

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

Reference Number:	<b>HWLDP-MIR-150</b>
Organisation/Individual:	Cromarty Arts (John Nightingale)

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

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

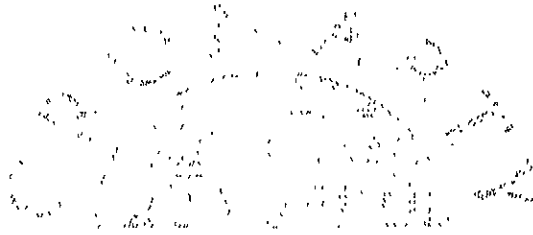
**Key:**

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

Infrastructure should be placed before development  
 Does not believe dispersed growth option viable  
 Plans for Nigg need to properly address issues other than economy  
 Clarity needed on population projections

Action Sheet Completed by:	SH
Date:	9/12/09



Ardyne, 19 Bank Street, Cromarty, The Black Isle, Ross-shire, IV11 8YE

The Director of Planning and Development,  
The Highland Council  
Freepost SC05568,  
Inverness IV3 5BR

9 November 2009

FAX: [REDACTED]  
TOTAL: 12 Pages

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Dear Mr Black,

**Highland Wide Local Development Plan: Main Issues Report**

We would like to make the following initial points in relation to the above main issues report:

Whereas we recognize the grounds for a Highland wide Local Development Plan we believe it will only achieve its desired outcome if it takes full account of the specificity of individual local communities and the multiplicity of different and rich landscapes across the region. There is a real danger that in seeking to apply overarching policies insufficient account will be taken of this diversity.

We welcome the Council's vision for the Highlands with its emphasis on sustainability and safeguarding of the environment but we are concerned that this is not clearly carried through into the subsequent sections of the main issues report which often appear to be primarily devoted to the issue of providing land allocations sufficient to cater for the maximum (rather than the average) estimates of housing need.

We believe the Council needs to ask how it is to measure its objective of becoming one of Europe's leading regions by 2030. Is this to be gauged by crude measures of economic

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W: [www.cromartycotstrust.org.uk](http://www.cromartycotstrust.org.uk)

Arts Development Manager: Caroline Howat Administrator: Gail Stuart Martin  
Trustees: John Nighlingale, Philip Hamilton Grierson OBE, Alexander Nighlingale,  
Lindy Cameron, Sandy Thomson, Rachel Robertson, Patrick Zenler-Munro

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output and growth or is it to be gauged by more elusive but ultimately more important measures such as the quality of life of those who live and work in the Highlands. The emphases on sustainability, on the safeguarding of the environment and on a fairer and healthier Highlands suggest it is indeed the latter but if this is the case much more attention needs to be paid to the matter of *balancing* (the term used in the vision) housing growth and economic development against these other objectives.

We would suggest the plan needs to be informed by a clearer understanding and articulation of what is valued by those who live and work in the Highlands, visit the Highlands as tourists, or consider moving into the area. It should aim to place the preservation and enhancement of these qualities at the core of its development plan. In doing so it should recognize and admit that in many cases there will be a tension between different objectives which require difficult choices to be made.

In shaping proposals and policies for patterns of development we believe greater reference should be paid to the need to reduce the demand for travel and reliance on the private car in accordance with SPP3 c 73.

We are concerned at the suggestion in several sections (eg re A96 corridor and East Inverness) that early phases of development might be supported before major infrastructure is completed but subject to commitments in principle being in place which would meet new infrastructure needs. We believe that "in principle" commitments from government authorities can quickly evaporate in the face of funding constraints and that the infrastructure should come first even if this means a slower pace of development. As noted above development plans are about balancing competing issues and this is a prime example of where new housing and development has to be of a scale which can be adequately serviced by the available infrastructure.

We note that framework outcomes are included in the report in relation to proposals for East Inverness and Nairn but not for the housing allocations proposed for other areas. This makes it difficult to discuss alternative proposals in an informed way and is to be regretted. We believe it essential that the Council ensures such figures are properly presented in a consistent manner for the next iteration of the plan.

Turning to the specific issues flagged up by the report we would comment in relation to the numbered questions as follows:

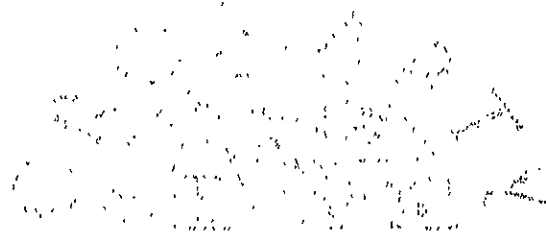
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Arts Development Manager: Caroline Hewes Administrator: Gail Stuart Martin  
 Trustees: John Nighlingale, Philip Hamilton-Grimson OBE, Alexander Nighlingale,  
 Lindy Conkston, Sandy Thomson, Rachel Robertson, Patrick Zentler Munro

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**Q13: Housing in Pressurized Areas:** We previously wrote to the Council on 26 June 2009 outlining our concerns about the Council's proposals to change its policies regarding housing in the countryside. We are attaching this prior submission as Appendix A since its contents are of central relevance to this main issue. We believe this is another example of where the main issues report focuses on the need to provide housing without an adequate attempt to balance it against other objectives such as safeguarding the environment (and its importance for tourism) and reducing the demand for travel and reliance on the private car.

**Q14:** We support proposals for affordable housing.

**Q19: Natural, built and cultural heritage.** We strongly support the proposal that the Council should map and take account of these features but are concerned that such a mapping exercise will still fail to give due weight to the way in which they mesh together to create the wider cultural and natural landscape which is so valued by those who live in the Highlands and so crucial to the attraction of tourists and inward migration. The Pictish Stones on the Seaboard (Nigg, Shandwick etc) will no doubt be mapped individually but will the resulting mapping exercise take into account the fact that the visitor experience is about travelling through the landscape which they structured as much as looking at the artifacts themselves? We are also concerned as to how the mapping exercise will pay due regard to landscapes of cultural importance since these are not covered by more formal heritage designations. The Cromarty and Nigg Sutors are a case in point. Hugh Miller's descriptions of the Sutors in the early nineteenth century make them part of Scotland's cultural landscape in the same way as the Lake District acquired its cultural significance thanks to Wordsworth's poems. If the Council is to secure its vision in the development plan it needs to find an effective way to recognize, map and take into account significant landscapes of this kind.

**Q21: Wild Land:** We support the proposal to take account of Wild Land but believe it is equally important to take account of the cultural landscapes which are equally important in a national and European context. The case of the Cromarty and Nigg Sutors highlighted in our response to Q19 is a case in point.

**Q23: Renewable Energy:** We support the growth of renewable energy but believe it is essential to establish clear guidelines which ensure that

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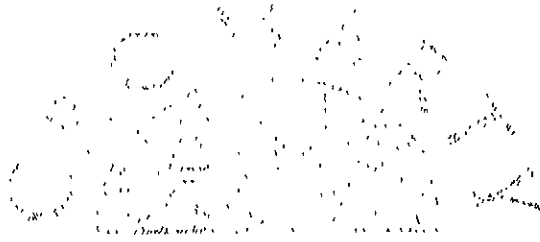
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Arts Developmental Manager, Caroline Hewat — Administrator: Gail Stuart Marlin  
Trustees: John Nightingale, Philip Hamilton Gibson OBE, Alexander Nightingale,  
Lindy Cameron, Sandy Thomson, Rachel Robertson, Patrick Zentler-Munro

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**Yours sincerely**

**Chairman of Trustees**

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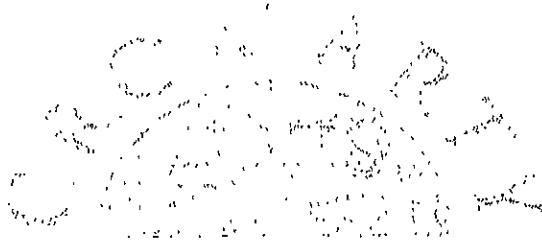
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W: [www.gromgrlyartstrust.org.uk](http://www.gromgrlyartstrust.org.uk)

Arts Development Manager: Caroline Howell    Administrator: Gail Stuart Martin  
Trustees: John Nightingale, Philip Hamilton Grierson OBE, Alexander Nightingale,  
Lindy Cameron, Sandy Thomson, Rachel Robertson, Patrick Zentler-Munro

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Appendix A  
to letter dated  
9 November 2009



Ardyne, 19 Bank Street, Cromarty, The Black Isle, Ross-shire, IV11 8YE

The Director of Planning and Development,  
Planning and Development Service,  
Housing in the Countryside – Interim Guidance,  
Freepost SCO5568,  
Inverness IV3 5BR

FAX: [REDACTED]  
TOTAL: 7 Pages

26 June 2009

Dear Mr Black,

**Housing in the Countryside: Consultation on Interim Supplementary Planning Guidance.**

- 1) We have considered the draft supplementary guidance carefully and are concerned that whereas it may be appropriate for some areas of the Highlands, it poses a major change to the Council's current policy regarding housing in the Countryside, will establish a permissive policy which is quite inappropriate for the Hinterland areas such as those identified in the East Ross local plan, and will detract from the provision of affordable housing – a provision which the Cromarty Arts Trust believes to be of key importance.
- 2) We believe the Council has not appreciated the amount of new housing in the countryside that will be unleashed by the proposed revision in policy. The value of undeveloped housing plots in areas such as the Black Isle is now over £80,000 per plot with the result that there will be a huge incentive for landowners repeatedly to augment (or to use the language of the guidance, "round off") every group of three or more houses in the countryside (and the definition of a group will no doubt be stretched to the limit).

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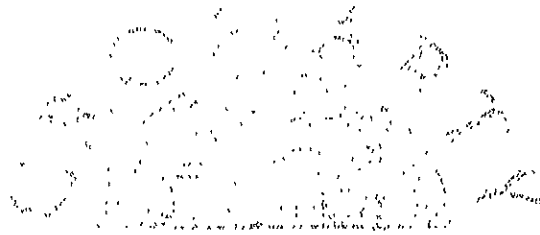
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Trustees: John Nightingale, Philip Hamilton Grierson OBE, Alexander Nightingale,  
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- 3) Conversely the increase will not augment the stock of housing in the Highlands to the extent that it has any impact on affordability. Indeed the ability to build in the countryside will reduce the incentive to undertake larger developments with affordable components in existing communities.
- 4) The resulting increase in housing in the countryside will not be conducive to energy efficiency due to the increased need for individual transport.
- 5) The proposed revision of policy will permit more housing in non remote areas close to major towns such as Inverness and will therefore reduce demand for housing in genuinely remote areas where it could have a beneficial effect on the economy.
- 6) The proposed revision of policy will lead to a more cluttered landscape which is likely to be a deterrence to the tourism which plays such an important part in the Highland economy.
- 7) **In the light of these circumstances and those which we outline in detail below, we believe that not only is a change inappropriate but that any change to the existing policy must be the subject of a formal public inquiry. This will allow a proper and reasoned examination of relevant evidence and arguments.**
- 8) **We also believe that a full environmental impact assessment should be carried out before a change of policy on this scale is considered.**

**More detailed grounds for our objection to the proposed revision in policy is set out below.**

- 9) The current Structure Plan Policy H3 was derived from Scottish Office Reporter's recommendations arising from detailed discussion and scrutiny at a series of public inquiries, most notably the 1994 report on the Black Isle Local Plan Alteration No 2: Housing which responded to widespread public concern regarding the application of the previously permissive housing in the countryside policy to the Black Isle. SPP H3 was approved by Scottish Ministers in March 2001 following the opportunity for detailed scrutiny at public inquiry level. The local plan for Ross and Cromarty East, approved as recently as February 2007, recognised that the

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Arts Development Manager: Caroline Hewat Administrator: Gail Stuart Martin  
Trustees: John Nightingale, Philip Hamilton Greston OBE, Alexander Nightingale,  
Lindy Cameron, Bryan Beattie, Maggie Symonds, Sandy Thomson

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policy had a central part to play in maintaining the character and quality of the areas, and this was not the subject of challenge at the preceding local inquiry.

10) SPG, Section 2: National and Local Planning Policy summarises the most recent and, in our view relevant national planning policy, namely *Scottish Planning Policy 3: Planning for Homes (revised 2008)*. This states that planning authorities should in principle direct “the majority of new development towards sites within existing settlements to make effective use of existing infrastructure and service capacity and reduce energy consumption”. However the proposed policy change permitting smallscale development or the “rounding off” of small groups of houses in the countryside cuts right across this key guiding policy in terms of infrastructure (proximity to schools, shops etc) and energy efficiency (transport etc).

11) SPG, Section 2 then proceeds to outline the rationale behind Highland Council Policy as contained in SPP H3. It notes the practical reasons for its two-tiered policy response which establishes a more restrictive housing policy for the “hinterland” areas around larger settlements which had been experiencing the greatest pressure for housing in the countryside. It notes the well founded case for a restrictive policy, namely

“development pressures can result in the spread of sporadic new housing in the countryside. The cumulative effects of this can lead to the undermining of the service role of smaller settlements, the damaging of the character of the countryside and the rural environment, the generation of increased pressures for infrastructure provision and potential conflict with other rural land uses.”

12) These arguments would appear to provide a robust and persuasive policy against precisely the kind of incremental creep which the supplementary guidance proceeds to promote with its proposals for rounding off and smallscale development. Although it is noted (p 5) that such developments offer the potential to meet demand for housing in the Highland Countryside, no attempt is made to explain why such development in Hinterland areas will produce benefits which outweigh the costs which are so cogently outlined in the above extract.

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W: [www.glenorchytrust.org.uk](http://www.glenorchytrust.org.uk)

Arts Development Manager: Caroline Hewat Administrator: Gail Stuart Marlin  
Trustees: John Nighlingale, Philip Hamilton Crisison OBE, Alexander Nighlingale,  
Lucy Cameron, Bryan Beattie, Maggie Symonds, Sandy Thomson

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- 13) The Trust believes that the proposed guidance would be particularly inappropriate for the circumstances of the Black Isle. The reasons for this are clearly stated in the Findings of Fact and Recommendations of the 1994 Scottish Office Inquiry Report on the Black Isle Local Plan Alteration No 2: Housing, paragraphs 3.3.9 to 3.3.16. Although these findings and recommendations responded to a different permissive policy then in place, we believe they are equally applicable to the permissive policy which would be established if the proposed supplementary guidance is accepted. The relevant parts of the findings and recommendations are as follows:

3.3.9. There is nothing in the structure plan that can reasonably be interpreted as requiring the continuation of a permissive policy in any part of the Black Isle countryside, none of which has been defined as a remote or declining rural area. From the information provided by HRC it appears that the Black Isle may have the highest population density of any rural area in the region and it is more than three times the regional average. The tenor of national advice on permissive housing policies is that they ought only to be used with great caution, and only as a help towards arresting or slowing the decline of genuinely remote areas. If houses can easily be built in rural areas that are not truly remote, it must be less likely that demand will reach places where it would be beneficial. It would also be very difficult to interpret paragraphs 78 to 81 of NPPG3 in any other way than as discouragement for dispersed settlement patterns that lack some special justification, in view of the obvious implications for heavy use of energy in transport.

3.3.11. It is obvious that development pressure in the past has tailed off toward the east in the Black Isle, and that by far the severest effects of haphazard development have been in the western main road corridors, though there are notably bad examples even toward the eastern end of the Black Isle. However there are two compelling reasons for not being sanguine about the future of the remaining RS1.1 area if the policy [permitting single houses in the countryside] were retained beside the inadequacy of the Analysis Map and the visible evidence of some development pressure already in eastern parts of the Black Isle.

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W: [www.blackisleyardstrust.org.uk](http://www.blackisleyardstrust.org.uk)

Arts Development Manager: Caroline Hewest Administrator: Gail Stuart Martin  
Trustees: John Nightingale, Philip Hamilton Grierson OBE, Alexander Nightingale,  
Anny Cameron, Bryan Beattie, Maggie Symonds, Sandy Thomson

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e) The replacement material should have the heading 'New Houses in the Countryside' and have text on the lines of:-

'In view of past experience with permissive policies, particularly in western parts of the Black Isle since the opening of the Kessock Bridge, for consistency with national policy, and since the whole Black Isle is now likely to come under development pressure, it is no longer appropriate to continue a permissive policy on housing in any part of the Black Isle countryside.

New housing development in the countryside will normally be permitted only where there is a specific locational need in association with an established enterprise or economic activity which requires a rural location, and there would be no unacceptable environmental impact. Such development will be subject to normal requirements for access and servicing.'

14) As noted above by the Inquiry Reporter "past experience is of little use as a guide to likely future events when circumstances are about to change radically". We believe the proposed supplementary guidance has been framed in the light of the relatively low pressure for development which affected many of the Hinterland areas prior to the more restrictive housing in the countryside policies which were adopted in the mid 1990s. As such it takes no account in the dramatic increase in the value of housing sites over the intervening period -- at the eastern end of the Black Isle values for single sites with planning permission increased over this period from c. £10,000 in the early 1990s to over £80,000 today. In these new market circumstances there will be a huge incentive for every landowner to utilise the proposed "rounding off" policy to the full with consequent requests for "rounding off" additions (and requests for repeated "rounding off" additions) wherever there is an existing group of three or more houses (and it is likely the definition of a "group" will be stretched to the limit).

15) The consequent increase in housing in densely populated areas of the countryside such as the Black Isle will be far more substantial than has probably be appreciated. This increase will not, however, be sufficient (in terms of total housing stock in the Highlands) to have any meaningful impact on affordability and will do nothing to increase, and indeed is likely to reduce, the supply of affordable homes. Many developers are likely to concentrate on maximising profits from "rounding off"

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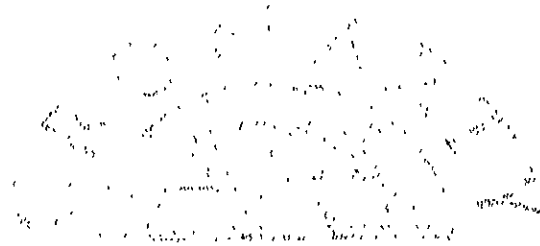
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Arts Development Manager: Caroline Rowat     Administrator: Gail Stuart Martin  
Trustees: John Noel Ingle, Philip Hamilton-Greaves CBE, Alexander Nighlingale,  
Andy Cameron, Bryan Beattie, Maggie Symonds, Sandy Thomson

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development in favour of tackling larger schemes with affordable elements (and thus lower profits) in existing communities.

- 16) Whilst failing to contribute to the key objective of increasing the stock of affordable homes, the proposed policy will bring many of the disadvantages highlighted by the 1994 Inquiry Reporter, notably an increase in transport and resulting energy consumption, a discouragement of housing development in the genuinely remote areas where it would be beneficial, and a "deterrence of tourism by a spoiled and cluttered landscape."

**For all these reasons we believe that the proposed revision in guidelines are inappropriate for the Hinterland Areas. No persuasive case has been made for amending the current housing in the countryside policies as they effect these areas. These policies were introduced for good reasons following detailed consultation and public debate and have been supported through successive revisions of local and structure plans. They should remain unchanged. Any proposed changes should be made subject to a full Public Inquiry and should follow a proper environmental impact assessment.**

Yours sincerely

Chairman of Trustees

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Arts Development Manager: Caroline Howat Administrator: Gail Stuart Martin  
Trustees: John Nightringale, Philip Hamilton Grierson OBE, Alexander Nightringale,  
Andy Cameron, Bryan Beattie, Marggie Symonds, Sandy Thomson

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