

**Highland wide Local Development Plan - Main Issues Report  
Consultation Summary and Actions Sheet**

Reference Number:	<b>HWLDP-MIR-194</b>
Organisation/Individual:	<b>Mr Peter Roberts</b>

**Action:**

Immediate Response Required	
Meeting required with Respondent	
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify)	

*If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.*

**Issues Raised in Response:**

Purpose of Main Issues Report		Previously used Land	
NPF2 for Scotland		Wild Land	
Vision for the Highlands		Water Environment	
Inverness and A96	x	Renewable Energy	
The A96 Corridor	x	Flooding	
Phasing of Development		Waste Management	
Developer Contributions	x	Air Quality	
East Inverness	x	Sustainable Design	
Nairn	x	Business and Industrial Land	
Tornagrain		Accessibility and Transport	
Smaller Settlements in A96	x	Agricultural Land	
Caithness and North Sutherland		Subdivision of Existing Crofts	
Easter Ross and Nigg	x	Allocation of Inbye Land	
Development of Local Centres	x	New Crofting Township	
Wider Countryside and Fragile Areas	x	Small Scale New Crofts	
Population and Housing	x	Coastal Development	
Housing in the Countryside	x	Forestry and Woodland	
Affordable Housing	x	Minerals	
Planning for an Ageing Population		Open Space and Physical Activity	
Gypsies/Travellers		Access to the Outdoors	
Retailing		Comments on Consultation Process (+ve)	
Developer Contributions		Comments on Consultation Process (-ve)	
Natural, Built and Cultural Heritage			

**Key:**

<b>Background</b>	<b>Spatial Strategy</b>	<b>Policy Options</b>	<b>Consultation</b>
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**Notes:**

Comments re: A96 corridor and infrastructure provision  
 Developer Contributions policy needs enforcement mechanism  
 Nairn Bypass should not be tied into future development sites in Nairn – a relief road would be an alternative option  
 Nigg development should be severely restricted

Action Sheet Completed by:	<b>GW</b>
Date:	<b>09/12/09</b>

**Simon Hindson**

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**From:** Peter A Roberts [REDACTED]  
**Sent:** 08 November 2009 20:11  
**To:** devplans  
**Subject:** Main Issues Report Questionnaire

Dear Sir

Please find attached my response to the HwLDP Main Issues Report. I wish my comments to be included in the consultation process and responded to in the following phases.

Yours faithfully

Peter Roberts

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<http://www.netintelligence.com/email>

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Highland wide Local Development Plan Main Issues  
Report

# Questionnaire

Please fill in this questionnaire. Your views are extremely important to us and we will take them into consideration when preparing the proposed plan. If you would prefer you can answer only the questions on the issues that you are interested in. If you have any general comments, please put them in the box on page 12.

Please fill in your details below so we can keep you up to date with the progress of the Highland wide Local Development Plan.

Name ....P Roberts.....

Address Taigh na Cluanag...  
.....Lochloy Road  
.....Cothill .....  
.....Nairn .....

Postcode ...IV12 5LE.....

Phone (.....) .....

Email ... [REDACTED] .....

You can respond via e-mail: [REDACTED]

Fax: [REDACTED]

Post: Director of Planning and Development

The Highland Council

Freepost SCO 5568

Inverness

IV3 5BR

This form can also be filled in online at

<http://www.highland.gov.uk/developmentplans>

## **SPATIAL STRATEGY**

### **Spatial Strategy: Inverness**

*Q1 Do you agree with our Preferred Option? If not, tell us why*

**The initial efforts around Inverness should focus on providing and implementing an agreed vision for Inverness before consideration is given on opening up the A96 corridor. The focus should be on regeneration supported by new development, and not be driven by new development.**

*Do you prefer the stated alternative?*

**No. Concurrent development in the A96 corridor will fragment resources and lead to uncoordinated pockets of development.**

*Are there any other alternatives that should be considered?*

*Comments*

### **Spatial Strategy: A96 Corridor**

*Q2 Do you agree with our Preferred Option? If not, tell us why*

**No. See Comments.**

*Do you prefer the stated alternative?*

**Partially. See Comments.**

*Are there any other alternatives that should be considered?*

**Yes. See Comments.**

*Comments*

**There seems to be a presumption that major site search and infrastructure study for long term expansion sites other than along the A96 Corridor is not favoured. This is an unsound basis on which to promote future development and the Council should consider a comprehensive study as an essential precursor to any decision on the A96 corridor as the favoured option to be taken forward. Selection of a number of geographically dispersed locations would have the benefit of dispersing transport infrastructure requirements leading to lower local densities of transport needs.**

**The preferred option is naïve. 'Commitments in principle' are not a sound basis on which to proceed and suggest that the Council's priority is to push forward with development and hope that infrastructure problems will sort themselves out later. The proposal to set out the amount of development that will be allowed to**

proceed along the A96 corridor within 2011-2016 is fundamentally flawed; the current transport and supporting infrastructure would not be able to support development to the extent that is proposed and in some cases cannot adequately cope with existing demands. In effect, the Council is encouraging development by private organisations without commitment to spend public funds on infrastructure, and with no guarantee that these funds will be available or how they will be sourced, as noted in the report – ‘the delivery of major transport improvements being subject to future spending reviews and funding allocations’. Indeed the report recognises that there ‘would be environmental benefits’ but seems uncomfortable with ‘an incremental approach to development’ which ‘may increase some of the environmental effects of the development’. What *is* certain is that a ‘commitment in principle’ to putting infrastructure in place when needed *will* increase the environmental effects of the development, and will also have a knock on effect on economic growth, precisely the outcome that the Council wishes to avoid.

Overall the Council’s proposals for development along the A96 corridor are confused, biased towards satisfying perceived demand through quick wins for developers, who will then move on and leave the Council to pick up the resulting chaos through a number of ‘commitments in principle’, with a clear failure to deliver effective economic growth.

### **Developer Contributions in the A96 Corridor**

*Q3 Do you agree with our Preferred Option? If not, tell us why*

**See comments**

*Do you prefer the stated alternative?*

**See comments**

*Are there any other alternatives that should be considered?*

**See comments**

*Comments*

Whilst it seems like a good idea to agree a policy for developer contributions and ensure that they are reflected in the investment plans of the Council, what is the enforcement mechanism? The Council has already demonstrated that it is unable and unwilling to enforce existing developer contributions in a number of cases. Developers would be happy to agree to any number of conditions in order to be allowed to carry out their business, but when it comes to pay up time they can always walk away, leaving the Council with unsatisfactory situations. Once again the Council is being naïve in the preferred option and is giving itself an excuse for non-delivery of future infrastructure – we *had* planned to invest in this but our developer contributions fell short so we can no longer provide the facility. In practice the outcome will always come out as the alternative – the Council is

unlikely to be able to provide the degree of influence and *control* over developers at the strategic level to deliver its investment ambitions.

### **East Inverness in the A96 Corridor**

*Q4 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

The East Inverness development plans will be a good means of testing out the major principles and proposals in the A96 corridor plans. Further development along the A96 Corridor should be put on hold until the suggested approach to East Inverness has been proven to work, particularly with respect to commitments in principle for infrastructure, and developer contributions.

### **Nairn in the A96 Corridor**

*Q5 Do you agree with our Preferred Option? If not, tell us why*

**No. See Comments**

*Do you prefer the stated alternative?*

**Partially. See comments**

*Are there any other alternatives that should be considered?*

**Yes. Early delivery of an A96 relief road. See Comments**

*Comments*

Nairn is being held to ransom over the by-pass issue. The A96 is of strategic importance and provision of a by-pass should not be tied in to the contribution of future development sites in Nairn. An alternative option is to consider the provision of an A96 relief road, divorced from and routed well to the South of the coastal towns including Nairn, to act as the main traffic artery between Aberdeen and Inverness. This relief road should be planned to facilitate the needs of all towns along the coastal strip such as Elgin, Forres, Nairn which could then be allowed to develop within the local needs and character and not be forced to develop plans predicated upon the role of a 'local' by-pass. All plans so far that accommodate the by-pass will result in the construction of new local/district centres – this is not accepted and will lead to fragmentation of the Nairn community and further degeneration of the Town Centre. Nairn needs to be rid of through traffic completely, and not be tied to the dichotomy of satisfying national transport infrastructure needs through local development plans.

Until a national position is agreed, development should be in accordance with the alternative option, with a focus on regenerating the Town Centre on the needs of the town and NOT the needs of through traffic. For a location as sensitive and focussed as Nairn, incremental development, which the report acknowledges 'would allow control of development', should be the preferred option based on plans to regenerate the existing Town Centre and encouraging growth that fits in with this regeneration.

### **Tornagrain in the A96 Corridor**

*Q6 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

### **Smaller Settlements in the A96 Corridor**

*Q7 Do you agree with our Preferred Option? If not, tell us why*

**Yes. See comments**

*Are there any other alternatives that should be considered?*

*Comments*

**Expansion of smaller settlements should be capped and they should be recognised as having a very limited role to play in delivery of the overall strategy. However, clarification of 'potential for growth' and 'appropriate scale of development' should be agreed as a local consultation process and not be subject to the wider strategic policy.**

### **Action Plan for Caithness and North Sutherland**

*Q8 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

### **Action Plan for Nigg and Easter Ross**

*Q9 Do you agree with our Preferred Option? If not, tell us why*

**No**

*Are there any other alternatives that should be considered?*

*Comments*

Development of Nigg should be severely restricted. Nigg would not be a natural first choice for development and is only under consideration as a brownfield site which is left over from previous economic and industrial activities. It sits in an area of natural beauty and any development will have an environmental impact along the whole of the southern coast of the inner Moray Firth. The area has great potential for recreation and open space; use for housing and business will have a major impact on transport requirements along the N side of the Cromarty Firth. Inevitably, growth at Nigg will lead to pressure for some form of connection across to the Black Isle. Nigg should be dropped from further plans, and effort concentrated along the AIness/Evanton axis for further limited growth.

### **Development of Local Centres**

*Q10 Do you agree with our Preferred Option? If not, tell us why*

**Partially. See comments**

*Are there any other alternatives that should be considered?*

*Comments*

The preferred option should be to emphasise the important role that all towns and villages play in the future *sustainment* of the Highlands, not its development. Many areas are not suitable for development or should be maintained so as to preserve their character, which is after all what contributes to the overall experience of living and working in the Highlands. The preferred option could permit any development to take place as these local settlements would have been acknowledged as having a role to play in future development. Local settlements should maintain their own plans and aspirations, and not be part of the overall strategic development process.

### **The Wider Countryside and Fragile Areas**

*Q11 Do you agree with our Preferred Option? If not, tell us why*

**Emphatically NO.**

*Are there any other alternatives that should be considered?*

**Yes – the existing guidelines which the Council either deliberately or by omission failed to include in the Main Issues Report.**

*Comments*

The existing approach is a reasonable alternative – which the Council did not see fit to include in the Main Issues Report. For this reason a further round of consultation should be carried out on the policy for the Wider countryside and Fragile Areas, presenting the existing guidelines as an alternative.

Currently, development in the hinterland and pressured areas is controlled by the test of need to support activity related to land management or agriculture. This test should remain. Permitting development along the lines of that proposed for Sutherland & West Highlands will allow uncontrolled sporadic development which will completely alter the nature of the Highland countryside. It is already evident that many landowners see this change, coupled with the changes to the Planning Applications and Approval process, as opening the door to short term profiteering from sporadic, uncontrolled, uncoordinated and haphazard development opportunities. This is completely against the Council's aspirations for effective and green development and will generate transport needs and vehicle in an uncontrolled manner. For example, new residential premises that would be permitted under the proposal could generate the need for school bus transport along minor roads, leading to issues of safety, the need for snow clearing, gritting etc.

The proposals base determination of development on *subjective* factors: Acceptability in terms of design, Sympathetic to existing patterns of development, compatible with landscape character, judged to be not significantly detrimental etc. Current determination is based largely on *objective* factors. This is therefore a significant change in policy with no safeguards and no means of challenge, which is totally open to interpretation by a local officer with no oversight by Elected Council Officials representing the wishes of the population.

The preferred option should be to maintain the existing guidelines and policy, but perhaps widened to also encourage development on brownfield sites where this can be empirically demonstrated not to have an adverse effect on infrastructure and support requirements.

## **SUSTAINABLE HIGHLANDS**

### **Population and Housing requirement**

*Q12 Do you agree with our Preferred Option? If not, tell us why*

**No**

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

The proposed option seems to suggest that economic growth can only come from in-migration. This is a fallacy. Economic growth can also come from ensuring that the local economic engine adapts to growing business areas and moves away from declining ones. Where are the studies into which business areas the Highlands consider to be the drivers for growth in the next 20 years and how the current economic and industrial base in the Highlands meets those needs?

Planning on the highest rate of population and housing growth may help to justify the public infrastructure necessary to support and administer the projections, but in all likelihood it will not on its own guarantee the expected level of economic growth. For this reason a more conservative estimate should be adopted given the limited land, infrastructure and natural industries that the area can support.

## **Housing in the Countryside**

*Q13 Do you agree with our Preferred Option? If not, tell us why.*

**Emphatically NO. See Comments**

*Do you prefer the stated alternative?*

**Yes Option 1. See comments.**

*Are there any other alternatives that should be considered?*

*Comments*

The preferred option is based on subjective assessments. Given the projected immigration figures that the Council has presented, then all areas of the countryside except for remote and mountainous sites, are under potential development pressure. (It is possibly easier to identify areas that would not be not under pressure for physical and geographical reasons and accept that everywhere else is up for development of some form). The test that it is proposed to apply is 'well sited and designed houses', a developers charter. This does not place adequate control over development issues. Is a house well-sited because it is in a remote area and does not interfere with existing housing and put pressure on the local road, or is it well-sited because it is next to existing infrastructure and houses and on a busy road? The proposed option will not give objective tests that can be applied during the determination of planning applications and will lead to sporadic and haphazard development which will completely destroy the natural environment of the Highland countryside.

Housing development in the countryside should be restricted to that which is required for agricultural or other rural business needs, supported by independently approved business need assessments and which will not lead to unnecessary growth of small housing groups into local settlements and centres.

## **Affordable Housing**

*Q14 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

**Affordable housing needs should only be applied to those developments which permit easy access to public transport and facilities, thereby enabling occupants to make use of existing local facilities.**

**The Council should also work to reduce the requirement for affordable housing through policies that encourage economic growth and prosperity, and should be committed to a target that reduces the affordable housing need from 850 pa to less than 250 pa at the end of the ten year period.**

### **Planning for an Ageing Population**

*Q15 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Needs of Gypsies / Travellers**

*Q16 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Retailing**

*Q17 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Developer Contributions**

*Q18 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

**SAFEGUARDING OUR ENVIRONMENT**  
**Natural, Built and Cultural Heritage**

*Q19 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

**Previously Used Land**

*Q20 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

**Wild Land**

*Q21 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

**Water Environment**

*Q22 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

**SUSTAINABLE DEVELOPMENT AND CLIMATE CHANGE**  
**Renewable Energy**

*Q23 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Flooding**

*Q24 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Waste Management**

*Q25 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Air Quality**

*Q26 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

### **Sustainable Design**

*Q27 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

## **COMPETITIVE, SUSTAINABLE & ADAPTABLE HIGHLAND ECONOMY**

### **Business and Industrial Land**

*Q28A Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Accessibility and Transport**

*Q28B Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

### **Crofting and Agriculture**

*Q29 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Subdivision of Existing Crofts**

*Q30 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Allocation of inbye land**

*Q31 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **New Crofting Township**

*Q32 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Small Scale New Crofts**

*Q33 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Coastal Development**

*Q34 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Forestry and Woodland**

*Q35 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

### **Minerals**

*Q36 Do you agree with our Preferred Option? If not, tell us why*

*Do you prefer the stated alternative?*

*Are there any other alternatives that should be considered?*

*Comments*

## **A HEALTHIER HIGHLANDS**

## **Open Space and Physical Activity**

*Q37 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

## **Access to the Outdoors**

*Q38 Do you agree with our Preferred Option? If not, tell us why*

*Are there any other alternatives that should be considered?*

*Comments*

# **Equal Opportunities Questionnaire**

This Equal Opportunities Questionnaire is requested in order that The Highland Council can build an accurate picture of the make-up and diversity of groups that our planning policies impact on. This information is only used for this purpose. If you have a disability that requires us to make a reasonable adjustment to enable you to complete this form, please notify us

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of mental  
erse effect on their

**Both Questionnaires must be returned by  
5pm Monday 9<sup>th</sup> November, 2009**

