADDITIONAL DOCUMENTS

None