

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

Reference Number:	HWLPD-MIR-324
Organisation/Individual:	Scottish Government

### Action:

Immediate Response Required	
Meeting required with Respondent	X
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	
NPF2 for Scotland	X
Vision for the Highlands	X
Inverness and A96	X
The A96 Corridor	X
Phasing of Development	X
Developer Contributions	X
East Inverness	X
Nairn	X
Tornagrain	X
Smaller Settlements in A96	X
Caithness and North Sutherland	X
Easter Ross and Nigg	X
Development of Local Centres	
Wider Countryside and Fragile Areas	
Population and Housing	X
Housing in the Countryside	X
Affordable Housing	X
Planning for an Ageing Population	
Gypsies/Travellers	
Retailing	
Developer Contributions	X
Natural, Built and Cultural Heritage	X

Previously used Land	X
Wild Land	
Water Environment	X
Renewable Energy	X
Flooding	
Waste Management	X
Air Quality	
Sustainable Design	X
Business and Industrial Land	
Accessibility and Transport	X
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
Coastal Development	X
Forestry and Woodland	X
Minerals	X
Open Space and Physical Activity	X
Access to the Outdoors	
Comments on Consultation Process (+ve)	
Comments on Consultation Process (-ve)	

### Key:

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

- Response covers Scottish Government and their agencies (Transport Scotland and Historic Scotland)
- Traffic modelling with Transport Scotland will be key
- Due regard should be taken of the consolidated SPP once published
- Commitments in principle can not be made by Scottish Government or its agencies
- Key to address phasing of A96 corridor development
- Access Strategy should be set out for Beechwood Campus
- Proposed plan should set out models of funding for infrastructure
- All supplementary guidance should be clearly flagged in the proposed plan
- Council should seek to remove infrastructure constraints in terms of generous land supply
- Housing in countryside approach could cover all types of development
- Proportion of affordable housing and associated tenures should be set out
- Spatial strategy should be informed by the contribution of the natural and historic environment in delivering sustainable economic growth.
- Interested to see how highland wide target for previously used land can be developed
- More detail on use of combined heat and power and how it can be facilitated should be included
- Should consider the alternative option to approach to waste

- Should take account of Section 72 of Climate Change (Scotland) Act 2009
- All recommendations from STPR should be incorporated in proposed plan.
- Should take account of crofting reform bill
- Forestry Commission Scotland currently preparing guidance on planning for trees
- Should consider integration of national policy of 10 year minimum reserves for minerals (for construction)
- May be benefit in identifying green network in and through Inverness connecting to the A96 corridor

Action Sheet Completed by:	SH
Date:	15/12/09

Directorate for the Built Environment  
National Spatial Planning and North Division



T: [REDACTED]  
E: [REDACTED]

Stuart Black  
Director of Planning and Development  
The Highland Council  
Glenurquhart Road  
Inverness  
IV3 5NX



Your ref:  
Our ref:  
6 November 2009

Dear Mr Black

### Highland Wide Local Development Plan – Main Issues Report

Thank you for the opportunity to comment on the above document. I am responding on behalf of the Scottish Government, including Transport Scotland and Historic Scotland.

The Scottish Government welcomes the publication of this Main Issues Report, demonstrating The Highland Council's commitment to put in place an up to date development plan framework for the Highlands. We understand the Council's wish to respond quickly to the current, regionally significant, development pressures and opportunities which are highlighted in the Report. And we see merit in putting in place a Highland wide policy framework for some planning issues.

The Scottish Government and its agencies will continue to work with the Council as it progresses this plan, in particular to identify the infrastructure needed for development supported by the plan. The traffic modelling work which Transport Scotland is currently undertaking with you will be key in informing the Proposed Plan, especially with respect to the strategic road network.

We also wish to work closely with you to support delivery of the key elements of the second National Planning Framework (NPF2) and the Strategic Transport Projects Review (STPR) as they relate to the Highlands. We welcome the Council's very positive approach to such collaboration.

In preparing the Proposed Plan, the Council will wish to ensure these local and national infrastructural requirements are supported. You will also wish to have due regard to the consolidated Scottish Planning Policy, which we expect to have finalised prior to publication of your Proposed Plan.

The Main Issues Report makes several references to the need for a commitment in principle from Transport Scotland to the provision of certain infrastructure. You will be aware that the government and its agencies operate within governance and legislative criteria which mean long-term commitments of this nature cannot be made. Notwithstanding the recommendations contained in the STPR and other strategies, the allocation of funding for projects remains subject to future spending reviews.

I note your expectation that the policy options identified in the Main Issue Report may not cover all the policy areas that appear in the Proposed Plan. The Main Issues Report is, of course, the key stage for community and stakeholder engagement in the planning and environmental issues raised by the plan, and we would not normally expect wholly new areas of policy which have significant planning or environmental implications to appear for the first time in the Proposed Plan.

Finally, I note your intention to prepare a significant amount of supplementary guidance to the plan. The Scottish Government supports the use of supplementary guidance as a means of providing detailed guidance on matters which need not be contained in the local development plan. You will wish to be assured that you have the capacity to prepare all the supplementary guidance you have identified. Guidance which derives from key elements of Scottish Planning Policy, NPF2 or STPR, or which is needed to support delivery of key elements of the plan, should be prioritised.

I offer detailed comments on individual elements of the Main Issues Report as follows:

### *The Vision for the Highlands*

I make no comment on The Vision for the Highlands, noting that it derives from the Council's corporate plan. The proposed plan objectives, based on the Highland Single Outcome Agreement, appear reasonable.

### *Spatial Strategy*

The Scottish Government understands the Council's desire to provide an up to date development plan against which to respond to the current development pressures and opportunities in Inverness, along the A96 corridor to Nairn, at Nigg, and in Caithness and North Sutherland. These pressures and opportunities are reflected NPF2 and STPR.

### *Inverness and the A96 Corridor*

It will be key that the Proposed Plan addresses the phasing of development, including any development identified in the A96 Corridor. It will be important to achieve phasing that delivers sustainable, successful communities, especially in relation to infrastructure provision and services, regardless of whether planned future expansion of that settlement is delayed or halted. You may wish to consider focusing on a smaller range of key sites first. The Scottish Government sees merit in accelerating progress with existing plans for the growth of the Inverness and Nairn before there is major expansion in other areas, although the principle of early phasing of some approved development across the Corridor prior to the completion of major infrastructure is sound.

The Scottish Government and its agencies will collaborate with you on further work on phasing of development and infrastructure, including further transport modelling. This will help inform the location, scale and phasing of development to be contained in the proposed plan, and will determine the infrastructure required to support approved development.

The alternative 'dispersed growth option' promotes higher levels of long term expansion in smaller towns and villages, including a new settlement, northwards along the A9. This option appears to promote a new commuter rail link and various new rail stations. Scottish Government policy is to maximise the use of the existing rail network and associated infrastructure.

### *Inverness*

The sites at Ness-side and Charleston may have an impact upon the strategic and local road networks. The traffic modelling exercise will inform what, if any, interventions are required to mitigate this impact. The western section of the Inverness southern bypass, including the crossing of the River Ness and Caledonian Canal, does not meet the objectives set out in the STPR and would not receive funding from Transport Scotland. This should inform the Proposed Plan.

While the government is committed to the provision of the A96 – A9 link road, phasing of its delivery must be informed by the ongoing modelling and appraisal work which the Council is undertaking in consultation with Transport Scotland. An access strategy for the Beechwood Campus development is also required. Transport Scotland cannot, at present, provide a definitive view on the desire for direct access from the trunk road for this development until the consequences are better understood. Transport Scotland is currently undertaking a preliminary review of design work at the Inshes Junction and the results of this will aid the decision making process. It is anticipated that this work will be completed early in 2010.

The government remains concerned that any development in the vicinity of the A9 Raigmore and Longman roundabouts may have a detrimental impact on these already severely congested points on the strategic road network. Developments here have the potential to significantly impact upon these junctions and appropriate mitigation measures would be required. The Proposed Plan should be informed by the conclusions of the current modelling being undertaken as part of the A96 Corridor Framework which may identify alterations at one or both of these locations.

### *Nairn*

The Framework Plan for Nairn includes a roundabout on the bypass adjacent to the proposed Nairn south housing allocation. The bypass would be strategic in nature and Transport Scotland cannot at this time commit to any proposals for developments to be accessed from it.

### *Tornagrain*

If contained in the Proposed Plan, much greater detail of the proposals for Tornagrain is required. A number of issues remain, including access to the A96 and any potential impact on its performance. These should be addressed, as far as possible, in the Proposed Plan.

### *Smaller Settlements in the A96 Corridor*

Here, the Council should satisfy itself that local communities and stakeholders have an early and effective opportunity to engage on any development plan proposals which raise significant planning or environmental issues. Such development may also have implications for the current traffic modelling exercise for the Corridor. It may be the case that any such significant proposals can or ought to be considered first in the Main Issues Report for the

subsequent Inner Moray Firth Local Development Plan. The same consideration should also be given to any similarly significant proposals in Caithness, North Sutherland or elsewhere.

### *Developer Contributions*

I note the importance which the Main Issues Report places on developer contributions to support necessary infrastructure, and that you propose to adopt a more consistent approach to provide certainty for developers. The Scottish Government supports this approach, which will need to reflect the realities of both public and private sector finance in the coming years.

The Proposed Plan or Supplementary Guidance should set out the models of funding and delivery of infrastructure the Council proposes, for the A96 Corridor and elsewhere. Early progress on the detail of this will be essential if development supported by the plan is to be progressed quickly and with the necessary infrastructure in place. The Council has a strong track record of developing innovative models of delivery of housing, including the Highland Housing Alliance and Landbank Fund, and we encourage such innovative thinking on the issue of how to provide infrastructure across the Highlands, in both urban and rural settings.

I note the discussion on page 43 about reducing developer contributions during recession and of central pooling of contributions in some circumstances. Any developer contributions and planning agreements should meet the necessary legal tests. We intend to update Circular 12/1996 in the coming months to provide up to date guidance on this matter.

### *Caithness and North Sutherland*

The Scottish Government endorses the policy support for marine renewables in the Pentland Firth and the proposal to prepare an updated Dounreay Planning Framework.

### *Easter Ross and Nigg*

The Scottish Government supports the Council's desire to maximise opportunities at the Nigg yard and to identify it as a strategic development site for the Highlands. This is consistent with NPF2. The government also supports the preparation of the Nigg Masterplan to facilitate this. Should the Council wish to adopt the Masterplan as formal supplementary guidance to this Local Development Plan, this intention should be clearly stated in the Proposed Plan. Further discussion may be required to determine how the nature and scale of development proposed may impact upon the A9 trunk road. This can be addressed at development management or masterplanning stage.

### *Population and Housing*

The Main Issues Report demonstrates a strong commitment to increasing housing supply and to a high migration scenario based on strong economic growth. In line with Scottish Planning Policy, a generous amount of land for housing has been proposed. The Council's housing need and demand assessment (HNDA) is currently being appraised by the Scottish Government's Centre for Housing Market Analysis and any comments are subject to the outcome of this process. The Proposed Plan should reflect the views of the Centre.

I note that some currently allocated or approved sites are not effective or have significant infrastructure constraints. Whilst the provision of a generous supply of land can help address the problems this can create, the Council should also seek to remove infrastructure constraints or make such sites effective. There is no merit in allocating or retaining housing

sites which are unlikely to come forward. The Council should therefore should be confident that any newly allocated or retained sites are or can be made effective.

The Proposed Plan should indicate how much of the housing land requirement can be expected to be met from windfall sites, especially as this has been significant in the past. This should be based on a realistic assessment of the likely ongoing supply of land through this route. The expected numbers and phasing of housing from the key development areas in the plan should also be shown.

### *Housing in the Countryside*

The Scottish Government supports the proposal to introduce a more consistent Highland-wide approach to assessing development in the countryside - housing or otherwise. You should consider using a single policy dealing with all such development, incorporating the approaches in town hinterlands and fragile areas. The Proposed Plan should be clear about any differences in approach in such areas. Whilst the detailed policy approach is for the Council, the Scottish Government wishes to see a positive stance on well-conceived housing and other development in the countryside. For example, sensitive additions to existing small groups may be appropriate in the town hinterlands as well as in the wider countryside.

Noting the second of the preferred options on page 37, you should encourage good design everywhere, not just in the countryside. Rather than restating this and similar requirements throughout the proposed plan, you should consider the need for general policies on design (and on other suitable topics) which will apply to all development.

### *Affordable housing*

It will be helpful if the Proposed Plan includes details on the distribution of the new affordable housing required across the housing market areas, drawing on the analysis in the HNDA. This will provide a clear indication to developers and communities on the level and distribution of need for affordable housing.

The balance of provision between affordable rented and intermediate tenures has a significant impact on development economics. It would helpful, in the Proposed Plan or its supporting documents, to include a reference to the overall proportion of need for affordable housing which can be met by intermediate tenures (for example, shared equity, mid-market renting) within each Housing Market Area.

### *Other housing issues*

The Proposed Plan or its supporting documents should provide the detail and timescale for implementation of the policy proposals on housing for an ageing population, housing for multiple occupation and for gypsies/travellers. You should consider, perhaps in the future Area Local Development Plans, whether suitable locations or specific sites for gypsies/travellers and for housing for older people can be identified.

### *Natural, Built and Cultural Heritage*

In line with Scottish Planning Policy and NPF2, the local development plan should ensure the protection, conservation and enhancement of the natural and historic environment. We would expect to see detailed policy and clear guidance on how this is to be achieved, though much of this may come forward as supplementary guidance.

The Proposed Plan and its spatial strategy should be informed by the key role of the natural and historic environment in delivering sustainable economic growth in the Highlands, recognising these as assets, not constraints. The spatial strategy should capitalise on these natural and cultural assets in the creation of new places in order to deliver development that is sensitive to the natural and historic environment whilst creating better places to live and work.

You will be aware that a number of the key developments set out in the spatial strategy will require mitigation of potential impacts on the natural and historic environment assets within them, and integration of these assets into the detailed design. In this regard we welcome the commitment to use masterplanning as a tool to deliver well-designed, integrated places to live and work that capitalise on and protect the natural and historic environment.

Historic Scotland has previously raised concerns about the wording of policies contained within the most recent local plans in the Highland area and requests a meeting with your official to discuss any policy before its inclusion in the Proposed Plan or accompanying supplementary guidance.

Your intention to protect wild land from inappropriate development is supported by Scottish Planning Policy. You should consider integrating this with the policy approach for other areas of important natural, built and cultural heritage shown on the map on page 44. You should aim to avoid an overly-complex policy approach.

### *Previously Used Land*

The Proposed Plan should encourage the re-use of previously used land, and you should consider whether suitable sites can be identified in the Area Local Development Plans. We will be interested to see how a Highland wide target can be developed and achieved.

### *Water Environment*

You should reconsider whether the plan needs to identify the quality and status of water bodies. These will change over time and are influenced by much more than planning decisions. It may be preferable simply to provide a reference to where this information can be obtained.

### *Renewable Energy*

We welcome the commitment to the production of supplementary guidance on renewable energy in line with the requirements of Scottish Planning Policy. It is our intention that, in time, spatial frameworks for wind farms will be incorporated fully into development plans, and you should consider whether this can be done in the Proposed Plan. This should show search areas in addition to areas for significant protection, and make clear that this does not lead to a sequential approach which rules out proposals out with the search areas. The Proposed Plan should give more detail on how more combined heat and power and district heating schemes will be facilitated.

### *Waste Management*

The Scottish Government has adopted Zero Waste as a goal, and has a series of targets for municipal waste. Meeting these targets and the other requirements of the EU Waste Framework Directive will require significant additional capacity to treat all types of waste.

In line with Scottish Planning Policy, you should consider your alternative option of identifying locations or specific sites for the sustainable treatment of municipal and other wastes, either in the Proposed Plan or in the future Area Local Development Plans. The Proposed Plan should give more detail on how more energy from waste, local facilities and site waste management plans will be facilitated.

### *Sustainable Design*

The Scottish Government welcomes your intention to reduce energy consumption arising from new development. You will wish to take account of the requirement, in Section 72 of the Climate Change (Scotland) Act 2009, for development plans to include policies requiring all new buildings to avoid a specified and rising proportion of greenhouse gas emissions.

### *Accessibility and Transport*

The development of the Local Transport Strategy in tandem with the development plan is a positive approach and is recognition of the important role transport has to play in a successful development strategy. The Scottish Government welcomes the fact that the Local Transport Strategy reflects the key recommendations from the STPR. Not all of the recommendations have been referred to: The Nairn Bypass, Highland Mainline Rail Improvements and the Inverness to Aberdeen Rail Improvements, including a new station and associated park and ride at Dalcross, should also be included.

### *Crofting and Agriculture*

In preparing the Proposed Plan, you should take account of further progress on Crofting Reform legislation. Note that Ministers have announced the proposal for an 'occupancy burden' on new houses on crofts will not be taken forward.

We will be interested to see how the Proposed Plan can adopt a policy approach which supports crofting. This should, of course, focus on matters which are relevant and material to land use planning.

### *Coastal Development*

It will be important that the coastal development strategy is consistent with the development plan, for example ensuring that appropriate development can take place to fully support the development of marine renewable energy projects. You should consider, in line with Scottish Planning Policy, the scope for providing locational guidance on the location of new fish farm development.

### *Forestry and Woodland*

Forestry Commission Scotland shall be issuing guidance on planning for trees and woodland, including the preparation of local forestry and woodland strategies. You will wish to have regard to this guidance in preparing the Proposed Plan. Should you wish to adopt the Highland Forest and Woodland Strategy 2006 as formal supplementary guidance, this must be clearly indicated in the Proposed Plan.

### *Minerals*

Scottish Planning Policy requires planning authorities to identify search areas for minerals and maintain a landbank of permitted reserves for construction aggregates of a minimum ten

years in all market areas. It does not encourage the adoption of standard buffer zones around quarries as distances should take account of the details of individual proposals and the nature of the local area and likely effects.

*Open space*

There may be particular merit in identifying a green network in, through and around Inverness, perhaps linking to the wider green network proposals for the A96 Corridor.

I trust you will find these comments helpful as you prepare the Proposed Plan. My colleagues and I in the Scottish Government and its agencies are, of course, happy to discuss this with your officials. We will continue to work with you on the infrastructure and other matters noted above.

Yours sincerely



David Liddell