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**CAIRNGORMS NATIONAL PARK  
DEPOSIT LOCAL PLAN  
PUBLIC LOCAL INQUIRY 2009**

**INITIAL HEARING  
STATEMENT**

APRIL 2009

Representations on Behalf of  
The Mar Estate  
Objection Ref: 394a, b, o  
**Braemar Development Strategy**



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PLANNING

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## 1 INTRODUCTION

This Initial Hearing Statement has been prepared by Halliday Fraser Munro Planning on behalf of The Mar Estate. It should be read in conjunction with previous representations made to the CNPA Deposit Draft Plan and subsequent Modifications.

## 2 OBJECTIONS

### 2.1 THE DEPOSIT LOCAL PLAN

The Mar Estate made a number of objections to the Deposit Local Plan. These effectively covered the following issues and each will be dealt with in turn in Section 3 of this Statement:

- **Braemar (ref: 394a)**– that there is scope and the need for further housing development in and around the settlement of Braemar and that the village should maintain a flexible village envelope to help accommodate this.

We stated in our response to the First Modifications that we had some concern regarding the response from the CNPA [Local Plan – First Modifications (June 2008) Summary of Comments & Modifications, **document MAR 1.1** and repeated in the Inquiry Document “Final Objections to the Local Plan”]. It states that:

*“The allocated sites within Braemar will be analysed in light of the comments received. This analysis will be linked to the need for housing land within the area, and the effectiveness of the sites included in the deposit plan. The sites will also be judged against the SEA findings, the physical constraints of these sites and the requirements for effectiveness as set out in national guidance. Having assessed these sites, a review will be undertaken of the alternative land suggested to ascertain its qualities in meeting the local housing need, and the impact it would have when assessed through the SEA”.*

Having suggested new sites we are not aware of these being assessed in relation to the above issues. We haven’t received any response in relation to why such suggested sites have been ruled out except references back to the

Housing Allocations and the fact that the Park are not proposing to change these so Braemar cannot be allocated any further housing.

The response also suggested that alternative sites would only be considered in a future review of the plan. We contend that the assessment of alternative sites put forward in response to the Plan should be undertaken now to ensure that the most appropriate sites, in planning terms, are allocated and can be delivered within the period of the plan. Our views of the Housing Land allocations are included in a separate statement for The Mar Estate.

In reviewing the “Final Objections to the Local Plan” Inquiry document on the CNPA website (we believe that this should be given a Core Document reference) it states, for 394o and a similar sentiment for 394a:

*“No additional land was requested at the deposit stage. No further modifications are therefore proposed.”*

This is not the case and at odds with an earlier analysis of consultation at the Deposit Stage. Halliday Fraser Munro have, in conjunction with Savills (L&P) Ltd who lodged the original objection to the Deposit Draft Local Plan, been commissioned to take The Mar Estate’s representations forward. As a result we have adopted the original letter from Savills (**MAR 1.2** – also lodged as an Appendix to our representations on the First Modifications) and the representations that it set out. In the “Cairngorms National Park Deposit Local Plan – Analysis of Consultation – Section 7 Settlements” (**MAR 1.3** - we believe that this should also be available as a Core Document) these were summarised by the CNPA as:

- The Estate has considered short and medium to long term development opportunities and would welcome discussion;
- Specific reference to a 20-30 house development outside the proposed settlement boundary;
- A flexible settlement envelope to allow for appropriate development; and
- The local plan should be amended to allow further development outwith the village envelope.

These clearly indicate the Mar Estate’s view, from the Deposit Stage of the Local Plan, that development potential should be increased in Braemar by the appropriate means. No discussion on these took place with officers from the CNPA until early 2009. In their response to the Savills’ representations (**MAR 1.3**), however, the CNPA stated *“Having assessed these (existing) sites, a review will be undertaken of the alternative land suggested to ascertain its qualities*

...". This clearly recognised that further development land was being promoted by the Estate. Our subsequent representations on the Modifications clarified which land was being suggested as being appropriate.

The site selection process is explained in a little more detail in recently published Topic Papers. These have only been available for a short period (CD 7.24) and do not include information on the evaluation of objector's proposed sites. It is therefore difficult to make comment on whether the most appropriate sites have been chosen or not.

## **2.2 FIRST MODIFICATIONS**

### **Settlement Proposals - Braemar**

In our objections to the First Modifications we requested that the settlement boundary be altered to take into account the sites shown on the annotated plan in Appendix 3 of the Objection (**MAR 1.4**). We also suggested that the settlement boundary should be considered flexible to allow for local development to meet local needs on appropriate sites. These are not considered mutually exclusive and the two boundary issues will be considered in Section 3 of this Statement.

We also suggested that the allocations for economic development uses were not appropriate. In particular we suggested that proposal ED1 is limited in scope and does not facilitate the future economic development of Braemar; ED2 and 3 are existing developments – a more forward-looking strategy is needed that identifies new business land for the settlement.

We stated that settlement boundary changes and more allocations for employment/business use would help resolve the Mar Estate's objection.

### 3 INITIAL HEARING STATEMENT

#### 3.1 BRAEMAR

##### **Settlement Strategy**

Section 5 of the proposed CNPA Local Plan covers “Living and Working in the Park”. This section is key to our Client’s philosophy. The Mar Estate own the majority of land in and around Braemar between the River Dee and Clunie Water. As landowners in a populated area they have a responsibility to the community to ensure that Braemar has a positive future, that land-use policies and decisions are forward-looking rather than simply preserving the status quo and that development, in whatever form, helps to ensure a bright future for Braemar. Braemar’s services are suffering and need a higher critical mass of resident population to maintain higher quality shops, community facilities and local services.

In order to help turn Braemar’s fortunes around the Estate has adopted three strategic aims:

- To enhance Braemar as a community in which the needs of local residents are balanced with those of visitors;
- To provide local housing for local people in a style that complements the character of Braemar;
- To create the opportunity for sustainable growth in population, services and facilities and the economy.

The Plan operates a hierarchy of settlements. The settlements are considered Strategic or Intermediate. The strategic settlements include:

- Aviemore
- An Camas Mor – new settlement
- Grantown on Spey
- Kingussie
- Newtonmore
- Ballater

The Intermediate Settlements include:

- Boat of Garten
- Carr-Bridge



- Cromdale
- Dalwhinnie
- Dulnain Bridge
- Kincaig
- Nethy Bridge
- Tomintoul
- **Braemar**

There is an obvious split in the hierarchy table. 5 out of the 6 strategic settlements are located in the west of the Park. 7 out of the 9 intermediate settlements are located in the west with only one – Braemar, located in the east. This is a strong move away from the Draft Local Plan where many other settlements were identified. Indeed, these lists show that Braemar is not considered a strategic settlement yet it is at **the heart of the Park**. This effectively represents a housing and economic development strategy falling out of the settlement allocations but with no real justifiable strategic discussion on which to comment. Even in the most recently published background and topic papers there is little to explain the strategy that lies behind the significant east-west anomalies in housing/employment allocations. These will be considered in more detail in the written statement on housing and employment allocations for The Mar Estate. These concerns remain, however, in respect of the allocations in Braemar.

Braemar, even as an intermediate settlement on the eastern side of the Park has very limited development opportunities allocated within it over the coming 5 years:

- **Braemar** (Intermediate) – has three allocated housing sites. H1 already has consent for 20 houses and H2 has a capacity for 30 houses. H3 has a capacity of five houses. Again, there are no new viable housing sites allocated as a result of this plan. Of major concern to The Mar Estate is the lack of new employment land or any real comment on commercial development in Braemar.

Very little has altered in terms of these allocations as the various rounds of Modifications have progressed. On business land a few business allocations have now been included: ED1 – ambulance station for small scale economic development; ED2 - the existing mews development which has some vacant space (although the whole mews development effectively turns its back on the centre of Braemar); and ED3 – the existing caravan park for caravan park use. None of these are ground breaking or strategic. They are protectionist rather than forward-looking.

Braemar needs a development strategy that allows it to flourish as a place to live rather than simply visit. It needs local services, local jobs and a thriving diversified economy. To enable this we believe that additional allocations for both housing and employment use are required. The reliance on tourism should be reduced with a greater emphasis on creating a more sustainable resident population, local employment and the services and facilities that go along with that critical mass. None of this need impact on the special qualities of the Park and in many ways will enhance the Park as a place to stay and visit. Locating increased resident population around existing settlements is sustainable in its potential to reduce the need to travel, the support for existing and new facilities and the financial benefit for the local economy.

We suggest that this strategy could be developed in partnership with the CNPA in a similar manner to that indicated in the Local Plan for Tomintoul. In that respect the CNPA indicate *"There is an aspiration to develop Tomintoul into a larger and more sustainable community with improved facilities and housing provision. To take this forward the National Park Authority will work with partners to produce a masterplan for the village, in consultation with the community and key stakeholders."* (Chapter 7, Deposit Local Plan, First Modifications – CD 6.12)

Tomintoul, which in many ways suffers from similar issues to Braemar although perhaps at a smaller scale, is being offered an opportunity to redress these. Braemar, as the plan currently stands, is not. In the short term we have suggested changes to the settlement boundaries to address some of these concerns. In the more medium term the above approach might be more appropriate.

## **Settlement Boundary**

Our document **MAR 1.5**, indicates some changes to the current proposed settlement boundary of Braemar that will allow limited development within that new boundary. There are a number of options:

The first includes appropriate and reasonable extensions to the settlement boundary. These could incorporate community and employment uses as well as housing for local residents. A summary of each of the potential extension areas is included below:

### **Site A: Linn of Dee Road**

Larger area as an extension to site H2. Scale and mix of development to be determined but allows for two access points and high quality layout.

### **Site D: Chapel Brae (2)**

Although limited in nature this site could accommodate housing development and consolidate the settlement boundary in this location.

### **Site E: Chapel Brae (3)**

Again, this site can accommodate limited development and will help to consolidate the settlement boundary.

### **Site F: Auchendryne West**

This area is (mostly) included within the settlement boundary of Braemar in the Adopted Aberdeenshire Local Plan (CD 6.5) but is outside the settlement boundary in the Cairngorms National Park Deposit Local Plan and subsequent Modifications. The CNPA have offered no reasoned justification for this and we suggest that the area remains included within the settlement boundary. It includes limited tree cover, with the occasional building and could accommodate a reasonable scale of development, probably most effective for housing development as it is both sheltered and south east facing.

### **Site G: Broombank Terrace**

This draws Dalvorar House back into the settlement of Braemar and includes a well-defined area within the settlement. Could potentially accommodate limited development of a few houses.

### **Site J: Cluniebank (1)**

This site offers scope for a mix of uses on a site directly adjacent to the existing settlement. It has a distinct raised platform to the west that could accommodate housing development set against a woodland backdrop, and

reflect the general character of Braemar. The lower area could accommodate some open-air recreational/community uses (examples could include a relocated curling pond, fishing loch or playing fields with associated changing facilities/shelter). Access could be taken from either or both of Broombank Terrace and Cluniebank Road.

#### **Site K: Cluniebank (2)**

This is a small site that is effectively an extension of the woodland already proposed to be included in the Braemar settlement boundary along with a small open area that may be suitable for one or two houses.

Other options offer a variation of this but at the very least, and only on the basis that the CNPA will work closely with The Mar Estate on enhancing the future of Braemar as a place to live and work, limited extensions to the boundary may be acceptable as indicated in Document (**MAR 1.6**). These more limited extensions are only considered acceptable where the CNPA also commit to prepare a new Local Development Plan over the next few years. Otherwise Braemar will continue to falter as a good and sustainable place to live.

#### **Flexibility**

We have also suggested that the settlement boundaries should be flexible and offer the opportunity for development outwith the very rigid confines of the existing boundary. The proposed boundary has been drawn around the outside of existing development and existing commitments rather than try to include potential development areas. It is a status quo boundary rather than a strategic forward-looking boundary.

A flexible boundary and the extensions set out above and in **documents MAR 1.5** and **MAR 1.6** are not mutually exclusive. In Moray the housing policies allow for development land outwith existing settlement boundaries to come forward should various triggers be met (e.g. lack of housing coming forward, significant increases in demand and major sites being removed from the effective land supply for technical reasons), identified through annual Housing Land Audits. This could be the case in the CNPA using a Park specific methodology. We have included the specifics of this in Document **MAR 1.7**.

## 4 CONCLUSION

The representations in respect of the Braemar development strategy, as set out in the Local Plan in all of its forms, still stand. Braemar, to function as a balanced community at the heart of the Park, requires more housing for local people. The proposed limited allocations don't allow that to happen to an appropriate extent. More development land should be allocated and we have set out where some of this may be located.

The Mar Estate, as a local landowner (they also own commercial properties in the village centre), has established a set of principles for development on the Estate's land that will help Braemar to become a more balanced community - one that could support better facilities both in quality/quantity and local businesses.

The Mar Estate has been consistent in this message since their representations to the Deposit Local Plan. We suggest that the settlement boundary in Braemar can be increased without harming its character. Indeed an increased local population might enhance its character and design aspirations are for a Braemar specific typology for buildings, open space, boundary treatments and street patterns. These ideas could be developed in a similar manner to that proposed for Tomintoul. In summary the development strategy needs to be more proactive in its approach to Braemar – as it stands it is simply reflecting the status quo.