

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

Reference Number:	HWLDP-MIR-309
Organisation/Individual:	Bowlts Chartered Surveyors

Action:

Immediate Response Required	<input type="checkbox"/>
Meeting required with Respondent	<input type="checkbox"/>
Issue for Area Local Development Plan	<input type="checkbox"/>
Further Information Required	<input type="checkbox"/>
Other (Please Specify)	<input type="checkbox"/>

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

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

Key:

Background	Spatial Strategy	Policy Options	Consultation
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Notes:

Need clarification on if it is only housing is to be restricted in the hinterland
HIC policy needs to be flexible and not take a blanket approach
Current hinterland is too large
Stronger support needed for redevelopment of existing buildings
Do not support preferred option for affordable housing as it may make smaller developments unviable
Welcome approach to developer contributions
Clarity is needed for how Council will reach a target for development of previously developed land
Conflict between development of fragile areas and protection of wild land
Clarity is needed on subdivision of croft approach

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

K.S.BOWLT, BSc FRICS

H.C. PLANNING AND DEVELOPMENT SERVICE		
09 NOV 2009		
PASS TO	INITIALS	DATE
FILE REF:		

Barnhill
Pluscarden
By Elgin
Moray, IV30 8TZ

Web: www.bowlts.com

Our Ref: **KSB/RM/LMO/JS
KB/43**

Your Ref:

Date: **06 November 2009**

The Highland Council
Planning and Development
Glenurquhart Road
INVERNESS
IV3 5NX

Dear Sirs

HIGHLAND WIDE LOCAL DEVELOPMENT PLAN MAIN ISSUE REPORT

Bowlts is an independent practice of Chartered Surveyors, which offers a wide range of services across all aspects of land and property management. Whilst having its roots in traditional land agency and rural property consultancy, over the years the services offered have expanded to include specialist planning advice. Many of our clients have land holdings on the outskirts of towns and villages where we have sought development allocations within Local Plans however we also prepare proposals in relation to smaller groups of housing and individual sites. It is with this broad background of experience we make the following comments in relation to the Highland Wide Local Development Plan Main Issues Report: -

1. Q11 Wider Countryside and Fragile Areas

We welcome a consolidation of policy relating to development in the countryside to provide a consistent approach across the Highlands. We note areas of high demand for housing in the countryside are to be identified and protected and assume this will be similar to the "hinterland of towns" used in the current Structure Plan Policy H3. It is unclear from the preferred option text if only housing is to be restricted within the "hinterland". This should be clarified and if only housing is to be restricted in these areas reference should be clearly made to the Housing in the Countryside Policy, which is discussed later in the Main Issues Report. We consider the boundaries of the hinterland should be reviewed and reduced where appropriate. We consider some areas currently included within the hinterland are a sufficient distance and travel time from the main settlements such that the pressure for housing is lower. In addition to the above the difficulty with a blanket designation (albeit with some limited exceptions) is this can unduly restrict development of otherwise suitable/

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suitable sites that have the potential to accommodate new housing without adverse impacts on the landscape. Whilst it is accepted policy should be in place to ensure the countryside is not over-run with inappropriately sited and designed houses the blanket approach taken can mean sites that would have minimal impact on the landscape and can be readily serviced are essentially “sterilised” by such a restrictive policy. Where naturally undulating land and woodland already form part of the landscape tapestry well sited and designed dwellings can nestle into the landscape very successfully with minimal disruption. There should be provision made to allow such sites to be brought forward for development.

There should be clear guidance within the supporting policy text relating to the Housing in the Countryside Policy as to when this will be applied and whether this is in addition to the Wider Countryside and Fragile Area Policy. Clearer linkage between the two policies would be beneficial.

2. Q13 Housing in the Countryside

We consider the current areas defined as “hinterland” are too large and it is unclear as to what basis these boundaries have been defined or how the perceived demand from people who wish to live in the countryside and work in Inverness and other towns has been calculated. Areas of development pressure should be reviewed and identified using a sound evidence base. Therefore, we consider policy should lie somewhere between the Preferred Option and the second Alternative. As referred to in Q11 we have reservations about the use of the “hinterland” as a blanket policy restricting new housing. As previously stated it is accepted policy should be in place to ensure the countryside is not over-run with development but there should be some flexibility to allow sites that have minimal impacts on the landscape and can be readily serviced to be developed.

We welcome the updated guidance on Housing in the Countryside, particularly the approach to development within existing groups of housing and the conversion, re-use or re-development of buildings or land within the hinterland of towns. However, we consider there should be stronger policy support for the redevelopment of existing buildings in the countryside. Many old steadings and their curtilage offer the opportunity to provide small groups of housing with minimal impacts on landscape and setting. This is preferable to many individual house sites across the countryside or swamping smaller villages and settlements with alien extensions. Therefore, the redevelopment of existing buildings in the countryside should be given a firmer policy basis. This approach is supported by SPP3 Planning for Homes which states in paragraph 99 that “some limited new housing along with converted or rehabilitated buildings, may be acceptable where it results in a cohesive grouping that is well related to its landscape setting.”

We look forward to the new guidance on design and siting of houses in the countryside. It is our view that in the past Highland Council’s policy in relation to Housing in the Countryside has focused too heavily on restricting housing in certain areas with insufficient policy to guide the siting and design of new houses where this is supported by policy. This has resulted in some poorly sited and designed dwellings creating eyesores in the countryside. Some time spent considering the design and siting could have minimised the adverse impacts. We therefore hope the new guidance will redress this imbalance so new housing will continue to be directed to the right areas but an equal emphasis is placed on the importance of good siting and quality design. Consideration/

Consideration should be given to making submission of a Landscape Appraisal a requirement when proposing a new dwelling in the countryside, particularly given the permanency of the structures.

3. Q14 Affordable Housing

We do not support the preferred option. We do not consider the threshold for affordable housing contributions should be reduced to four over the whole of the Highland area. Reducing the threshold would mean more smaller developments would require to include an affordable housing contribution. In our experience of small rural development infrastructure and roading requirements can place a heavy burden on development. Requiring an affordable housing contribution in these circumstances would have a disproportionate effect on viability in comparison to a large greenfield site where the value added by gaining planning consent is much greater. Lowering the threshold could make smaller rural development projects or brown field sites unviable, especially where viability is already weakened by infrastructure and roads requirements. If the threshold is to be lowered, a distinction should be made between developments with high servicing and infrastructure costs resulting in less added value and development with comparatively low costs and higher added value. When applicants can demonstrate that there are exceptional site development costs the requirement for affordable housing should be reduced to ensure the cumulative burden on the overall development does not make that development un-viable. If the Council do decide to reduce the threshold for affordable housing from 10 to four we would ask that policy provides developers the ability to include an element of enabling development to help fund the affordable housing.

The percentage of affordable housing provided by developers should be retained at 25%. If different levels of contribution are proposed these should be for specific areas rather than the whole Highland area.

We therefore support alternative one in respect of maintaining the existing affordable housing policy subject to modifications taking into account the issues discussed above.

4. Q18 Developer Contributions

We welcome the Preferred Option of bringing forward a consistent and transparent method of collecting and recording contributions across the Highlands. We also welcome recognition that in rural areas impacts can be more incremental and are interested in the Councils proposal for a contribution into a shared pot and how this could be implemented. We often find single house developments in the countryside can lead to piece meal improvement to roads and infrastructure and a more co-ordinated approach such as that described may provide wider benefits. However, often improvements and contributions are required before a development is occupied. When a developer is required by planning condition to effect improvements the cost of these should be deducted from any wider/general developer contribution. There would need to be some form of "ring fencing" to ensure the contributions attributable to certain areas/works were kept for that purpose. There are interesting ideas here that need to be more fully explored to clarify if they will meet the aim of having a consistent and transparent approach and that they would be workable in practice.

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The suggestion that where a developer can demonstrate that a proposal will not go ahead because of the level of contributions sought is also welcome and we think this approach should also be extended to affordable housing.

5. Q20 Previously Used Land

We note the Council proposes to set a Highland Wide target for development on previously used land but it is unclear how the Council proposes to actively encourage the development of such sites in order to meet this target.

The policy should clearly give the Councils support for the redevelopment of previously used land. In addition to setting out what site investigations and risk assessments may be required the policy should also set out how proposals would be assessed, for example their compatibility with neighbouring and surrounding uses or cross referenced with other relevant policies.

As previously stated for Q13 we think there should be stronger policy support for the redevelopment of existing building in the countryside. We have had difficulty with establishing redundancy in the past as there is inconsistency as to whether a building requires to be completely unused or no longer required for its original use. There is a clear difference between each of these and it is our view a building is redundant when it is no longer required for its original purpose. This issue should be clarified in policy.

6. Q21 Wild Land

This policy should be cross-referenced with policy relating to development in the Wider Countryside and Fragile Areas. The potential for conflict between protecting Wild Land and supporting Fragile Areas should be recognised when developing this policy as there is often a close link between these areas and to a certain extent they are mutually exclusive.

7. Q29 Agricultural Land

We note this policy is very similar to the current Structure Plan Policy A1 Safeguarding of Agricultural Land and we consider this policy has been successful in achieving its aims and should be retained.

8. Q3 Subdivision of Existing Croft

It is understood the occupancy requirement which would mean housing built on former croft land must be used as a main residence will not be included in the Crofting Bill coming before Parliament. However, we understand other ways of keeping land affordable, tackling absenteeism and speculation are to be addressed, which is welcomed.

It is unclear from the preferred option what is meant by "protect croft lands". It is unclear if this means development will be completely restricted or only where the development would have significant impacts on croft land. Again, we are concerned that in many crofting areas this policy could conflict with policy on "Wider Countryside and Fragile Areas" where it is considered development/

development in fragile communities should be supported in order to maintain services and population. Crofting land should be subject to the same siting and design criteria as other development and therefore this policy should be cross referenced to relevant policies.

We trust the above comments are of assistance and would be happy to discuss these further. We look forward to the issue of the Proposed Plan.

Yours sincerely

P.P.

K S BOWLT

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(Signed in Mr Bowlt's absence)