

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

Reference Number:	<b>HWLDP-MIR-271</b>
Organisation/Individual:	Mr and Mrs C Stafford

### 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	X
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	
Development of Local Centres	X
Wider Countryside and Fragile Areas	X
Population and Housing	X
Housing in the Countryside	X
Affordable Housing	X
Planning for an Ageing Population	X
Gypsies/Travellers	X
Retailing	
Developer Contributions	
Natural, Built and Cultural Heritage	

Previously used Land	
Wild Land	
Water Environment	X
Renewable Energy	
Flooding	
Waste Management	
Air Quality	
Sustainable Design	
Business and Industrial Land	X
Accessibility and Transport	
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
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)	X

### Key:

Background	Spatial Strategy	Policy Options	Consultation
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### Notes:

<p>A96 inclusion meant that the MIR was not a start of a discussion  Clearer explanation needed on the relationship between existing local plans and forthcoming local development plans  Should include timescales on plan preparation  Awareness of NPF2 and its consultation at a local level was poor  Focus on Inverness may hinder development of the rest of Highland  Development pressures are developer led  Suggest protection of document identifying all classes of soil in Highland  Should be more focus on identifying infrastructure issues across Highland  City Vision should be an integral part of proposed plan  Prioritising should be clarified in terms of how/why sites could come forward  Principles behind A96 corridor framework are not valid  The HNDA does not illustrate the need for more housing in the area  Provision of transport infrastructure vital in planning of any development  MIR fails to mention provision of Rail halt at Dalcross  Don't identify sites in proposed plan or support early phases of development  Building better roads infrastructure does not encourage sustainability  Flexibilities are needed in approaches to developer contributions in the A96 corridor  Clarity needed on why campus would be an "immediate priority"</p>
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Sceptical over commitments in principle  
Lack of clarity in alternative to East Inverness  
Lack of references to Air travel, Dalcross Airport and Inverness Airport Business Park  
Clear linkage should have been made between IABP and Tornagrain in the MIR  
Previous options for the A96 framework should have been classed as reasonable alternatives  
Needs to be evidenced that proposals for A96 will not be to the detriment of other areas of Highland  
Do not believe it necessary to make all developments over 100 houses mixed use  
Development of the A96 corridor may require upgraded A9.

Action Sheet Completed by:	SH
Date:	14/12/09



Clach na Sanais  
Croy  
Inverness-shire  
IV2 5PG

5<sup>th</sup> November 2009

Director of Planning and Development  
The Highland Council  
Freepost SCO5568  
Inverness  
IV3 5BR

Comments from Mr and Mrs C Stafford on The Main Issues Report \* (Published August 2009) for the Highland wide Local Development Plan (The MIR for the HwLDP\*)

(a) Opening remarks

Page 74 of the 82 page Main Issues Report (MIR) states:

*"This document sets out the main options for planning policy in Highland for the next twenty years. We would like you to tell us what you think about each of our issues which we have outlined above and about how you have found the consultation on the Main Issues Report. You may wish only wish to comment on some, not all, of the issues."*

***"These comments must be made by 5pm on Monday 9<sup>th</sup> November 2009."***

This letter constitutes our response to This Main Issues Report as prepared by the Highland Council as Planning Authority.

Overall we found the MIR report disappointing and the whole process of engagement distressing and frustrating.

We understand from conversations with various staff members from the Planning Directorate in Edinburgh that there are no rules governing exactly how the comments made on this MIR are viewed and taken on board. It will up to the elected members to ensure that the Proposed Plan reflects how views have been considered and taken forward in the preparation of the Proposed Plan.

We have been unable to produce a complete response to the MIR; domestic and work commitments have meant that we have been unable to research, consider and respond to all the issues that the MIR has covered, within this time period.

We have submitted 1 of the 4 related appendices with this response by the due date and the remaining 3 will follow as soon as possible.

(b) The Context for the comments we make on the MIR for the HwLDP

**From paragraphs 19-25 of PAN 81 it is our understanding that:**

*The operation of the planning system is the responsibility of planning authorities. In most cases this will be the local council's planning authority (of which there are 32), but may also be one of the 4 new strategic development planning authorities in the main city regions, or one of the 2 national park authorities. Planning authorities should seek to enhance the quality of community engagement in the delivery of their key roles, including:*

- \* Preparing development plans, master plans, development briefs and supplementary guidance;*
- \* Deciding on applications for planning permission; and*
- \* Taking enforcement action against breaches of planning requirements.*

*Development plans are key documents in the planning process. They contain policies designed to promote the economic, social, physical and environmental well being of an area and allocate sites for specific land uses such as housing, retailing, business and industry, or developments such as schools, health centres and waste management facilities. They may also protect land from development - for example leaving open space such as parks and areas for natural heritage purposes. These allocations establish the principle that a site may be used, or protected, for a particular purpose. Strategic development plans will set out a vision and spatial strategy for development, identifying the key location and priorities for protection, development and regeneration up to 20 years ahead, while being more precise about shorter-term priorities. Local development plans will then articulate the detailed policies and proposals to implement that vision.*

*Development Plans cannot be prepared in isolation. They are bound by European obligations and national and regional strategies on, for example, Natura 2000 sites, the National Planning Framework, Area Waste Plans or transport strategies. It is vital when engaging communities in development planning that the constraints within which decisions are made are clear, for example, which aspects of the plan are effectively set in stone and which aspects the community can influence.*

*The law requires that any planning application be determined in accordance with the development plan, unless there are material considerations that indicate that a different decision should be taken. It is therefore essential that people are given adequate opportunities to participate in the preparation of the development plan. It is often too late for people to object to the principle of an allocated use at the stage when it becomes subject to a planning application. It is the role of the planning authority and elected Councillors to promote a wider sense of public awareness of development plans by engaging actively with the people that they represent. The community too has an important role in engaging early with the planning authority as all parties need to have a common understanding of the issues. Greater recognition of the importance of development plans will result in more active engagement by the public and other parties in preparing those plans.*

*At the start of the strategic and local development planning processes, the planning authority will widely publish a Development Plan Scheme including a Participation*

*Statement which will set out how and when people can get involved and the timetable for plan preparation. People can expect to be engaged early in the process following the publication of a Main Issues Report which will identify the key areas of change that need to be addressed. Planning authorities should tailor this early engagement on the basis of the issues under discussion and to the relevant audience. For example, where a plan is likely to propose a significant number of new houses but few other changes to the overall strategy, the early engagement will focus on the options for different housing sites and target the communities likely to be most affected, rather than delivering a one size fits all approach.*

*The emphasis will be on getting extensive involvement of local people and relevant bodies at this early stage through wide publicity and methods which fit into people's everyday lives. This might include, for example, stands at supermarkets, shopping centres or public buildings, articles and advertisements in the local press and the use of electronic information through websites and e-mail. Planning authorities should consider their media strategy for raising awareness of their development planning process through the local press.*

*Representations received during this 6-week minimum participation period on the Main Issues Report will provide the planning authority with important views from the public and other stakeholders and will assist in the preparation of the proposed plan*

**From the following text taken - a power point presentation given by Stephen Hall, Senior Planner Scottish Government, dated July 2009 later published Scottish Government web site - it is our understanding that:**

*Main issues reports are primarily an engagement tool- they will be the principal focus for open and constructive dialogue in the course of plan preparation. As such they are part of the wider push in planning modernisation for earlier more effective engagement.*

*Their main purpose is to expose the options the council is considering in an open and up-front way and so promote and inform a dialogue that should improve the quality of the proposed plan to come.*

*An effective main issues report should mean that all the realistic options have been discussed, and information and opinions gathered about them in a way that means there are no surprises at the proposed plan stage, either for stakeholders in terms of what the council is proposing, or for the council in terms of what people's views on the proposals will be.*

*So what could be in main issues report?*

*Firstly the Act itself contains quite a few requirements.*

*The report must contain general proposals for development, plus one or more reasonable alternative to those;*

*This must include proposals as to where development should and should not be carried out, again plus reasonable alternatives;*

*It must be written in such a way as to allow meaningful representations to be made;*

*And it should draw attention to any differences between the main issues report's proposals and alternatives, and the spatial strategy of the existing LDP. No mention there note of any existing local plan, but I think we would regard it as good practice for these first main issues reports to compare their strategies to the existing local plan.*

*So moving beyond the legislation into some thoughts about good practice, I think we'd interpret the law as expecting main issues reports to contain a preferred option plus alternatives at the vision, strategy and site-specific level (at least for LDPs).*

*We envisage the reports focussing on the main changes from the previous plan and the authority's big ideas for growth, and more on the vision and strategy elements, and on site specifics, than on detailed policy wordings. These are the areas people are interested in, and which they can relate to. Perhaps much less space need be devoted to items the authority expects to carry forward from the previous plan, areas where the authority intends to adopt national or regional policy unchanged, and areas where there are no realistic choices.*

*But I do think the main issues report should probably refer in some way and however briefly, to all the topics that will end up in the proposed plan, partly for SEA reasons but also because this is the main opportunity for consultees to raise issues with the council, and silence on an issue does not tell those consultees what the policy approach will be.*

*So for example, if an authority intends to roll forward its approach to conserving the built environment pretty much unchanged from the previous plan, and in line with national policy, I could envisage this being covered by a very short statement in the report to that effect. But in these circumstances, I don't think the report would need to itemize each individual conservation policy, nor would it need to set out alternatives.*

*But more important than how long the main issues report is, or how it is structured is that it is clear and easy to follow. Communities should be able to easily access the discussion of the particular issues that affect them.*

*What about the tone of the language used in main issues reports?*

*It's obviously important that these are interesting engaging documents that invite people to pick them up and read them. Precise technical language I may occasionally be necessary in adopted plans where it is important that policies are legally unambiguous, and we need to be wary of the text being picked apart by lawyers at examinations or inquiries. But a more exciting and engaging writing style is probably appropriate for a main issues report.*

*Personally I prefer plans where the reasons for adopting certain approaches are set out positively by reference to the benefits that that approach will bring to the area, rather than being justified solely through reference to national or strategic policy.*

*On timing, you'll have grown used to a fair amount of hectoring from Government about development plan timescales, but for once our advice here may be to take your time.*

*Time spent early on ensuring that a sound evidence base is in place and that the options you are considering are reasonable and deliverable is probably well spent. Much of this*

can be achieved through quite a serious amount of engagement, especially with the key agencies, well before you get to the stage of publishing the main issues report.

I think our advice would be to focus on a realistic publication date for your proposed plan, and then work out the point between now and then when you can best publish a main issues report that contains a well-informed preferred strategy and reasonable alternatives.

A good main issues report should allow you to move swiftly on to the proposed plan stage. And if the report has generated a good debate and exposed the full range of options, there shouldn't be too much unexpected new information emerging in representations on the proposed plan that might necessitate further modifications prior to the examination.

Plan preparation timescales often get derailed by changes in circumstances. But changes that happen before the publication of the main issues report can easily be accommodated. It's when changes are forced on the plan mid process that the most serious delays occur. So, swift progress to adoption post-MIR will minimise the opportunity for external events to derail the plan.

If you'll be judged at all, I hope it will be on minimising that time taken to get from the publication of the main issues report to submission to Ministers.

This final slide by way of a summary is about what our mindset should perhaps be going in to the main issues report.

The main issues report isn't a draft plan, so it can be written in a different way.

Though it will contain a preferred strategy, we shouldn't be setting out to defend that strategy. We should be equally open to new and different ideas. The report is a tool to generate debate and gather information and opinions

Above all I hope that main issues reports will be used by authorities to genuinely help them finalise their proposed plans. They shouldn't be used to ask questions the authority already knows the answer to, but should concentrate on generating the responses, views and information the authority needs to move forward. And in this way, main issues reports should improve the quality of the proposed plan to come.

**Further it is our understanding from Scottish Planning Series: Planning Circular 1 2009: Development Planning, that:**

With a view to facilitating and informing their work in preparing a SDP, section 9 of the Act first requires the SDPA to compile a **main issues report**. This must set out the authority's general proposals for development in the area and in particular proposals as to where development should and should not occur. The report must be sufficiently clear and precise to enable people to understand what is proposed and to make meaningful comments. The report must also contain one or more reasonable alternative sets of proposals. Finally, it must draw attention to the ways in which the favoured and alternative proposals differ from the spatial strategy of the existing approved SDP (if any). There is no legal requirement to draw such a comparison with existing structure plans, but it would be good practice to do this within the first generation of main issues

reports. The discussion of main issues reports and engagement at paragraphs 45 to 48 below also applies generally to SDP preparation.

Section 16 of the Act requires all planning authorities to prepare one or more local development plan (LDP) for their area as soon as practicable after the Act comes into force. These must cover the whole of the authority's area, although one location may be covered by more than one LDP if prepared for different purposes (e.g. minerals), and LDPs may extend across the areas of more than one planning authority. Regardless of how many LDPs cover a local authority area, all must be replaced at least every 5 years. Authorities must also keep their plans under review.

As a product of this exercise, section 16 of the Act requires the planning authority to publish a monitoring statement. The planning authority is to publish the **monitoring statement**, including electronically, alongside the publication of any main issues report.

Whereas changes to the action programme will reflect progress with particular development proposals, the monitoring report is likely to focus more on the wider impact of the plan on area and population-wide indicators and on how far the objectives and vision of the previous plan have been realised. It will be one way of identifying the issues to discuss in the main issues report.

The monitoring statement will form one part of the evidence base for the plan. Evidence is required to inform plan-making, justify the plan's content, and provide a baseline for later monitoring. Information gathering and analysis should serve efficient high quality plan-making. Authorities should therefore take a proportionate approach and consider what is required, and where scarce resources can best be spent, to inform the particular issues being addressed in the plan. Evidence should be presented in a form that can be readily understood.

43 With a view to facilitating and informing their work in preparing a LDP, Section 17 of the Act requires planning authorities to first compile a **main issues report**. This must set out the authority's general proposals for development in the area and in particular proposals as to where development should and should not occur. The report must be sufficiently clear and precise to enable people to understand what is proposed and to make meaningful comments. It must also contain one or more reasonable alternative sets of proposals. Finally, the report must draw attention to the ways in which the favoured and alternative proposals differ from the spatial strategy of the existing adopted LDP (if any). There is no legal requirement to draw such a comparison with existing local plans, but it would be good practice to do this within the first generation of main issues reports.

45 Main issues reports are key documents in terms of front-loading effective engagement on the plan, and aligning development planning with SEA. They are the principal opportunity within the plan preparation process for productively consulting stakeholders on the content of the plan and for involving the wider public. Main issues reports are not draft versions of the plan, but should concentrate on the key changes that have occurred since the previous plan and on the authority's big ideas for future development. They should identify a preferred option and reasonable alternatives, and be informed by a sound evidence base. Content that the authority proposes to retain from the existing plan, or which does not have a significant environmental or other effect, should be identified but with limited discussion.

*Publication should come before the planning authority has reached a firm view as to the strategy that should be followed, and the authority's approach should not be one of 'defending' their proposals but one of genuine openness to different ideas. Main issues reports should be engaging documents that encourage the public and other stakeholders to read and respond to them.*

**(c) Comment on the Main Issues Report (MIR)**

**MIR: 1 Purpose of the Main Issues Report**

**This section of the MIR briefly outlines the Planning Authorities duties in relation to the preparation of Development Plans. With reference to the Highland-wide Local Development Plan, the MIR states:**

*"This Plan will draw together and replace many of the planning policies contained within the existing Local Plans, particularly those that relate to the general approach to development. It will also act as a replacement to the policies in the Highland Structure Plan, which we are no longer required to prepare. It will differ from the previous plans by providing greater consistency, by tackling new issues and by concentrating on topics and areas that can/will change."*

**Comment:**

**We are thus being informed that the proposed plan, which preparation the consultation on this Main Issues Report is supposed to inform, will be a replacement for policies contained in both our Structure and Local Plans.**

**Planning Advice Note 81 reminds us all that:**

*"The law requires that any planning application be determined in accordance with the development plan, unless there are material considerations that indicate that a different decision should be taken. It is therefore essential that people are given adequate opportunities to participate in the preparation of the development plan. It is often too late for people to object to the principle of an allocated use at the stage when it becomes subject to a planning application"*

**It is therefore extremely important that we are given adequate opportunities to participate in the preparation of Development Plans; Plans which are statutory instruments in a quasi legal planning system. Decisions based on the existence of any new Highland-wide Local Development Plan will affect the future of the area in which we live, the area in which we have a stake.**

**Participation is defined within the Royal Town Planning Institute's, "Guidelines on Effective Community Involvement and Consultation" as:**

*"The extent and nature of activities undertaken by those who take part in public or community involvement"*

**In terms of our own participation; we have made time for one of us to attend several community council meetings and a ward forum meeting on which occasions the Main Issues Report was discussed; we have read the Main Issues Report and a large number of related documents, some available in both hard copy and on the Highland Council web pages; we have read extensively around the subject of land use planning and we have contacted and discussed planning related issues with a large number of planning professionals and other community groups.**

**We have, however, found participating in this consultation on the Main Issues Report daunting, complicated and time consuming largely due to the number of technical documents that had to be read in order to arrive at a considered view.**

**Our overriding concern is that all our efforts will be meaningless and the Planning Authority will be unwilling or unable to take any of our considered and well researched views on board.**

**Why do we consider that our views will not be taken on board? Several years ago, in 2004, further to what appeared to be the minimum of non-statutory public involvement and participation in the early stages of the preparation of a master plan for the A96 Corridor, Planning Officers committed themselves to recommending a course of action for our area. This is evidenced by the following sentence contained in the Planning Statement made by Moray Estates for their new town proposal at Tornagrain.**

*"A new settlement at Tornagrain was first proposed by THC in December 2004. During the various iterations of the strategy (A96 Corridor), Tornagrain was retained as a proposal."*

**This course of action was then presented to Elected Members and the public in the form of a master plan for The A96 Corridor in Mid 2005. The master plan was subsequently 'refined' and development proposals added over the next few years, but the overarching principles have remained the same, or as expressed by Moray Estates above, during the various iterations, Tornagrain was retained. This master plan became known as the 'A96 Growth Corridor Development Framework' in late summer 2007. Elected Members agreed:**

*"...that the revised Masterplan be fed into preparation of the strategic Highland Local Development Plan"*

**However, according to the MIR:**

*"This Main Issues Report is a way of starting the debate as to how we want the area to change. The outcomes of the consultation will be used to inform and shape the next stage of the process, which is the publication of the Proposed Plan, which will be a more definite and detailed statement of the Council's proposed planning policy. The different stages in plan preparation are shown below."*

**Comment:**

**The main issues report should be a way of starting the debate but cannot possibly be described as a way of 'starting the debate' with reference the A96 Corridor. We feel that, as members of the public, our ability to participate meaningfully in this consultation on the Main Issues Report for the Highland-wide Local Development Plan has been compromised by the way the Planning Authority has brought forward, as supplementary guidance, plans for the area in which we reside (a village in the 'Central' area of The A96 Corridor.). We appreciate that master plans can inform the planning process, but this is not really what has happened in this case.**

**Advice regarding consultation on Main Issues Reports has been:**

*"Publication (of the MIR) should come before the planning authority has reached a firm view as to the strategy that should be followed, and the authority's approach should not be one of 'defending' their proposals but one of genuine openness to different ideas."*

**We view the council as defending a 'particular' strategy with respect to the proposals for the A96 Corridor. This is illustrated by extracts from the minutes of the Planning, Development, Europe and Tourism Committee (140707) which concern what the Planning Authority considers to be a major element of the master plan, a new town referred to as 'Tornagrain':**

*"Public response with regard to the proposals for Tornagrain had been heavy and critical, with concerns focusing (sic) on whether a settlement for 10,000 people was required; the suitability of the site in view of the probable noise from the airport business park; the effect on Norbord; and the effect on badgers.", and the Officers Response; "...if the Tornagrain element of the Strategy were delayed or suspended, this would weaken the package and jeopardise the provision of infrastructure, particularly for the airport business park."*

**We believe that the public has been placed at a considerable disadvantage by the way in which Highland Council has chosen to prepare its A96 Corridor proposals, which form a central part of the discussion in this MIR, and we assert that our ability to participate effectively, according to the spirit of PAN 81, therefore been compromised.**

**We have long held the belief that the quality of participation undertaken on the development of the A96 Corridor master plan, particularly in the year 2004, was inadequate. No community councils as formal bodies were involved at this early stage in the preparation of the A96 Corridor master plan, and references that were made to both Highland Councillors and our Elected Representative with regard to the involvement of community councillors were not in our view representative of the level of interaction that had taken place. Given that the process was undertaken outside the Statutory Development Plan the procedures and the level of consultations was unclear, many participants would not have clearly understood the place that the master plan for the A96 Corridor occupied in the statutory process.**

**By bringing forward a major strategy as SPPG (as a master plan), we believe that Highland Council has effectively denied the public the right to a *level of consultation*, and a *clarity of procedure* that would have been their right if the framework had been brought forward *at the time of its conception* within the full statutory development plan process. The level and clarity of the consultation process at Stage 1 in particular, when the important over arching principles of the master plan were set (including the recommendation that a new town should be built at Tornagrain) was not commensurate with the scale that would be required through the statutory process. Under the full statutory process various details regarding *plan preparation timescales*, and *notices of intent* would have been clearly defined**

**Also, we do not feel that there is a clear enough explanation available regarding the reasons for the existence of a Highland wide Local Development Plan and we do not understand sufficiently clearly how this plan will relate to the Local Development Plans for the areas that have yet to be produced and to those plans which are currently, at varying stages, in existence. (E.G the Sutherland Plan, the West Highland Plan, Cairngorms National Park Plan).**

**The approved Highland Structure Plan (SP) could be operative until 2017 and we feel strongly that this SP should have been replaced under the old 1997 act with the relevant consultation in 2004-2005 if the Local Authority wished to consider land allocations which were greater than those supported by the approved Structure Plan and Inverness Local Plan acting as a statutory unit. It is extremely important to note that much of what is being proposed for the area in which we live is not strongly supported by the Structure Plan and the Local Plan, especially when these two documents are viewed as a whole.**

**It is also important to note that a situation has arisen whereby the submission of planning applications for large areas of land in the A96 Corridor has preempted the statutory allocation of land for development purposes in those areas. We have included, as part of our comments on the MIR, our representation to The Highland Council with respect to the Moray Estates planning application for the new town at Tornagrain. This is to illustrate the complexities of situation that we now find ourselves in; the nature of our reservations to the plans contained in the A96 Corridor framework, and some reasons why we have lost confidence, faith and trust in Highland as a Planning Authority. This is included as Appendix 1.**

*MIR: Purpose*

*"We are therefore seeking the views of the community, the development industry and other interested parties as to their preferred strategy. In doing so, this Main Issues Report seeks to address the issues where the Council is seeking help in finding the best way forward."*

**Comment:**

**The community does not have the same advantage as a developer who has the means to employ 'experts' to promote their development position. Most ordinary members of the public do not have the means to hire experts to assist in their understanding of the land use planning system. Whilst the Planning Authority is keen to advertise just how hard they are working to 'consult' with the public this does not fundamentally alter the position of disadvantage that the public find themselves in here.**

*Plan Preparation Stages:*

**Comment:**

**No timescales are mentioned here which we feel is an omission.**

MIR: 2 "National Planning Framework 2 for Scotland and the Highlands"

*"We have to take account of the new National Planning Framework 2 for Scotland in our Local Development Plans."*

*"The Plan's preferred policy options take account of and incorporate, where appropriate, the key issues outlined above. Similarly, the following Vision takes account of the strategies of other public agencies."*

**Comment:**

Development plans are just one of a large number of strategies and plans in a complex multi-sector and multi-policy level planning system. Whilst it is important that communities are engaged early in the development of Development Plans, it is equally important that they have the opportunities to become engaged in other plans, as so often the strategic policies are decided elsewhere. Such is the case with the National Planning Framework. However, whilst the NPF has recognised, *"the potential of the A96 Corridor as an area to accommodate development where co-ordinated (sic) action is required;"* correspondence entered into with the Chief Planner for Scotland, Mr J Mackinnon, earlier this year revealed the following information:

**Question - Could another area become the main focus for growth in the Inner Moray Firth when it is recorded in the Spatial Perspectives that the A96 Corridor between Inverness and Nairn is the main focus of growth in the IMF?**

**J M answered – "That is essentially a matter for Highland Council"**

**Question - Would there be any flexibility allowed in the decision to accommodate 30,000 people? Could the proposals be scaled down to accommodate 5,000 people? Could the proposals be increased to include 60,000?**

**J M answered – "That is essentially a matter for Highland Council."**

**Question - (With respect to the NPF) What is the exact nature of what is being recorded in terms of the flexibility that local politicians will have in the decision making process?**

**J M answered – "The law requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. So the Council will first of all look at the provisions of the development plan and take in to account what other factors (material considerations) they consider relevant. The list of material considerations is very wide but would include the NPF, Scottish Planning Policy, views of communities and consultees, economic benefit, contribution to meeting housing needs, etc. It is for the decision maker to decide what weight is applied to all these considerations in reaching a decision"**

We therefore conclude from this that whilst the National Planning Framework (NPF) 2 is an important document, (although we ourselves have a great deal of misgiving about the NPF 2 and the quality of the public consultation on the NPF 2), it is the local plan and local decision making processes which are of most importance here.

Furthermore:

- We believe that communities likely to be affected by the Local Authority's proposals for the A96 Corridor (as mentioned in Spatial Perspectives section of the NPF 2) were not aware of the fact that The Highland Council was seeking to influence the NPF2 in this respect (even to the extent of making the A96 Corridor a 'National Development', thus 'establishing need' with all the attendant ramifications involved with respect to public involvement). Generally, awareness of the significance of the draft NPF2 with regard to the local planning process is extremely limited.
- *With respect to NPF1 we understand that, "The text in paragraphs 10, 36, 51 and 163 of was informed by existing national planning policy, the Executive's Cities Review, data held by the Executive's Transport Group and the views of Highland Council, Highlands and Islands Enterprise, Scottish Natural heritage and a range of other stakeholders. I hope these comments are helpful, Regards, Graeme Purves, Assistant Chief Planner". Hence local authorities and enterprise agencies have had a lot of input into the content of this National Policy, which although a high level document has often been described to us a 'direction of travel' with no guarantee of funding for projects.*

In a letter dated 310309 from the Government Minister Stewart Stevenson to Peter Peacock MSP, Mr Stevenson writes:

*"It is for Highland Council to determine what the strategy for the planning and management of long-term growth pressures in its area should be and to integrate this into development plan policy. The proposed NPF2 makes reference to work undertaken on the development of such a strategy, Highland Council remains in the lead on this work. The reference to the A96 Corridor Development Framework in the proposed NPF in no way prejudices the outcome of the development plan preparation process. The normal planning procedures will apply to the development plan preparation and consideration of subsequent planning applications."*

MIR: 3. "The Vision for the Highlands"

*"The vision for the area is part of the Council's overarching objectives and is set out in our Corporate Plan:*

*"By 2030, the Highlands will be one of Europe's leading regions. We will have created sustainable communities balancing population growth and economic development across the area, and have built a fairer and healthier Highlands."*

*To deliver this vision, we have suggested a number of plan objectives. These objectives are based around the five local outcomes from the Highland Single Outcome Agreement. The possible options for delivering these objectives form part of this Main Issues Report."*

**The MIR then poses the questions:**

*"Is this the right vision for the area, if not, please tell us why."*

*"Are there any alternatives that you would like to see?"*

**Comment:**

**There is a glossary covering pages 76-79 of the MIR and this glossary contains what we assume to be the Planning Authority's definition of the word sustainable, which is defined there as:**

**sustainable** – *"something that will last because it has tackled its current and longer term environmental, social and economic effects and does not rely on non-renewable resources"*

**In the above context we would accept the definition of the word 'vision' as being,**

*"...the ability to think about the future with imagination or wisdom and / or a mental image of what the future will or could be like."*

**Hence, a fair and reasonable interpretation on our behalf would be that the Planning Authority appears to be stating that that it has the imagination and wisdom to create a lasting prosperity which will be fairly distributed across the Highlands thus establishing the Highlands as one of Europe's leading regions.**

**Comment:**

**We do not feel that the balance of proposals contained in the MIR will assist in achieving the overarching objectives or realizing even a little of the vision. We feel that by placing the focus so squarely on responding to the pressures created by the land owners in Inverness and to focus development in the Inverness area will disadvantage many of the already fragile and declining areas of the Highland they will suffer further deterioration. This will be discussed in more detail in other sections.**



MIR: 4 Where should growth go and how can we deliver it? (The Spatial Strategy)

This section states:

*"The future area Local Development Plans for the Inner Moray Firth, Caithness and Sutherland and West Highland and Islands will identify and provide further detail on most of the individual sites for future housing or business, but it is important to set the overall Highland context." And,*

*"All parts of the Highlands are important for the future development of the area. However different areas will have different roles because of their characteristics and the future opportunities they offer. This part of the report shows where the key development areas are in Highland, and what some of the important issues are."*

*"The spatial strategy for Highland is summed up in the following section. Particular focus is given to the development issues around Inverness and Nairn (the A96 Corridor), Caithness and North Sutherland and Nigg given the development pressures these areas are currently experiencing. The existing Local Plans which cover these areas are beginning to be out of date in respect of these pressures, and it is important these are begun to be dealt with now rather than waiting until the preparation of the Local Development Plans that will follow."*

*"Just as important however to the development strategy of the Highlands as a whole is the role of the other towns and villages and the approach to development of the wider countryside."*

**Comment:**

**What development pressures? It appears to us that, with respect to the A96 Corridor, it is simply a case of 'willing landowner' meets 'needy' Local Authority who 'aspires'. There are only a few major landowners in this area and the one with an interest the airport business park (a detailed master plan for this was presented in the existing local plan) also wished to put forward a plan for a new town on the land next to it. This 'opportunity' for the Local Authority / Landowner appeared to emerge too late for incorporation into what has become the adopted Inverness Local Plan, and the non-statutory A96 Corridor Framework was used as a vehicle to promote the concept of a new town, plus a number of other proposals (East Inverness also missed the 'local plan boat' we believe so became part of the Corridor framework).**

**Page 64 of the MIR states:**

*"Agricultural land is divided into different types. Prime land is classed as the best and is a finite national resource. Government guidance on this type of land is that development should not be permitted unless it is an essential component of the settlement strategy or is necessary for major infrastructure development, where no other suitable site is available. The Local Development Plan must set this policy out in the local Highland context."*

**Based on the report on the 'Current State and Threats to Scotland's Soil Resource', September 25, 2006 (see later comments on Crofting and Agriculture) we believe that the council should immediately prepare a document which identifies all classes of soil (1, 2, or 3.1 etc) throughout Highland which should be used to inform the choice of sites for development and the type of development permitted near agricultural land.**

**To concentrate a large population in the A96 Corridor is presented as being a sustainable option. However in terms of waste removal and disposal it concentrates large quantities in an area where it would become more and more difficult to dispose of waste.**

**Scottish Water have stated that the existing water supplies for the A96 Corridor are nearly at capacity and Loch Ness has been proposed as one source for abstraction to fulfill future needs. At present water is abstracted from Loch Ness on a nightly basis by Hydro Electric and returned the following day via turbines. The level of the Loch can fall by as much as 5 inches during this time. This brings into question whether the Caledonian Canal will then be able to function at all if abstraction for water supply is continued on a daily basis, given the potentially reduced levels of Loch Ness.**

**Constraints on infrastructure provision are to be found in many areas throughout the Highlands. As far as we are aware there is no comparative document which highlights the difficulties of providing infrastructure to a variety of different sites across Highland. We feel that this is an omission.**

**In terms of access to capital; it is worth noting that Scottish Water's draft business plan for the period 2010-2014 states that:**

*"During 2002-2009 we have had sufficient access to Scottish Government borrowing to finance our capital investment programme. However, our borrowing allowance for 2009/10 has been limited such that the full costs of completing the current investment plan will be financed by borrowing after April 2010. With increasing pressures on Scottish Government public expenditure, there is uncertainty over the level of borrowing that may be available in 2010-14 and beyond."*

**We believe concentrating development in one area will undermine development in other areas of the Highland which are already seeing population decline.**

**MIR: 4 – "Inverness and the A96 Corridor"**

*"Parts of the current Local Plans for the Inverness and Nairnshire areas will need to be altered by the Highland wide Local Development Plan, particularly in order to help the long term growth anticipated for this part of Highland."*

#### **Comment**

**The above statement is far too vague given that the Council's preferred options for the A96 Corridor represent significant land allocations which are not included in or alluded to in the currently adopted Inverness Local Plan and paragraph 43 of Planning Circular 1 2009, Development Planning states in relation to an MIR that:**

*"Finally, the report must draw attention to the ways in which the favoured and alternative proposals differ from the spatial strategy of the existing adopted LDP (if any). There is no legal requirement to draw such a comparison with existing local plans, but it would be good practice to do this within the first generation of main issues reports."*

**The MIR continues:**

*"Some of the sites identified in the current Local Plan for Inverness remain available for development, and are capable of providing for the housing need in the next three to five years. In that respect it may be important that the existing plans for the growth of the city to 2011 are completed before there is major expansion in other areas. Because of the changes in the city, there are other issues that need to be addressed particularly in terms of improving accessibility and transport supporting the city centre and increasing the amount of building on land which has been formerly used (brownfield development)."*

**Comment:**

**It would have been useful to note which of the development areas subsequently listed on page 8 were brown or Greenfield sites.**

*"During the consultation period on this Main Issues Report we will be seeking views from people as to how that city vision is shaped, so that it will inform our Proposed Plan, and the Local Development Plans that will follow in the future."*

**Comment and answer to Q1:**

**Who are the 'people' whose views you are consulting, surely this should be specified? We have searched the Highland Council web site and come across Report ICC 18/09, 'Review of Inverness City Vision', but this only outlines "some of the issues which will be addressed..." as does this section (page 8) of the MIR,**

**We cannot agree with the preferred option or the stated alternative since the distinctions here are too 'blurred', for example, the Campus development is listed under Inverness consolidation rather than as part of the A96 strategy.**

**There should be no 'City Vision' as a separate ideology; any vision should be as an integral part of the Proposed Plan, whatever that may be.**

**Further to the comment above re: vagueness, and the fact that the Proposed Plan should contain 'no surprises', then this section should have been more specific in relation to which areas of the Inverness Local Plan would be altered by the HwLDP with respect to the Preferred Spatial Strategy for Inverness.**

**At present it is not easy to judge how much of what is described in the 'alternative' as, "...seeking the early consolidation and development of the existing areas identified within the city" or in the Preferred Option as, "...highlight the major development sites still to be developed in Inverness..." differs from what is already zoned for development in the existing plans. This has made reviewing the**

alternatives difficult. This does not allow us to properly compare the alternatives in this case and provide a meaningful response.

Whilst it seems a good idea to prioritise, how and when sites should be developed, there is no indication as to how this would or could be done in the case of the sites listed. Given that some of the main areas listed include:

*"...how the city can further benefit from integrating new development with some of our natural assets like the river, canal, sea-front and landscape;" and,*

*"...the potential that key locations offer for regeneration, including the Muirtown basin, the city centre and surrounding areas at the Longman Industrial area, the former Longman landfill site, Raigmore / Inshes and the Inverness Harbour area;"*

When prioritizing, how could you guarantee a balance between development interest in prime asset rich sites and regeneration sites given that more development interest is likely to be stimulated for the former.

In order to complete the comment on this section / question we now have to read and be reasonably familiar with the Local Transport Strategy (108 pages although not all covering Inverness).

MIR: The A96 Corridor

**Comment:**

It certainly does seem that, "a lot of work has been carried out over the last few years on identifying where the long term growth areas for the city of Inverness and the surrounding area should be located", but in fact to what end has all this work actually been carried out? It seems that the direction of the master planning work has been determined by the land interests within the Corridor, rather than by a genuine evaluation of the growth that would most benefit Highland.

MIR: Corridor wide issues

*"Our view is that the development principles behind the A96 Corridor Framework, particularly in terms of providing a wide choice of development land to meet future housing requirements remain valid. This view is supported by the National Planning Framework 2 prepared by Scottish Government. Our Monitoring Statement and Housing Need and Demand Assessment illustrate the need for more housing in this area. There has however been some opposition to these plans for growth, and this consultation allows people the opportunity to set out or restate their views on where development for the future should go."*

**Comment:**

Our view is that the principles behind the A96 Corridor Framework are *not* valid.

Please see our previous comments regarding the role of the National Planning Framework.

**The Housing Need and Demand Assessment does not illustrate the need for more housing in the area specifically. Please see table and comments attached as Appendix 2.**

**With respect to, “There has however been some opposition to these plans for growth, and this consultation allows people the opportunity to set out or restate their views on where development for the future should go.”, please see our comments on section 1 of the MIR, ‘Purpose’.**

**Since the A96 Corridor Framework is supplementary guidance which was used to bring forward a package of proposals for major land allocations (as per a loophole in the old system) without the need for the same level of public consultation as would have been necessary under the statutory process, then this MIR is not the kind of ‘trial of concept’ and unfettered process that we were promised by the former Director of Planning. Please see letter and comments on it attached as Appendix 3.**

**As previously noted there is tension between the purpose of the MIR and the need for the Local Authority to ‘defend its position’ to incorporate the A96 Growth Corridor Development Framework (now a Glossy Brochure). *The minute of the PED meeting held in September 2007 noted:***

*“Agreement of the Framework would allow the plans to be included in the forthcoming revised National Planning Framework, which would be instrumental in informing decisions as to infrastructure funding for example. The Development Plans Manager summarised the report, drawing attention to the green framework, the expansion of Nairn including the provision of a by-pass, the expansion of East Inverness including the campus for the University of the Highlands and Islands (UHI), the Trunk Link Road, Whiteness, and the proposed new settlement at Tornagrain. He acknowledged that many representations had been received relating to the Tornagrain proposals, but stated that the new settlement was an integral part of the Framework package, and that the proposals would be open for public consultation through the Local Development Plan process and the expected Public Local Inquiry. The main mechanism by which infrastructure would be provided, including roads, electricity, water, waste water, education and health services, was the Developer Contribution Protocol, and this was supported in principle by the majority of the development stakeholders.”*

**The scale of proposals for development in the A96 Corridor has never appeared realistic or achievable and must appear less so now due to the changes in the economic situation.**

**The proposals as they stand are ‘out of tune’ with the balance of housing required to fulfill housing need as shown in the HNDA. In order to support economic expansion via the Airport Business Park (via infrastructure provision) the planning Authority needs to facilitate a development package that provides large coordinated contributions from development interests across the A96 Corridor. Tensions arise between the focus on holding together this package of large scale developments and the actual need to provide for affordable housing in the Inverness Housing Market Area. In more detail:**

The Highland HNDA notes that The Scottish Government's stated overarching aim is to refocus the role of planning in the delivery of housing, from debates around the calculations of housing requirements and land availability, to building a better, more diverse range of housing to serve the economic, social and environmental aspirations of Scotland. It then goes on to say that housing markets are dynamic and complex, and Housing Need and Demand Assessments (HNDAs) provide valuable insights into how housing markets operate and the broad extent of their housing need and demand. Note the 'tension' between these two statements!

10 Housing Market Areas (HMAs) have been identified for Highland and these HMAs are shown on a map in the HNDA. HMA 1, Inverness, covers a wide geographical area and the population of HMA 1, in 2007, is given as 71,579 out of a total Highland Population of 217,440, which is just about 1/3. By 2021, under the High Migration Scenario the population *could be* 82,696 or 76,889 under the Low Migration scenario. This would be an increase in the Inverness HMA of between 5,310 and 11,117 over a 14 year period. A straightforward calculation gives a population increase of between 379 and 794 people per annum.

Developments in the Nairn area, HMA 2, also come under the umbrella of the A96 Corridor.

Net gains in migration are relied upon to provide any increase in population. However, the HNDA tells us that, "***Migration contributes significantly to affordable housing need in Highland, accounting for around 250-300 households per year. This estimate is based on a range of data, although it is difficult to take full account of the recent phenomenon of migration from new EU member states.***" The HNDA also tells us that in recent years housing in Highland has become less affordable, "***...driven by purchasers with earning capabilities detached from local labour markets, pushing up prices and therefore increasing the affordability constraints facing local residents***". Thus inward migration is not free from problems and the result is an increased need for the provision of low cost housing.

**Furthermore, the 'A96 Corridor Landscape Assessment' - Report published in October 2004 - stated that, "...the structure, format and density of any new settlement form need to cater for all sections, tastes and expectations of our future population, not least the well-educated and high earning young people that the Highlands need to retain and attract in significant numbers."** **There is no guarantee that this particular section of the population will be attracted to the Highlands, and if they are may also become a factor in distorting the housing market – this no doubt happened in the years following the opening of 'Inverness Medical' at the Beechwood Business Park**

**Under the Housing Register Allocations Policy in Highland:**

*"You can select up to 10 areas where you will accept housing. Applicants should consult with HHR staff for advice and information about the turnover of empty houses of the size and type they need in the areas they wish to live*

*We also ask you to tell us the area you would prefer to live. This is to help understand and plan for future provision."*

**Thus if the Highland Council promotes investment in the Inner Moray Firth Area, it is quite understandable that people will be drawn to areas where investment is promoted and this will place greater emphasis on the need for affordable housing.**

#### MIR 'Phasing of the Development

##### **Comment:**

**It has become clear that the provision of transport infrastructure is absolutely and unarguably vital to the success of any proposals within the forthcoming Development Plans for the Highlands. HC Report PED 20/07 states:**

*"The phasing of development across the A96 Corridor is closely tied in with the aspirations for the delivery of specific pieces of infrastructure and the need to ensure that all of the new expansion areas develop at a reasonable and complimentary rate"*

**To fully understand why infrastructure is so important in the context of any proposals taken forward through the HwLDP for the A96 Corridor it helps to understand the evolution of the proposals for the A96 Corridor.**

**The development options for the A96 Corridor were considered in 2004, as part of a non-statutory master planning process, by a 'relatively small number of stakeholders'\* (in the words\* of the former Director of Planning Mr J Rennilson). The consideration described below (in extracts from Consultant's Reports, including, "Dalcross, Smart Growth Masterplan") did not include the 39 members of the public and the 12 community councilors acting as individuals, who looked at only 4 options for development in the Corridor a few months later through focus groups:**

**Looking at extracts from key documents in the master planning exercise:**

*"The stakeholders' work shopped development model options for the master planning of the A96 Corridor. Using a base that established the constraints on development (see Figure 9) four development options were identified:*

- Development Option 1: Eastern Growth*
- Development Option 2: Polar Growth*
- Development Option 3: Island Growth*
- Development Option 4: String of Pearls*

*These represented the stakeholders' options for the long term development of the A96 Corridor.*

*In undertaking technical assessments of the Corridor four further options were developed:*

- Development Option 5: Land Use*
- Development Option 6: Transport*
- Development Option 7: Landscape*
- Development Option 8: Infrastructure*

*Development Option 6: Transport (see Figure 15). This focuses development into a new settlement in the centre of the Corridor to the south of the Airport and the A96. The option also includes the western expansion of Nairn and some growth at Balloch. Transport proposals include the dualling of the A96, a bus transit way, a Nairn by-pass, (sic) a southern connection to the A9 from the A96, a park 'n' rides (one with a rail halt) facility and other proposals.*

*The option emphasises sustainable transport solutions to create a functional and attractive environment."*

*"The preceding capacity review has highlighted some of the key transport capacity problems facing the study area (see above). One of the first considerations is the optimum location and size for new settlements. In searching for additional development locations, a focus on the main existing public transport Corridors (A96 and rail line) is desirable. The proposed rail halt at the Airport provides a principal focus – a settlement in this area will help to maximise the potential contribution of this station, and help to off-set the disbenefits of slower end-to-end journey times."*

**The stakeholders later ranked the 8 options.**

**'Option 6', relies heavily on the provision of Transport infrastructure, including the provision and full use of public transport infrastructure – in the shape of bus and RAIL travel.**

**Hence without Transport infrastructure, particularly that of the provision of a rail halt and upgrades to the railway line then, 'Option 6', 'The Transport Option' and which was later said to have been expanded to reflect 'Polar Growth', surely no longer remains an option in all senses of the word?**

**We are aware that The Strategic Transport Projects Review has been published and are familiar with the documents which can be found on the Transport Scotland web site.**

*"The STPR has developed a wide range of potential transport projects across the whole of Scotland, informed by projects which had already been put forward by Regional Transport Partnerships and Local Authorities as well as new ideas developed through discussions with other stakeholders.*

*Across Scotland, a total of 29 major packages of work have been identified as best serving the needs of Scotland and its regions. These have been developed within a three-tiered approach"*

**A new rail halt at Dalcross (Inverness Airport) forms part of Project 19:**

*"PROJECT 19 – Rail improvements Between Aberdeen and Inverness*

*Aim:*

*To reduce journey time and increase frequency of service on the train between Aberdeen and Inverness*

*Improvements to the rail line between Aberdeen and Inverness as part of this proposal would include new loops and line speed improvements, dual track sections and a new station at Dalcross with Park & Ride and an interchange to Inverness Airport. This would allow the introduction of more trains per day between Inverness and Aberdeen (at least one per hour) and additional rail services between Nairn and Inverness (two per hour). Cost estimate: £250-£500 million\*.*

**The MIR has omitted to make any specific reference to the provision of a rail halt at Dalcross and we are concerned that , not only has this not been mentioned but that the rail halt at Dalcross will not be provided. With respect to railway improvements and the proposed Dalcross rail halt; we know that John Swinney MSP sent the Scottish Minister's High Level Output Specification (HLOS), for the period 2009-2014, to the Office of Rail Regulation on 13 July 2007.), thus forwarding 'a statement of the outputs Scottish Ministers wish to purchase from the rail industry during the next regulatory control period for track access charges'. This is a responsibility created under the Railways Act 2005, required to allow the Office of Rail Regulation to determine whether public sector funding is sufficient to allow Network Rail to deliver industry outputs Ministers are required to deliver Statement of Funds Available (SoFA) in parallel]**

**This HLOS noted in terms of the Highlands:**

*"Infrastructure enhancements required to permit an hourly faster service between Edinburgh and Glasgow and Inverness serving Perth as recommended in the Room for Growth Report and incorporated into the Scotland RUS".*

*"Infrastructure enhancements to permit an hourly service between Aberdeen and Inverness" ('General' – to improve times and service frequencies for either passengers or freight)*

**These enhancements for the Highlands are listed as 'Tier 3' with all the attendant provisos, namely that 'tier 3' represents:**

*"...the further outputs that Scottish Minister may wish to implement to respond to the requirements of the National Transport Strategy. It is recognised that at the time of delivery of this specification the outputs and delivery mechanisms have not been fully developed. Funding for implementation will be provided by Scottish Ministers subject to affordability and the availability of resource of capital".*

**Transport Scotland informed us in early 2008 that:**

"We will consider the possibility of a station at Dalcross, serving Inverness airport, as part of a package of proposals for the Aberdeen – Inverness line, following the outcome of the HLOS process and through the Strategic Transport Projects Review (STPR). The HLOS affordability process is ongoing with the Rail Regulator and is not expected to be complete until autumn this year".

**With respect to the upgrading of the Railway line, the 146 page STPR Summary Report notes:**

*"As a 'Tier 3' intervention in the Scottish Ministers' High Level Output Specification, Network Rail have been asked to produce a credible and affordable delivery plan to progress development of this intervention, for potential implementation during Control Period 4 (2009-2014). There has been no specific detailed consultation on this individual intervention. However it is expected that any measure which promotes modal shift to more sustainable transport would achieve public support."*

***Please see our later comments on 'Mixed Use' Development.***

**With respect to the upgrading of the A96, the 146 page STPR Summary Report notes:**

*"This intervention supports the objectives to reduce the accident rate and severity rate on this route and improve connectivity between Inverness and communities to the east. It would include providing a new dual carriageway on the A96 corridor between Inverness and Nairn, giving improved access to Inverness Airport and the future growth areas in the A96 corridor.", and,*

*"Upgrading the A96 to dual carriageway between Inverness and Nairn is expected to reduce accident rates (by around 40 per cent) by providing a higher standard of road. It would also reduce journey times along this section of the corridor, improving connectivity between Inverness and communities to the east (including the planned developments in this corridor at Tornagrain), and helping to increase the labour catchment area for Inverness. Improvements would also be felt on longer distance road journeys between Aberdeen and Inverness."*

**However the accompanying SEA Report notes that the above intervention was compared against two alternatives; a 'do nothing scenario' and an 'SEA Alternative'. The following conclusion was reached:**

*"After consultation with the STPR Team, it was considered that the proposed alternative would contribute to the STPR objective of "Improved Connectivity, Journey Time and Opportunity to Travel by Public Transport"; the alternative was not regarded as fully addressing the safety related objectives on the A96 east of Inverness. The alternative Park- &-Choose element could contribute to the objective but it was considered that the proposed Park-&-Choose as part of a new Dalcross Station (considered in part of D11 of Appendix D in STPR Report 3) would address the objective more fully. The speed enforcement measures are not expected to fully address the STPR safety objective. It was therefore considered that the A96 Upgrade (D16 of Appendix D in STPR Report 3), Rail Service Enhancements between Aberdeen and Inverness (D17 of Appendix D in STPR Report 3) and also Intervention Targeted Road Congestion / Environmental Relief schemes (D24 of Appendix D in STPR Report 3) would better contribute to all of the*

*STPR objectives. Intervention D16 (A96 Upgrade) and part of the suggested alternative (considered in D17) were both been accepted. The SEA alternative as a whole was not accepted as an alternative to the upgrading of the A96."*

**Thus safety here is the prime consideration, as is the meeting of the STPR objectives.**

**Given the complex interrelationships between the transport improvements, surely no development package - presented as a part of a 'transport' strategy - should proceed on such a basis of uncertainty in terms of the provision of the transport measures that the development Framework relies on for its very existence and justification.**

**The Summary Report: A96 Growth Corridor Delivery Forum of 23 June 2009 stated:**

*"The purpose of the Delivery Forum was to inform The Highland Council's housing land phasing along the A96 Growth Corridor for the emerging Highland-wide Development Plan.", and noted, further to a presentation by Transport Scotland:*

*"Support for developer protocol within the A96 Corridor development framework was given although no delivery schedule or funding commitment for transport infrastructure has been set. This would require analytical work as well as considering legislative and procurement issues."*  
**Also:**

*"...developers are reluctant to bring forward development if they are responsible for all contributions towards infrastructure."*

**This is hardly a ringing endorsement for the idea of coordinated infrastructure contribution.**

## **Question 2**

**It is therefore very difficult to agree with any of the options as presented. So, no, do not identify the sites in the proposed plan, or support early phases of development or link to other sites.**

**What would be wrong with restricting the sites in Inverness and Nairn, particularly in terms of promoting the use of the brown field sites? It is difficult to agree with the strategic overview that the A96 provides.**

**We would prefer if growth was provided throughout the Highlands; this could include some growth in the A96 Corridor see Appendix 2. We see no reason why the search for long term expansion sites could not be widened and indeed why it was not widened before! We see no reason why plans in other areas should not be allowed to accommodate higher levels of sustainable growth if the demand and need and is there. We cannot understand why is there a preoccupation with promoting high levels of growth in any area? This restricts options and skews**

responses to public consultation - where most do not see large scale growth as compatible with the asset rich Highland landscape.

We take exception to the statement as presented:

**“This approach would involve a major site search and infrastructure study to determine what improvements would be required etc”**

**Surely this undermines the purpose of the MIR and does not fulfill the requirement to provide site specific detail in order to assess alternatives.**

**What are you trying to say here? That you already have the work done for the A96 Corridor so we'd better stick to that because the further plans progress the harder it is to abandon or alter them? Why weren't these other options looked at before? How can you defend yourselves against the criticism that you are setting out a main issues report to seek to defend an existing strategy rather than seek ideas as to the best way forward overall?**

**This is particularly pertinent since master plans are meant to inform *not* replace local plans, and simply to incorporate the A96 Corridor Strategy into any proposed plan will reinforce the fact that the only public interaction (with any aspect of the strategy before the overarching principles of the master plan were set out), was done in 5 focus groups which used 39 members of the public and 12 community councilors (acting as *individuals*) as a 'sounding board for big ideas'. Public aspiration has never been defined in any aspect of the plans, excepting the frequently stated need for transport improvements – which the public see very much in terms of improving journey times and public safety.**

**We would challenge the concept of sustainability near an airport and a trunk road Fossil fuels are a finite resource and as suggested in NPF2 world production may peak before 2020. There is no doubt that as a finite resource production must peak at some point and thereafter the accessibility of these fuels, oil being the most important to today's economy, must be reduced. There is no mention of the concept of 'Peak Oil' or planning for the possible effects in the MIR**

**Dependency on oil is greater now than even 30 years ago. The proposal by Highland Council to site a business park (which is already in the current local plan) next to an airport seems now to be at variance with the current thinking on cost and availability of fuel in the future. On 031109 The Institution of Civil Engineers published:**

*“Aviation 2040: what the future could hold for UK airports and air transport”*

**A note on this is included as Appendix 4**

**Building a better roads infrastructure does not encourage sustainability in the sense of conserving fossil fuels nor with respect to climate change - this can only be promoted by, for example, water transport or use of rail for commercial users and the need to discourage the use of cars in a proactive way. There are also issues of capacity in the public transport network, and as yet unexplored avenues of partnership working between employers in terms of integrating and sharing**

**transport strategies to ensure that employees can reach their place of work happily, safely and on time.**

MIR: Developer Contributions in the Corridor

**Comment:**

**Question 3**

**We cannot agree with the option or the alternative on the basis that neither of these options seems flexible enough. For example, what about the cases of the Sainsbury and Sandown developments in Nairn? The developers here argued that they were not liable to provide Corridor contributions; what if an excellent opportunity came forward which gained full support from community and councillors, but was on land in the Corridor not allocated in the development plan and not identified as having a contribution associated with it?**

**The public have no idea as to what the proportion of developer to public contribution will ultimately be. The figures presented in the A96 Growth Corridor Development Framework A96 GCDF (2007) seem to indicate that the developers will contribute 230.9m and the public purse 95.33m giving a grand total of 326.33m. This total figure of 326.33 excludes utilities, which the framework states, in very small writing, have been subject to a separate study.**

**There are two further issues here. Given that infrastructure costs and allocations are spread across 5 areas within the Corridor, East Inverness, Dalcross, Whiteness, Nairn and Central; what happens if one of the main developments fails or the Developers cannot afford to provide that level of contribution?**

**Further, the A96 GCDF states:**

*“Central: Given the dispersed nature of the Central Development Zone, it would be inappropriate to establish a joint venture. Consequently, the Development Funding Protocol establishes the level of funding to be secured through Section 75 Agreements. This will be allocated, as appropriate, by The Highland Council through the JVs or through direct commissions”*

**The Central area is liable for 29.1% of the A96 dualling; why? The housing outcomes are given as 1955 for the central area. Will this not deter developers from putting forward applications to build in areas with the ‘central’ designation?**

**The A96 GCDF document reveals a total build cost for the corridor of ‘approximately £2.65 billion’, with a total outcome of residential units of 16,500. How likely is it that the whole package will be realized and therefore how sensible is it to proceed in this economic climate?**

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MIR: Area Specific Issues

**Comment:**

**We find this section particularly confusing; it would be difficult to comment without knowledge of, or reference to, the non-statutory A96 GCDF as a separate document.**

## MIR East Inverness

### **Comment:**

**With respect to East Inverness; we cannot understand why a campus site at Beechwood became an 'immediate priority' through the A96 Corridor framework when the National Planning Framework had clearly noted:**

*"Higher education has a key role to play in developing the knowledge economy in rural areas. The confederal UHI Millennium Institute with its constituent colleges throughout the Highlands and Islands is one of a number of pioneering examples, offering opportunities for people to study locally, developing international links and attracting students from around the world."*

**We are also having difficulty understanding the rationale behind the new college campus development, since it seems contrary to statements made in the 'Further Forward: Beyond 2011' section of the currently adopted Inverness Local Plan. Under the heading, 'A Competitive Place', we find the words, "a modern city campus comprising several new faculties, core facilities, extensive student accommodation along with cultural and leisure outlets – 'town and gown' in one place." We also find the term in the MIR, 'related activities' very vague.**

**We are extremely sceptical that commitments in principle could be achieved from the development industry and agencies like Transport Scotland and Scottish Water to ensure that all types of infrastructure (whether that be roads, public transport, schools or community facilities) are in place when they are needed.**

**Why is the 'Framework Outcomes' table included? Are we not setting plans to 2021? In fact we are setting plans here to 2041 since that is the timescale for the A96 Growth Corridor Development Framework, and the timescale for the outcomes as tabulated.**

**We would like to confirm whether the statements below, which are taken from an article in 'Planning Magazine' refer to 'earlier versions' of the development proposals as presented here for East Inverness**

*"Planning officials have criticised a consortium behind plans for a major mixed-use development on the east side of Inverness.*

*They are frustrated that the scheme has been put forward by Inverness Estates after publication of the draft Inverness local plan and while the local plan inquiry is still under way.*

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*Highland Council planning and development director John Rennilson said: "It would have been better had these ideas been submitted at the correct time in advance of the local planning inquiry, where perhaps we could have formed a view on it. The public could have commented on it and other developers could have said whether or not they felt comfortable with it."*

*Inverness Estates did make representations to the inquiry about more modest plans for a retail development. But Rennilson added: "Other elements and the wider-scale strategy were not in front of the inquiry because they only thought it up earlier this year. They cannot jump the queue and get more favourable treatment than those who have participated in the process."*

*Inverness Estates' proposals cover 234ha of greenfield land in the East Seafield, Stratton and Beechwood areas, some of which is designated as green wedge in the draft plan. The Inverness Arc project comprises industrial use, offices, manufacturing, retail and housing as well as a road linking the A9 and A96.*

*Consortium director Peter Mackintosh said: "What we are offering is an imaginative, effective solution to the forward needs of the city and the Highlands. Basically it offers the economic and social infrastructure that an expanding city needs to compete in the market place.*

*"Inverness is suffering growing pains from its own success with limitations in the forward land bank for those who need to be only minutes from the city centre. This could stifle further growth."*

*Mackintosh pledged that all the leisure facilities and transport infrastructure would be funded by the consortium as planning gain."*

#### **Question 4**

##### **Comment:**

**There is a huge question mark over open space provision in the area being in line with community aspirations, as evidenced by the Minutes of the PED in September 2007 noting:**

*"The Development Plans Manager (DPM) reported that Provost R Wynd had requested that the Committee agree that the Framework be revised to specifically identify a major new district park on land to the North of Balloch, to be brought forward at such time as funding became available. The DPM commented that, whilst the potential for this Park was expressed in the text of the document, identifying such a park as a proposal on the Framework Plan could give rise to unrealistic public expectations, particularly as the land was outside the East Inverness development framework area and funding unlikely to be forthcoming in the foreseeable future. He suggested that a compromise might be to extend the Green Wedge to include the area identified by Provost Wynd, thereby ensuring that the land was clearly protected against built development"*

**Question 4: We cannot agree with either the preferred option or the alternative in this case, given:**

- ***our scepticism that the infrastructure can be delivered***
- ***That there is no comparison in the MIR with the Inverness Local Plan to illustrate the lack of reference to a campus development in the existing local plan.***

- ***That there is a lack of clarity in the alternative as to which sites could be developed up to 2016, how, if at all, does this differ from what is presented in the 'preferred option? There seems to be little debate as to the choice of site and all emphasis on the deliverability, which was not what the public were promised in terms of engagement when they spoke out against the emergence of the A96 Corridor proposals.***
- ***Where is the inappropriate green space? There is no indication where this would be and this makes it difficult to consider alternatives.***

MIR: Nairn

***Where does it state that there has to be development to get the Bypass? It is our understanding that Scotia / Robertson / Barratt (south Nairn developments) were asking the public to consider (at their Enquiry by Design event) alternative road improvements rather than a bypass; a bypass which the developers felt would not materialize. Further more the STPR Summary Report states:***

*"Enhancements to the A96 such as a bypass around Nairn would reduce the conflict between local and strategic traffic and improve journey times and journey time reliability along the route."*

*"Provision of a bypass around Nairn is forecast to reduce the accident rate by approximately 55 per cent although there is likely to be an increase in the severity rate due to increased speeds on the bypass. The reduced volume of traffic within the town, and less conflict between strategic and local traffic and with pedestrians would significantly improve road safety in Nairn. Overall improvements on the A96, such as a bypass of Nairn, would provide safety benefits. It would not impact on the quality, accessibility and affordability of public transport."*

***The STAG report had noted the economic benefits of a bypass.***

**Question 5**

***Given the way the options are presented we cannot agree with either the preferred or the alternative option. Further, development of one of the major sites (Sandown) referred to is currently subject to a planning appeal on a site where the proposals are for 550 units (current allocation in NLP approximately 95 units, and the site at Delnies is also currently subject to a planning application which expands the proposed area for development far beyond the area as currently defined in adopted Nairnshire Local Plan (current housing allocation approximately 45, proposed is 300 units)***

MIR: Tornagrain

*"Tornagrain was specifically identified as a potential location for a new settlement as part of the A96 Corridor Framework work. A planning application has now been submitted for the new settlement."*

*"The principle of a new settlement at Tornagrain is supported as part of the long term development strategy for this area. The design principles are based around the delivery of new homes, jobs and services within a compact and sustainable town. This will increase the choice of locations within the A96 Corridor and support the case for transport and access improvements."*

*"This will increase the choice of locations within the A96 Corridor and support the case for transport and access improvements."*

**Comment:**

**The Main Issues Report for the Highland-wide Local Development Plan is very 'light' on any references to Air Transport or Airports. This is most surprising. Nowhere, in the MIR as far as we can see, is there any reference to the Airport Business Park near Inverness Airport in the A96 Corridor, particularly in relation to the development of the new town proposed near the Hamlet of Tornagrain. Why should there be reference to the Airport? Because of the following statements previously made to the Planning Committee by Senior Council Officers in relation to the A96 Corridor plans which now form a large section of the MIR and potentially a proposed HwLDP:**

*"Public response with regard to the proposals for Tornagrain had been heavy and critical, with concerns focussing (sic) on whether a settlement for 10,000 people was required; the suitability of the site in view of the probable noise from the airport business park; the effect on Norbord; and the effect on badgers. However, the Head of Development and Strategy pointed out that significant infrastructure investment was required in the centre of the corridor for the airport business park development and Tornagrain would ensure both that the infrastructure was provided and that it was located where local people and businesses wished, rather than this being determined by the Scottish Executive."*

*"...if the Tornagrain element of the Strategy were delayed or suspended, this would weaken the package and jeopardise the provision of infrastructure, particularly for the airport business park"*

**[From the Minutes of Meeting of the Planning, Development, Europe and Tourism Committee held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday, 14 March 2007, at 10.30 a.m. agenda item 7. This was the meeting that agreed that that, "the revised Masterplan be fed into preparation of the strategic Highland Local Development Plan"] [Note: it is unlikely that the Scottish Executive would have determined where things were located - it would have been a local decision]**

**From the appendix to the Report related to agenda item 7:**

**When the public comment stated that, the "Economic base for additional 30,000 population is not clear", the Planning Department responded;**

*"On a more immediate level, there is real commitment to progress the delivery of a new campus for Inverness College and UHI which will be a cornerstone of economic development in the area. Similarly, the opportunities offered by the expansion of Inverness airport as set out in their recent Masterplan, along with the delivery of the Inverness Airport Business Park will be critical for the delivery of the strategy."*

**In the same Report, when the public comment was summarised as, "Opposition to the new town at Tornagrain on the basis that the requirement for a new town has not been established and its overall impact on the area." the Planning Department response was:**

*"The strategy as it currently stands supports the principle of development within four main development areas – Inverness East, Whiteness Head, Nairn South and Tornagrain. Along with limited expansion of the main villages in the corridor, these places all provide a range of choice and diversity to the housing to be delivered. It is considered that Tornagrain remains a key element given the central location, and links to the expanding airport and business park."*

**Again from the above mentioned report, when the public comment was, "No employment for the people living there" the Planning Department response was:**

*"The opportunities offered by the expansion of Inverness airport as set out in their recent Masterplan, along with the delivery of the Inverness Airport Business Park will be critical for the delivery of the strategy. The linkages in the Tornagrain area to the economic development around the airport are obvious and have been built into the initial masterplanning work undertaken by Moray Estates. There will of course be employment across the Corridor, and by ensuring that adequate transport infrastructure in place, The Council is seeking to ensure that the linkages, both east and west are enabled as effectively as possible."*

**Why is something, which the council has stated is so crucial to the economic strategy and the provision of jobs, not worthy of a passing reference; particularly when it is considered appropriate to refer to existing local plans in the MIR? We appreciate that a great deal of detail regarding the development of the area around the airport is given in the existing local plan, but it would have been appropriate to refer to the frequently stated interdependence between jobs in the immediate vicinity of the new settlement at Tornagrain and the proximity of the proposed business park as a means of providing that employment.**

**From the MIR:**

*"The potential for a new settlement in the Inner Moray Firth was identified in the Highland Structure Plan."*

*"Tornagrain is a new settlement proposal in the centre of the Corridor, capable of providing almost 5000 houses over the next 30-40 years."*

**Comment:**

**We disagree with the above statements for the following reasons:**

**The reference to the Structure plan is surely not completely accurate. From The Highland Structure Plan Written Statement (approved 26 March 2001):**

*Section 2.2.7 of the Structure Plan (SP) states that, "Further new settlements may be particularly appropriate to assist in repopulating fragile rural areas or to accommodate demand in the Inner Moray Firth". It also states, "New Settlements provide an opportunity to promote high quality development in terms of content, layout, siting, design, services, facilities, energy conservation and energy efficiency, in a manner fully compatible with the SP sustainability objectives. It is anticipated that in order to support the types of services associated with a local centre a new settlement would require to comprise (sic) in the order of 500 to 1000 houses."*

**Hence the approved Highland Structure Plan gives a minimum and maximum of number of houses for new settlements and does not tie them to any particular place.**

*Policy H2 of the Structure Plan states that, "The Council will support proposals for the establishment of comprehensively planned new settlements in meeting future housing demand in the Inner Moray Firth area which accord with the General Strategic Policies. Further locational information will be provided by the council as part of a strategy map and commentary for the future distribution of housing land*

**No further locational information was provided in the subsequent Inverness Local Plan ILP and no intention was outlined or noted with respect to preparing a master plan for the A96 Corridor in the ILP (adopted 2006). It is worth noting at this stage that the consultative draft of the ILP was available in 2001 and I attended a consultation meeting in Ardersier on the ILP. There was mention of 'village like' settlements but that anything like that kind of development in the ILP area would be far in the future.**

**The Highland Structure Plan, Figure 8: Housing Land Supply, states that, "The A96 corridor provides an option of linking new housing development to business opportunities associated with the airport and rail link to Inverness and Nairn."**

**Hence, according to the Approved Highland Structure Plan, the A96 Corridor only provides an 'option' and this 'option' must be associated with business opportunity and a rail link.**

**Furthermore when the concept of new forms of urban growth was introduced for post 2011 in the Inverness Local Plan Strategy section, the description of growth for the A96 Corridor was along the lines of smaller settlements.**

*"Such settlements would automatically look to the City and town of Nairn as 'poles' performing the principle higher order service functions. They would be designed for 3-5,000 persons each, with a walkable radius of 500m and core facilities up to primary school level"*

**Hence the Approved Structure Plan makes reference to 'settlements' – plural - in the Inner Moray Firth or Fragile areas but the statement in the MIR gives the impression that the Structure Plan supports a single settlement in the IMF, this**

could then be inferred as a 'particular' settlement. Further it should be clearly shown that what is proposed for the centre of the Corridor is in fact a significant departure from that which was outlined in the Inverness Local Plan.

*MIR:*

*"It has been selected as one of the Scottish Government's Sustainable Community Initiative proposals."*

**Comment:**

**We cannot fathom why this settlement near Tornagrain was chosen by the SSCI judging panel; however, a recommendation made through a non-statutory process should not be seen to have influence on the decisions made locally regarding the A96 Corridor. We have been privy to correspondence with Scottish Ministers, and one letter stated:**

*"Ms Cunningham would, however, reassure (sic) you that the awarding of the SSCI status to a project by the Scottish Government does not in any way prejudice the due process of Planning Authority decision making."*

*Submissions to the SSCI were assessed under criteria related to the potential of a project to deliver long term sustainability through communities that engage positively with the environment. It was a requirement for any project that was not already allocated within a development plan to demonstrate a practical approach to delivery. This approach had to be in line with all statutory procedures and SSCI status does not in any way pressurize decisions on planning matters."*

**There is therefore no need to mention Tornagrain in terms of the SSCI.**

*"The Council has not identified any reasonable alternatives to the Preferred Option on this issue."*

**Comment:**

**Surely that is an incorrect statement given that at this stage other alternatives to development are possible, not only within the A96 Corridor itself, but throughout Highland. The Planning Authority has 7 further options previously identified as part of the master planning process for the A96 Corridor, and they could also consult around any combination of the options as expressed, given that it was stated in 2004 that these options were not seen as exclusive.**

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**Comment on Question 6**

**We therefore do not agree with any element of your preferred option to site a settlement in the centre of the Corridor.**

MIR: Smaller Settlements in the A96 Corridor

The smaller settlements in the corridor seem to be in the 'Central' area. We are very concerned about the proposals in this section. It seems to us that, given that a figure of 1955 houses (total starts accumulating from 2011) is provided as a framework (A96 GCDF) outcome by 2041, then some information should already have been provided as to where potential for growth was likely to be, and whether or not it would be of an appropriate scale.

5 villages have been named in this section; Ardersier, Auldearn, Cawdor, Croy and Culloden Moor. If this level of growth was distributed equally in / around these villages then it could mean a further 391 homes in each of these areas of the next 30 years, or a build rate of 13 houses per annum in each of these areas.

It is not clear of course whether the 'central' area could also include areas to the south east of Inverness, such as Westhill and Nairnside, or any expansion in the countryside and areas such as Loch Flemington, Gollanfield, Clephanton etc

**Question 7**

Since we can find no specific reference in terms of settlement patterns in the Central area within the A96 Corridor framework we cannot agree with the preferred option as set out in the MIR, the question is too vague to be useful.

Caithness and North Sutherland

Given that this is a section entitled 'Caithness and North Sutherland' it is very light on any real detail for development in that area. The Housing Need and Demand Assessment notes that there has been significant population decline in Caithness with **the population of Caithness and Sutherland projected to fall under all migration scenarios**. The area is said to be doing well economically (this may be skewed by the presence of Dounreay and the wages paid there) despite high rates of unemployment in rural areas. The HNDA notes that:

*"...Highlands and Island Enterprise has identified that Caithness as a whole is an area of employment deficit: that is, it has suffered, or is at risk of, significant job losses resulting from major closures and/or persistent long-term unemployment caused by structural change. The Caithness and North Sutherland Regeneration Partnership has been set up to diversify the economy of the area and in 2007 published a 50-point plan setting out how this will be achieved."*

Housing is still said to be 'affordable', with affordability in line with 1998 levels in Caithness. This may be indicative of the fact that the area has not shared the same economic conditions as some other areas, with less new jobs but without the housing affordability issues that 'boom' brings.

In total contrast to the views expressed by HIE to support population growth throughout the Highlands and Islands, the HNDA notes:

*"Population growth is not expected to be uniform across Highland and, in the long term, we need to plan for decline in Caithness, Sutherland and to a lesser extent Lochaber." **And**, "...a fall in the number of households is projected in Caithness and much smaller increases are expected in Sutherland." **Also**, "Caithness has a modelled 'surplus' of affordable housing. This means that households in housing need are able to get re-housed in affordable housing much quicker than in other areas."*

**HIE has expressed the view that achieving a growing population in every part of the HIE area is seen as one of the key drivers of regional competitiveness for the future. They specifically stated in their formal response to the consultation on the Discussion Draft of NPF 2 that:**

*"A 15% increase in the area's population over the next twenty years or so is both necessary and achievable, but we would stress that this growth needs to be realised in all parts of the region if the momentum of progress is to be sustained and the GES targets met."*

HIE had originally set a target to increase the population of the Highlands and Islands to 500,000 by the year 2025. This target 'slipped' and then became in 'In twenty years or so'. Table 1 illustrates that, in the 20 years or so (which we have taken as 2031 to tie in with available figures on the GROS web site), that this overall target is not likely to be achieved and some areas of the HIE area will not even maintain their population share.

We assert that you cannot plan for decline in Caithness and Sutherland, as the HNDA states, whilst purporting to support the kind of growth (throughout the Highlands) that HIE aspires to and there is clearly a contradiction here.

The Caithness and North Sutherland Regeneration Partnership web pages outline projects in various areas including, Wick, Scrabster, the Pentland Firth and John O'Groats, but the targets for employment in other areas seem un-ambitious.

#### **Question 8**

We are not familiar with the levels of public consultation that have occurred with regard to the content of the preferred option and therefore would not wish to merely express an opinion.

**Table 1**

Place	Population share *	Calculated share of the 'aspired to' HIE area pop of 500K with 2031 as chosen endpoint**	***GROS estimated population 30/06/07	GROS pop proj high migration variant 2031	GROS principal 2031
Shetland	5.1	25,500	21,950	21,126	19,783
Orkney	4.4	22,000	19,860	22,676	22,686
Eilean Siar	6.1	30,500	26,300	26,536	24,892
Skye and Wester Ross	4.2	21,000	(18917)	(21,808)	(20,734)
C and S	9.0	45,000	(40,661)	(46,874)	(44,566)
Inverness and East H	30.7	153,500	(138509)	(159,672)	(151,809)
Lochaber	4.3	21,500	(19,352)	(22,309)	(21,210)
Moray	20.0	100,000	86,870	91,311	85,060
Argyll and Islands	16.1	80,500	71,150****	<sup>^</sup> 78% of 95,340 = (74,365)	<sup>^</sup> 78% of 90,020 = (70,215)
Total		499,500	(443,569)	(486,677)	(460,955)

- \*Population share according to HIE draft operating plan 2007-2010
- \*\*2031 is used as the "20 years or so" end point of HIE aspiration to grow the population to 500K throughout the HIE area (this aspiration is quoted in both the HIE submission to the NPF2 consultation and in the HIE economic plan to 2012)
- \*\*\*\*Only available GROS figure is for Argyll and Bute of 91,350 so used 2007 figure for Argyll and Islands provided to me by an HIE economist.

MIR: Development of Local Centres

**Comment:**

**We agree that development of Inverness and the surrounding areas should not be at the expense of other parts of the Highlands. Where is the evidence that the proposals for Inverness and the surrounding area will not be at the expense of these other areas? Have any reports been commissioned to show that there will be no or negligible negative impact; how can you be sure that whatever is proposed in the local plans for other areas will be sufficient to allow the other areas to hold their own?**

**Question 10**

**The preferred option here is nowhere near adequate for the circumstances, and no alternative is provided which is less than inspiring.**

MIR: Wider Countryside and Fragile Areas

**We are particularly concerned about the future of the fragile areas in Highland. Given that cities are seen as power houses of the economy we feel that there is a pressure to focus on urbanisation and it will become increasingly difficult to defend rurality. If the Highland Council itself puts the fragile areas in jeopardy then we might as well say that the Highlands as a whole is closed for business – except as a ‘rich man’s playground’ – and all move to why gigantic Scottish super-city in the central belt.**

**Q 11**

**We have insufficient time to consider the merits of the preferred option.**

MIR: 5 Policy Options; Sustainable Highland Communities sections on Population, Housing in the countryside, Ageing, Affordable Housing and Gypsies and Travellers.

**The ‘Badenoch and Strathspey HMA’ is not part of the table on page 34 but is present on the tables in the HNDA; this was confusing. Comments on this section and therefore the answer to question 12 will be provided as part of Appendix 2.**

**With respect to ‘housing in the Countryside’; living in the countryside whilst continuing to commute to work in another area is not the most sustainable option. However countryside living is desirable and promoted as a means of securing a better quality of life.**

**Question 13**

**We find ourselves with insufficient time to consider the merits of the options in this case and would recommend that the Planning Authority seeks to publicise this particular section of the MIR further, especially if the authority has not received many responses from the public on its previous consultation on ‘Housing in the Countryside’. There is a danger here that the debate could become skewed in favour of development interests**

**With respect to Affordable Housing; further to our research in preparation for our response to the MIR, the subject of homelessness and affordability has concerned us enormously. This will also be discussed in more detail as part of Appendix 2 (as will Question 14), but we do have concerns about the figure of 850 additional houses per year on average for the next 10 years – does this make sense mathematically?**

**Question 15**

**We are concerned about the use of the term ‘open market’.**

**What about the provision of housing for older people without specific care needs?**

**With respect to Gypsies and Travellers; we understand that policy does exist in the form of ‘Circular 1/94’ which suggested that local planning authorities should assess the need for Gypsies’ and Travellers’ caravan sites in their administrative areas and identify locations where the land use requirements of Gypsies and Travellers can be met. If suitable locations could not be found, then local authorities were required to set clear and realistic criteria for establishing caravan sites.**

*MIR: Water Environment*

**This section of the MIR includes the words:**

*“...the Scottish Environment Protection Agency is currently preparing River Basin Management Plans.*

*Our current local plans do not include reference to these documents and it is important that these Plans are considered, as development proposals can cause impacts on water quality. We could therefore promote the aims of the River Basin Management Plan for the Scotland River Basin District and Area Management Plans by addressing development-related issues.”*

**The preferred option is given as:**

- *clearly indicate the quality and status of water bodies in the Local Development Plan;*
- *ensure the water environment will be an important consideration in making decisions on planning applications; and*
- *not support development that is shown to have a negative impact if there are no acceptable plans in place to reduce that impact.*

**The alternative is given as**

*A reasonable alternative is not to include a policy on this within the Highland wide Local Development Plan. If this was the case, greater reliance would be placed on the role of the Scottish Environment Protection Agency for the conservation and enhancement of the water environment and the Highland Council would continue to consult SEPA on individual applications.*

**This surely requires clarification; are you meaning to state that if the preferred option was chosen under this heading then there would no longer be a requirement to consult with SEPA on applications?**

**It is worth noting at this point that the North Highland River Basin Management Plan makes the following points:**

*"In some cases substantial investment in infrastructure will be required to accommodate increased flows from new developments." And that, "whilst there are mechanisms in place which set out funding responsibilities, this can place considerable strain on the public purse; with competing priorities for development across the country."*

*"SEPA will seek to ensure that future development plans consider the need for adequate sewage treatment"*

**The North Highland AMP recognises that the Inner Moray Firth is an area where rapid population growth and associated development are increasing pressure on sewage collection and treatment facilities and drinking water supply.**

*"...the Inner Moray Firth has an increasing population which discharges sewage into coastal waters that are also an SAC for bottlenose dolphins."*

**The A96 Corridor is mentioned as a 'case study' in this report but only one of the water supplies for the area, Loch Ashie, is mentioned in the A96 Corridor case study. It is hoped that the SEPA report will be amended, further to comments made during the consultation on that North Highland AMP to include, in section 4, the water bodies likely to be affected by development pressures in terms of both abstraction and sewage disposal. It would surely be vital to set out what their current status is now - moderate, good, high - and then assess the likely impact on the status of the water bodies further to any development on the scale as proposed.**

## **Question 22**

**Without clarification we cannot agree with either the preferred option or the alternative.**

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MIR: A Competitive, sustainable & adaptable Highland Economy Page 58 and 59

**Our conclusions are based in part on these extracts from the "Barriers to Delivering Mixed Use Development: Final Report" September 2009" (Produced on behalf of the Scottish Government).**

*"Planning reform in Scotland presents an ideal opportunity to put in place appropriate interventions to deliver more and better quality mixed use development and this will require appropriate skills. In the current economic downturn there are likely to be very significant opportunities to stimulate and deliver appropriate mixed use development using new kinds of 'delivery models'. Local planning authorities in Scotland could adopt a more proactive role to sponsor, pilot, promote and deliver mixed use development projects."*

*"The aim should be to be proactive and advocate mixed use development to local government officers and members, community councils, residents and business groups, to collect and share good practice and invest in resources, tools and research. Local authorities should audit their skills base to identify their particular training and recruitment needs. The Improvement Service and professional institutes like the Royal Incorporation of Architects in Scotland ( RIAS), Royal Institution of Chartered Surveyors ( RICS), Royal Town Planning Institute ( RTPI) and others through CPD should deliver relevant skills development and training at the appropriate levels."*

*"Suggestion 4: Local authorities should be clear and robust in their local definition of mixed use based on Suggestion 1 above and identify opportunities based on capacity and market studies and so confirm the mixed use proposals and locations in their emerging development plans."*

*"8.35 A key objective for the research was to analyse how barriers differ depending on location: urban, suburban and rural and the mix of uses. With regards to location, the Research Team did not find sufficient evidence or compelling examples of significant mixed use development in rural locations and therefore found it difficult to draw conclusions. The role of mixed use development in rural economic development may need to be the subject of further research."*

## **Comment**

**What the preferred option omits to state is that there are already major development proposals (planning applications) on the table which are 'mixed use' within the definition in the MIR glossary, and indeed the A96 Growth Corridor Development Framework has a section on 'mixed use' development. These are large scale developments at East Inverness, Tornagrain and South and West Nairn. Almost all have been drawn up and submitted in advance of the development plan process and will use green field sites.**

**The proposed new town between Drumine Farm and Tornagrain will be on a rural / semi rural site and as the above paragraph from the Research commissioned by the Scottish Government, indicates there are no compelling examples of significant mixed use development in rural locations.**

**We do not believe it is necessary to introduce a requirement to make development proposals over 100 houses mixed use.**

**If this requirement was introduced almost, 'retrospectively', in the case of the 'mixed use' developments proposed for the A96 Corridor then it could be construed as predisposing in favour of these developments.**

***A transit-oriented development (TOD) is a mixed use residential or commercial area designed to maximize access to public transport, and often incorporates features to encourage transit ridership. A TOD neighborhood typically has a center with a train station, metro station, tram stop, or bus stop surrounded by relatively high-density development with progressively lower-density development spreading outwards from the center.***

**The Inverness local Plan states that, "Beyond 2011, new forms of urban growth will be required at the heart of the sub region...The Structure Plan acknowledges the scope for new sustainable community forms in the longer term. Such settlements would automatically look to the City and town of Nairn as 'poles' performing the principal higher order service centre functions. They would be designed for 3-5,000 persons each, with a walkable radius of 500m. and (sic) core facilities up to primary school level. Their high density residential cores would focus on bus/rail halts and taper to larger family houses and small-holdings around the settlement edges.**

**The A96 CGDF does not mention integrated transport in relation to either the East Inverness or Nairn 'mixed use' Developments.**

**The Transport Assessment report which accompanies Moray Estates Planning Application for a new town at Tornagrain states that,**

***"...the commercial zone and town centre are within 1km of the rail halt, while a large proportion of Tornagrain residents could access the rail halt by foot (a 2km walk)"***

**Thus as recognized in the concept of TOD and, more importantly by the adopted ILP, a rail halt can and should form an important role in any transport oriented mixed use proposal but does not form the central core of any of the proposed mixed use developments in the A96 Corridor. Commenting on the Highland Council's recommended plans for the A96 Corridor Developments on the 180705, The Strategic Rail Authority sought to draw the Council's attention to the importance of a close proximity between housing and any station, and noted that it was of concern that the settlement (Tornagrain) footprint would include relatively few houses within 1km, and this would deter use of the rail halt from the settlement residents and diminish the case for investment in a station to serve the new community.**

**Q 28A**

**We cannot agree with the preferred option if it contains all the elements as stated.**

**MIR: Accessibility and Transport**

**Comment:**

**Access to the Highlands via the A9 and A96 (or indeed the A82) is neither quick nor safe. Businesses both in and out of the area cite the inadequacy of the road system and journey times as detrimental to the local economy. But there are also internal connectivity issues. The A9 is the main trunk link road from the Highlands to the areas of economic activity in the central belt. The scale of**

economic activity and internal markets within the catchment area of the A9 is small (likewise the A96). There are limited local markets with few individual companies of scale. (HIE survey on business perceptions of roads carried out in 2006) This may present difficulty in presenting an economic case in terms of cost benefit analysis for complete dualling of the route.

The A9 and A96 are largely 1970's solutions to the traffic issues at that time. The A9 exhibits a variety of standards including dual and single carriageways and a variety of junctions and minor accesses which intersect with the road along the entire route. There are limited overtaking opportunities resulting in convoying, and the route has a significant record of fatalities. Visitor numbers are predicted to increase demand on the route, and responsible and environmentally friendly development of the tourism industry would increase economic prosperity, and road upgrades should enable the locality to take full advantage of these possibilities.

**Stewart Stevenson, in his time as Transport Minister said:** *"The A9 is crucial to economic development in the north of Scotland. We made the commitment to plan for dualling the A9 when we came into office and today's announcement is a major step forward in that process. I asked Transport Scotland to identify the next possible stretch of the A9 to be dualled and these designs will now look at ways to widen the carriageway, close the central reservation gaps and introduce grade separated junctions"* **We note the use of the phrase, "commitment to plan".**

The development proposals for the A96 Corridor will in our view not only necessitate upgrade of the A96, but surely, and more importantly for the economy, a significant upgrade of the A9. All currently available information indicates that progress to improve safety and journey times on this main economic artery will be slow and therefore in our eyes will not keep pace with any development proposals which may be given the go ahead in advance of infrastructure provision.

We hope that focusing development on the areas along the A96 Corridor necessitating upgrade of the A96, will not impact adversely on much needed upgrading of the A9 thus creating a potential conflict within the area.

'The Aberdeen to Inverness Transport Corridor Study' shows that the most significant traffic volumes within the corridor are seen between the Raigmore Interchange and the Inverness Retail and Business Park, which is on the eastern side of Inverness. The Faber Forecasting Report focuses on accommodating new traffic on the A96 network. However the projected networks developed by Faber highlight the tremendous strain that development along the A96 Corridor will place on the Inverness network more generally. Given that these projections are looking at the Masterplan proposals in isolation, it demonstrates the acute pressure that the road network in and around Inverness will be placed under when the city wide future plans are also factored into the equation.

There is every indication that in order for economic growth to occur and most importantly for the existing economy in Inverness to remain undamaged in the face of any further developments being undertaken, then significant infrastructure investment must be made to include improvements to all the major trunk roads, the building of the Trunk link Road, and investment on the rail network.

MIR: Crofting and Agriculture

**Comment:**

**In order to achieve the vision as set out in section 3 of this MIR we think that you should:**

- **protect prime agricultural land in either class 1, 2 or 3.1 of the Macaulay Institute classification; and**
- **that no development should be allowed on prime agricultural land**

**The Report on the current state and threats to Scotland's soil resource September 25, 2006 states:**

*"Data on the loss of land and soil as a result of development is not collected in a consistent manner either at the national or regional level.*

*Based on the limited information available, land appears to be being developed at a higher rate than at any time during the last 50 years; this raises questions about the sustainable use of resources and whether soil is being recognised and protected by the planning system*

*Soil lost to development is unable to fulfil any of its other functions; some such as biomass production is almost eliminated*

*Based on previous data, a disproportionate area of our good quality and most flexible soils is lost to development; many of Scotland's settlements are located next to the best land within that area. As new developments tend to 'grow' from existing urban areas, this trend is likely to continue*

*Given the recent findings on reductions in soil organic matter levels (Chapter 2) and role that Scotland's organic soils have in Scotland's climate change programme (Chapter 3), it is recommended that data on peat extraction be collected centrally by the Scottish Executive.*

*It is recommended that mechanisms be set in place to capture data on land and soil loss to development. In addition to location and area, information on soil type and quality should also be recorded."*

**Based on the above report we believe that the council should immediately prepare a document which identifies all areas of class 1, 2, or 3.1 throughout Highland which should be used to inform the choice of sites for development and the type of development permitted near agricultural land.**

MIR: A Healthier Highlands

**The National Planning Framework Strategic Environmental Assessment acknowledges that the high levels of development proposed along the A96 will result in soil sealing. However we would seek to clarify, “this has been minimised as far as possible...” We would challenge why this soil sealing should be compensated for, even ‘to a degree’ by “strategic green network protection and enhancement planned as an integral part of the development”. It is the overall impact of all the building work as a whole that should be considered and not just that which is used for ‘built development’. Development with ‘soft end use’ such as golf courses, playing fields and parks have different interactions with soil functions during both constructional and operational phases. The impact of aspects of the ‘Green Framework’ in itself should be looked at, rather than it being considered as a ‘mitigating measure’.**

**We have insufficient time to consider the merits of the statements in the Council’s preferred alternative.**

**Yours sincerely**

**CE Stafford (Mrs)**

**On behalf of Mr and Mrs C Stafford**

**Appendix 1 is our objection letter to**

*09/00038/OUTIN outline application for a new town comprising up to 4960 houses, Community Facilities, Retail, Business, General Industry, Storage and Distribution, Hotels, Residential Institution, Leisure, Petrol Stations and associated Landscaping, Open Space, Infrastructure and Services. The location for this development is given as ‘Land to North East of Tornagrain, Inverness.*

Clach Na Sanais  
Croy  
Inverness-shire  
IV2 5PG

01 March 2009

Mr David Mudie  
Principal Planner  
The Highland Council  
Glenurquhart Road  
Inverness  
IV3 5NX

Re: 09/00038/OUTIN outline application for a new town comprising up to 4960 houses, Community Facilities, Retail, Business, General Industry, Storage and Distribution, Hotels, Residential Institution, Leisure, Petrol Stations and associated Landscaping, Open Space, Infrastructure and Services. The location for this development is given as 'Land to North East of Tornagrain, Inverness.'

Please accept this letter as a formal representation further to the advertisement of this outline planning application in the Inverness Courier published on 30<sup>th</sup> January 2009:

"Land North East of Tornagrain: Proposed New Town"

**We wish to OBJECT to this development in its entirety on the grounds as outlined within this letter.**

We have stated 46 points of objection.

**We reserve the right to expand or otherwise amend our objections as expressed and to seek professional advice in that regard**

The law requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

- We **object** to the application on the grounds that the proposals for a New Town are a major departure from the approved Development Plan for the area.

## **1 The context**

### **1.1 Statutory documents**

**The Highland Structure Plan Written Statement (approved 26 March 2001)**

**The approved Highland Structure Plan Written Statement** gives statutory authority to 2017 only. Policy H1 states that in terms of the Inverness and Nairn areas there should be provision for housing land supply for the period 1998-2017 of 10,350, which are indicative.

Section 2.2.7 of the Structure Plan (SP) states that, "*Further new settlements may be particularly appropriate to assist in repopulating fragile rural areas or to accommodate demand in the Inner Moray Firth*". It also states, "*New Settlements provide an opportunity to promote high quality development in terms of content, layout, siting, design, services, facilities, energy conservation and energy efficiency, in a manner fully compatible with the SP sustainability objectives. It is*

*anticipated that in order to support the types of services associated with a local centre a new settlement would require to comprise in the order of 500 to 1000 houses."*

Policy H2 states that, "The Council will support proposals for the establishment of comprehensively planned new settlements in meeting future housing demand in the Inner Moray Firth area which accord with the General Strategic Policies. Further locational information will be provided by the council as part of a strategy map and commentary for the future distribution of housing land

Figure 8: Housing Land Supply states that, "*The A96 corridor provides an option of linking new housing development to business opportunities associated with the airport and rail link to Inverness and Nairn.*"

- We **object** on the grounds that there is nothing within the Structure Plan that specifically supports a settlement of the magnitude of the proposed new settlement at Tornagrain particularly within the further locational information and commentary.
- We **object** on the grounds that the size of the proposed development in the Application is substantially larger than anything that is supported by the Structure Plan
- We **object** on the grounds that the Structure Plan gives no statutory authority beyond 2017 for a longer term plan such as the one proposed by Moray Estates
- We **object** on the grounds that there is no future housing demand in the Inner Moray Firth area which requires to be met by the creation of a new settlement

#### **The Inverness Local Plan (adopted March 2006)**

The Inverness Local Plan is described as a key part of the Council's corporate strategy for the Inverness Area. The foreword of the Inverness Local Plan (adopted **2 March 2006**) states:

- "*The Local Plan will provide the statutory basis for important changes within the city of Inverness*"

Local Plan policies must conform to the Structure Plan and be fully justified, demonstrating what is and what is not acceptable in terms of land use. Also where a planning authority considers a new settlement a necessary part of their development strategy, the development plan should specify its scale and location. Further the Local Plan's timescales are similarly constrained.

- We **object** on the grounds that the building of a new town is contrary to the Inverness Local Plan in terms of scale and site specificity.

When the concept of new forms of urban growth was introduced for post 2011 in the Inverness Local Plan Strategy section, the description of growth for the A96 Corridor was along the lines of smaller settlements.

*"Such settlements would automatically look to the City and town of Nairn as 'poles' performing the principle higher order service functions. They would be designed for 3-5,000 persons each, with a walkable radius of 500m and core facilities up to primary school level"*

- We **object** on the grounds that it does not accord with the future growth as promoted in the adopted Local Plan in terms of scale and level of facilities.

There is scope for confusion given that the Structure Plan had stated in section 2.2.7:

*"It is anticipated that in order to support the types of services associated with a local centre (as set out in Appendix 1) a new settlement would require to comprise in the order of 500 to 1,000 houses".*

### **The proposed National Planning Framework NPF2:**

The spatial perspectives section of the proposed NPF2 states the following:

The A96 corridor between Inverness and Nairn is the main focus of growth in the Inner Moray Firth. Highland Council's A96 Corridor Development Framework includes proposals designed to accommodate an additional 30,000 people in the area over 35 years. These include the creation of a new settlement at Tornagrain, significant expansion at Nairn and to the East of Inverness, a residential and marina development at Whiteness. Development on this scale will require substantial investment in transport and water and drainage infrastructure and the creation of supporting green infrastructure. The STPR has identified the need to dual the A96 between Inverness and Nairn and provide a new rail station, airport interchange and park-and-ride facilities at Dalcross. It has also identified a package of improvements to the Aberdeen - Inverness rail line which would reduce journey times between the two cities by 20 minutes and improve the connectivity of communities along the route".

We are unable to fully discuss the status of the planning application in relation to the NPF2 at this time given that the proposed NPF2 is currently before The Scottish Parliament. **However, it is of serious concern that by virtue of the inclusion of the A96 Corridor Framework in the Proposed NPF the local authority could award planning permission prematurely to the prejudice of the rights of all parties concerned with the development plan review process. This would be contrary to the wider public interest upon which all planning decisions should be made.**

The level of community awareness with respect to proposed NPF is very low and disproportionately low with respect to the status of the document. We believe that communities likely to be affected by the Local Authority's proposals for the A96 Corridor were not aware of the fact that the Local Authority was seeking to influence the NPF2 in this respect and indeed awareness of the significance of the draft NPF2 with regard to the local planning process is extremely limited.

- We **object** to the application on the grounds that by seeking to use the NPF2 as a policy context in the absence of certainty that the 'Proof of Concept' of the A96 Corridor Strategy would be timeously completed, a situation has been created which may predispose a judgment in favour of the construction of a new town. (Comments on the NPF2 are provided on page 25 of the applicants Planning Statement),

We understand that under current legislation The Highland Council would be required to refer the application to Scottish Ministers and it would be for them to determine what weight to give to NPF2 in determining whether to call in the application

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### **The Highland Wide Local Development Plan**

The Government has clear aspiration to encourage a more generous approach to land supply. They have 'control' over it by their required **approval** of the 4 city region plans which contain the areas which will provide the most land supply. The biggest exception is Inverness and Inner Moray Firth and the Government is endorsing aspiration for growth in this area, but Inverness is not a City region. However THC is setting out a Highland Wide Local Development Plan and Jim Mackinnon, the Chief Planner for Scotland came up to discuss this HWLDP with THC on

18/05/2007, and I understand that Jim Mackinnon visited Highland on 20/01/2009 to discuss the HWLDP. What are the implications of this? Does Government have control over the HWLDP? Does Government have to formally approve this HWLDP before they can officially endorse this amount of land supply?

- We **object** to the application on the grounds that the relationship between the Highland Wide Local Development Plan, the NPF2 and the application are currently unclear.

### 1.2 Non-statutory documents

**The Inverness City Vision 2003** - The City Vision, however highly this document is regarded by the Highland Council and its Planning Partners, should not be regarded as in any way 'substituting' for the Structure Plan in the sense that a Structure Plan is the document that provides the statutory vision. The City Vision has not been subject to the same level of public debate and public participation as would be required for the Structure Plan.

It should be noted that the non-statutory Inverness City Vision was quite prescriptive in its vision of the creation of a chain of new settlements capable of accommodating up to 30,000 in the A96 corridor **by 2030**. It states, "*Far Sighted planning and collaboration with major landowners will create six new communities strategically located along the trunk road and rail route through to Nairn.*" The current A96 Corridor strategy has departed from that original vision since the timescales for development in the corridor now extend to **2041**, and the '6 settlement model' - 'String of Pearls' - was poorly scored by the stakeholders (NOT the public or community councillors) who ranked 8 possible development options for development in the A96 Corridor so it was effectively abandoned approximately 18 months after the City Vision was 'approved' by Ministers.

The adopted (March 2006) Inverness Local Plan makes no reference to 30,000 people residing in the Corridor and only makes only 2 **very** brief mentions of the City Vision.

- We **object** on the grounds that the Application does not accord with the Inverness City Vision **in that** it does not form part of a 'series' of new communities and the timescale for development given is **2046**, which is a substantial increase in the timescale quoted in the City Vision, and an increase on the timescales as quoted in The Highland Council's A96 Corridor Strategy of **2041**.

The rates of growth envisaged for the City of Inverness and surrounding area came out of the aspirations for a 'critical mass' to be achieved which would allow for the development of the area already seen, to be maintained, and increased. Further, the committee understands that the background data to the aspiration of a 30,000 growth in population in the A96 Corridor as envisaged in the Inverness City Vision is being based on the rate of growth that the **Inner Moray Firth** has seen over the last 30 years from 1971 to 2001.

- We **object** to the application on the grounds that, the rate of growth required for the A96 Corridor aspiration to be successful relates to a larger area.
- We **object** to the application on the grounds that the rate of growth required for the A96 Corridor aspiration to be successful took place over a time period which included economic conditions which would be hard to replicate in today's global economy.

### **The A96 Corridor Strategy**

(Referred to by the Applicant as the A96 Growth Corridor Development Framework)

The Applicants Planning Statement explains, "The application site is identified for a new settlement in the A96 Growth Corridor Development Framework which was approved by The Highland Council in September 2007".

It continues, "As the site is allocated for a new settlement in the approved A96 Growth Corridor Development Framework this Planning Statement will primarily concentrate on the details of the outline proposal within this context and taking account of the salient National and Local planning policies"

The A96 Corridor Master Plan has no Development Plan remit for looking beyond 2017. Where the strategy makes assumptions on the level of growth, the location of new towns and the phasing of development, then it is operating within a Development Plan vacuum beyond 2017.

- We **object** to the application on the grounds that the site is sitting within a Development Plan Vacuum.

The emergence of the A96 Corridor Strategy relies on assumptions based on the City Vision and this has led to the missing of a **public** debate on the strategic longer term development needs of the Inverness – Nairn Area. The upshot is that the scale of development as set out in the City Vision is taken as read, and that the debate is about the detail – phasing, infrastructure, timing, developer contributions

- We **object** to the application on the grounds that the context within which the application is stated as being presented has provided insufficient overall **public** debate on the strategic longer term development needs of the Inverness-Nairn Area.

The adopted Inverness Local Plan provides details of the intention to prepare a master plan for the area around Inverness airport. There is no clear signal within the Local Plan of the intention to prepare a master plan for the A96 Corridor. Elected members were informed that, "The Local Plan establishes the requirement for a Masterplan..." When it was stated in a formal complaint that no specific intention to prepare a master plan had been located 'for the Corridor', Highland Council's response was that the ILP acknowledges the strategic importance of the Corridor, as well as the need to ensure that piecemeal development of the area is avoided, and that "This established the justification contained within the report presented to and agreed at the **28 January 2004 Planning, Development, Europe and Tourism Committee**. (This was the report that requested that elected members approve the appointment of consultant's to prepare the A96 Corridor master plan)

- We **object** to the application on the grounds that no clear signal was given within the adopted local plan of the intention to prepare a master plan for the area from which the application site subsequently emerged.

Further, with respect to the A96 Corridor strategy, when asked, "Why is work not being done through the local development plan process?" Highland Council responded that the PDET Committee had recognised in January 2004 that due to the heavy work commitments of planning staff, SPG was the way to take the requirements for the A96 forward.

It is reasonable for a master plan to be prepared to inform the local plan process, but there is no indication in the Report to Committee that Elected Members would have realised that the A96 would be used as guidance in advance of the local plan process at any point.

- We **object** to the application on the grounds that the 28/01/04 PDET Committee Report did not clearly inform elected members that they would subsequently be asked to approve a recommendation for this A96 master plan to become supplementary guidance for development control purposes.

The strategy for the section of land that has come to be described as the A96 Corridor is sitting as what The Highland Council describe as 'interim' guidance. Whether referred to as a 'Master Plan' (Before the Pre-election PDET Committee meeting on 14/03/07) or a 'Framework' (post the PED Committee meeting in September 07) this strategy still requires the proof of concept as promised by the former Director of Planning Mr J Rennilson. This promised proof of concept was a fundamental premise upon which the A96 Corridor strategy was accepted by the 14/03/07/PDET and 09/07 PED Committees as 'interim' guidance.

The proof of concept requires that the A96 Corridor Strategy be incorporated into the new development plan for the area via the forthcoming Development plan process with the full opportunity for the interests of all parties to be considered at Public Local Inquiry.

The public reacted strongly against the sudden and unexpected emergence of the A96 Corridor strategy from the very first. 'Proof of concept' was one of the main reassurances provided to the public, local politicians and Councillors alike that the A96 Corridor Strategy would only proceed further to rigorous examination via the Local Development Plan process and a Public Local Inquiry.

The Moray Estates Outline Planning Application is being brought forward in advance of the new Local Development Plan process. I would like to draw your attention to a letter that was sent on 3 October 2005 from The Highland Council (THC) Planning Department to Fergus Ewing MP (sic). The penultimate paragraph of this letter 03/10/05 from THC states the following in relation to the A96 Corridor Master Plan (referred to below as "the concept"):

*"...the concept will remain to be tested through the statutory development plan system. The information leaflet makes it clear that the final conclusions of the work will require to be incorporated into future local plans for the area. This will allow the public to make representations on this issue, and if necessary, for it to be tested through Public Local Inquiry. Thereafter, each aspect of the Masterplan will also require to be the subject of planning applications, when the public will have further opportunities to make their views known."*

Please note the use of the word, **thereafter**.

The official was overstating the ability of the council, because, I now understand, the council was not in a position to control the possibility that potential applicants might put forward planning applications in advance of the local plan process and the assurances quoted should not have been offered in the terms that they were. This is clearly demonstrated (with my underlining) in an E Mail from Mr Drew Hendry (former Chair of the THC Planning Committee PED Committee) dated 19 November 2007 stating:

*"The Council can not of course dictate when individual developers submit their planning applications, and in the case of Moray Estates you are right to say that they intend to submit an outline planning application in summer 2008. In all likelihood there will be other applications submitted throughout the Corridor to test policy. Any application received will be dealt with in the context of the policies in place at time of determination In this case the Highland Structure Plan and the Inverness Local Plan would make up the statutory Development Plan for the area. I have sought further advice and am assured that any proposal for a new town at Tornagrain would currently be a major departure from the Development Plan. Both the A96 Corridor Framework and the National Planning Framework would be relevant material considerations that could be*

taken into account in the assessment of the planning application, but these would not have the same status as the Development Plan.”

- We **object** to the application being determined before the ‘Proof of Concept’ is completed via the Development Plan Process

**Proof of concept is particularly important given the serious misgivings that members of the community and a significant number of stakeholders have had from the beginning with respect to the quality of the community engagement undertaken in preparation of the A96 Corridor strategy**

The Highland Council stated as part of its response to a formal complaint regarding concerns around the emergence of the A96 corridor Master Plan, “*The A96 Corridor master plan land allocations are based on the aspirations for the growth of the area. The Local Development Plan process will set out the key forecast and assumptions used to justify the rates of growth shown in the Master Plan*”.

- We **object** to the application on the grounds that the **key** forecasts and assumptions used to justify the growth rates have not yet been set out.

**We submit, given that no Proof of Concept has taken place that little weight can be given to the A96 Corridor Framework proposals in relation to this planning application. The interim guidance is there for development control purposes to prevent piecemeal development and only indicates a direction of travel in terms of future development which has yet to be statutorily confirmed.**

- We **object** to the A96 Corridor Framework Proposals being used as a material consideration with regard to this application given that Proof of Concept of the A96 Corridor Framework as yet to take place within the context of the statutory development plan process with its anticipated Public Local Inquiry.
- We **object** to the A96 Corridor Framework proposals being used **in support** of any development in the corridor, including this application, given that the primary function as interim guidance is seen as preventing piecemeal development.

## **2 Community Engagement**

### **2.1 In relation to the context of The Highland Council’s Strategy for the A96 Corridor as referred to in the applicant’s Planning Statement**

Note: The Applicant’s documents were viewed on their web site

We note that:

*“The A96 Corridor Masterplan is a non-statutory planning document and is not subject to the detailed procedures of the development plan regulations”.* (THC)

The extensive ‘aspirations’ of the Local Authority and their planning partners for the A96 Corridor exist, not in the adopted local plan, nor in any draft of a new development plan that has been open to public scrutiny or an Inquiry; they exist in this A96 Corridor Master Plan - now referred to an A96 Corridor Framework.

Page 3 of The Applicant’s Planning Statement, under the heading ‘Pre-application Community Engagement’ states that a new settlement at Tornagrain was first proposed by The Highland Council in December 2004.

- We **object** to this application on the grounds that this statement implies that a decision to support a new settlement at Tornagrain was taken before the receipt by the council of the final conclusions of the consultant's (FG Burnett) Report, which were sent to THC just before Easter 2005.

Appendix 1 of the Applicant's Community Engagement Statement states that the, "*Tornagrain Pre-Application community engagement process should be understood and evaluated within the context of the A96 Growth Corridor Development Framework Interim Planning Guidance*". The appendix then goes on to outline the processes of public engagement that preceded the Highland Council's adoption of the Framework as interim planning guidance.

- We **object** on the grounds that the applicant does not include a list of the meetings since 2002 that occurred as part of the Applicant's discussions with Highland Council in relation to developments in the A96 Corridor.

(We will be including as an Appendix to this objection a broad Summary of Related Events in relation to the emergence of the A96 Corridor).

Tornagrain: A Planned Town for the Highlands, August 2006, Charrette Edition (Appendix 3 to the Community Engagement Statement of Application) states on page 6, "*Moray Estates had their first discussions with The Highland Council on the principles of growth in the Corridor in 2002 with a level of enthusiasm that was not necessarily matched, on the Estates' part, with an understanding of what the proposals of change could hold for the region. Since those discussions, the Estate has embarked on a rigorous programme of research and analysis in order to educate itself on the possibilities and benefits that could be achieved from the development of a new settlement at Tornagrain.*"

The Applicant states that the "*Tornagrain Pre-Application community engagement process should be understood and evaluated within the context of the A96 Growth Corridor Development Framework Interim Planning Guidance*" and that, "*the principle of development at Tornagrain has arisen through an extensive processes (sic) of public engagement undertaken by the Highland Council and furthermore that this discussion will set the context for the evaluation of the complimentary Tornagrain pre-application public engagement process.*"

- We **object** on the grounds that the public experience of the engagement that took place does not justify the description 'extensive processes of consultation' as referred to in this application.
- We **object** on the grounds that the consultation process cannot be described as extensive on the basis of the limited number of meetings that actually took place and the relatively small numbers of stakeholders, community councillors and members of the public that participated.

Appendix 1 of the Applicant's Community Engagement Statement states that the community consultation involved consultation with community councils.

In fact, 12 community councillors from 6 community councils, acting as 'informed individuals' attended a meeting of less than 4 hours duration (called a 'community councillor's conference') on 27<sup>th</sup> November 2004 but they were advised that they were acting as individuals and **not** as representing their Community Councils. They were also not present at the 'Stakeholder meetings' mentioned in Appendix 1. This meant that any engagement was also limited and compartmentalized.

Part of the methodology stated as being used by the consultants FG Burnett in their **final report**

(**March 2005**) was to “consult with community councils”. This document goes on to say however “Although the conference was intended for members of local community organisations it was made clear to those attending that they had been invited as informed local people rather than to represent the official views of their organisation – there being opportunities later in the planning process for this.”

Given the reputation of the consultants, Craigforth (to whom Burnett had sub contracted the public engagement work via focus groups,) then these opportunities ‘later in the planning process’ would surely be at such time when the land allocations ultimately described in the master plan would obtain a close and rigorous scrutiny via the development plan process and related public local inquiry. It is not clear whether Craigforth themselves would have understood that the master plan was to be used as ‘supplementary guidance’; there is no mention of this in either the focus groups presentation slides or in the Craigforth consultant’s final report.

Highland Council accepts that the 12 community council ‘members’ who attended the focus group meeting on the **27<sup>th</sup> November 2004**, were invited as ‘informed’ local people, rather than to represent the official views of their organisation. In THC response to a formal complaint THC stated that the community councilors “had been invited as “informed” local people rather than to represent the official views of their organization, because there were opportunities later in the planning process for these” (sic)

According to Planning Advice Note PAN 47: The Role of Community Councils:

*“...is to ascertain, co-ordinate and express the views of the local community to local authorities and other public bodies operating in their area...”*

No instruction to ‘ascertain, co-ordinate and express the views’ was given to the community councilors, even when some attendees expressed discomfort at being present as informed individuals.

- We **object** to the application on the grounds that the Applicant is reasserting the claim made by the Highland Council that consultation took place with community councils. This consultation with community councils DID NOT TAKE PLACE. 12 informed individuals expressed their individual opinion during less than 4 hours of coffee, lunch, presentation, and some discussion.
- We **object** on the grounds that the level and clarity of the consultation process at Stage 1 of the development of the A96 Corridor strategy in particular, when the important over arching principles of the master plan were set (including the recommendation that a new town should be built at Tornagrain) was not commensurate with the scale that would be required through the statutory process. Under the full statutory process various details regarding **plan preparation timescales**, and **notices of intent** would have been clearly defined

Given the enormity of the decisions that were to be attributed to participants, ensuring clarity of procedure was fundamental to the process. Thus ‘Proof of Concept’ through the forthcoming Development Plan process is essential, including recourse to Public Inquiry.

During the consultation period which preceded the 14 March 2007 PDET Committee meeting at which the A96 corridor master plan became, conditionally, ‘interim’ guidance, SEPA made the following comment:

*“SEPA is unclear about the formal adoption process this Masterplan will be subject to and therefore it is unclear whether formal objections should be lodged at this stage. Applying the precautionary principle SEPA therefore **objects** until the information detailed below is submitted”.*

This statement provides an illustration of the general level of confusion in relation to what this master plan was and how it fitted with the statutory process, therefore:

- We **object** on the grounds that Public consultation to date on the A96 corridor strategy has been undertaken outside the statutory Development Plan framework so the procedures and level of consultations are unclear, and many participants will not have clearly understood the place that the A96 Corridor master plan occupied in the planning process.
- We **object** on the grounds that the vast majority of the communities affected by the emergence of the A96 Corridor Strategy were not aware of the small number of meetings that constituted the initial stages of work taking place during 2004 on the A96 corridor strategy and no sense of ownership of the proposals has developed.
- We **object** on the grounds that many members of the public likely to be affected by the proposals were not given an opportunity to make their views known prior to the announcement being made that a 'new town should be built'. This was particularly important given that the proposal for a new town therein was a major step for the area and the whole of the Highlands
- We **object** on the grounds that the timescales were inadequate for effective consultation during Stage 1 in 2004 and this is confirmed by the Craigforth Report in relation to the Involvement of young people and their comment that the majority of respondents were over 50

We believe that the quality of participation undertaken on the development of the A96 Corridor master plan in Stage 1 / phase 1 **was inadequate**. No community councils as formal bodies were involved at an early stage in the preparation of the plan, and therefore community aspirations were not adequately defined

- We **object** to the application on the grounds that the Community engagement was not meaningful enough at the earliest stage to effectively influence the shape of the master plan proposal

With respect to any suggested links between the A96 corridor strategy and the emerging Local Plan (since adopted) and the Approved Structure Plan; Point 6.0 of The Report by the Director of Planning 21 May 2005, reported to Elected Members that:

- *"Development of the A96 Corridor strategy has already been the subject of significant public consultation through the statutory Development Plan process and the consultant's masterplanning exercise".*

We believe this misrepresents the level of consultation that the public and community councils actually had on the A96 Corridor master plan, and is very unfair. There was little indication during the Inverness Local Plan process as to the scale of development that was later to be proposed as part of the Corridor master plan. It difficult to accept assertions by Highland Council that attempt to link the information provided to members of the public during the statutory local plan process, in the same sentence with the 'consultation' on their A96 Corridor Proposal.

This belief may be supported by the 'Craigforth' report when it describes the Key Issues arising from the focus groups they conducted in 2004:

- *"Whilst relatively few people were unaware of plans for some degree of future growth, there was considerable surprise amongst both focus group and more informed conference attendees regarding the scale of growth planned"*

This is hardly the reaction of a public, the community council attendees in particular, (for whom in 2004, the Inverness Local Plan consultation would still have been relatively fresh in the mind), who, it is implied, had already been made aware of the possibility of the ambitious and far reaching nature of the proposals for the A96 Corridor.

- We **object** to the application on the grounds that attempts to link the consultation of the A96 corridor to the consultation on the statutory local plans are not fully justifiable.

Focus groups had formed the basis of all the claims that Highland Council Planning Department had made with regard to the extent and quality of public interaction that had taken place within the first phase of the A96 Corridor master plan development process and are as described in appendix 1 of the Applicant's Community Engagement Statement

- We **object** on the grounds that the 'informality' of the focus groups was emphasised reducing the effectiveness of the community input
- We **object** on the grounds that the Public involvement was limited and compartmentalised by the focus group participation
- We **object** on grounds that the participants at those focus groups were left unclear as to how their views were to be represented at future stages of the process

We have been informed by THC that it is normal procedure to report the outcomes of the consultation to the relevant committee meetings before feeding back the decisions that have been taken on the basis of these outcomes

- We **object** on the grounds that procedure gave no opportunity for feedback to the community participants in the focus groups prior to the councillors being asked to make decisions.

References that were made to both Highland Councillors and our Elected Representative with regard to the involvement of Community Councils were not in my view representative of the level of interaction that had taken place. Concerns in this regard have been the subject of a formal complaint to Highland Council and a submission to the SPSO.

It was stated in the report to the Joint Area Committees on 6<sup>th</sup> June 2005 that *"back to back testing of the eight development models proceeded through 3 independent processes Technical, Stakeholder, and Community"*. (Section 4.16 of the Report by the Director of Planning presented to the Inverness Area Committee and Nairn Committee). This was inaccurate and misleading; it is acknowledged that the Community looked at only 4 model options. (Ironically this was contradicted within the report itself by the abbreviation 'n/a' appearing against the 4 options that the community groups were not asked to consider.)

The report presented on 06/06/05 also stated that there had been consultation with community councils.

- We **object** on the grounds that misleading references appeared to our Highland Councillors with regard to the involvement of community councils

- We **object** on the grounds that elected members were given inaccurate and misleading information in support of the A96 Corridor Strategy with regard to the community being one part of 3 processes that tested 3 options.
- We **object** to the application on the grounds that the **exact** derivation of the recommended options (Dalcross North and Dalcross South; options from which the site of the new town were chosen) is unclear in terms of stakeholder and community assessments within FG Burnett Consultant's report.

Copies of the presentations given to the focus groups and community councilors, along with details of options discussed and the timetable for the community councilors conference are included with this objection. Please see attached.

### **3 The Environmental Impact (as covered by the Applications Main Report, Non Technical Summary, 12 Technical Annexes and CEMP – Construction Environmental Management Plan)**

#### **3.1 Socio Economic Factors**

In the conclusions and recommendations sections of the Environmental Statement, Technical Annex 8, Socio Economic Assessment; it is stated that the population and household growth will need to meet the best fit case or higher **in order to avoid negative impacts on the local housing market**. Lower Growth is likely to result in excess supply. This requires in migration to the A96 corridor to be at a similar level to that over the last 10 years **if all the planned developments, including Tornagrain, are to be successful**. For this to occur the area needs to meet a number of conditions for enhanced economic performance, which are summarised in table 5.2 of that report. The report continues that the Highland Council, HIE, and other key partners recognise this and have a number of viable plans to create these conditions for enhanced economic performance- these include airport expansion, IABP, Castle Stuart Golf Course, UHI, and building the healthcare sector around Lifescan. The success of these ventures will help to determine the future of the local economy, and by extension the viability of, Tornagrain, and other developments in the area.

The Strategic Transport Projects Review Technical Note 19 (which identifies areas of economic activity which are of National importance - to aid assessment of transport performance) concludes with respect to Inverness Airport, *"although it is recognized that there are significant plans for development on the site little evidence has been found as to the nature of the employment likely to be generated and the fit therefore with the strategic industries being assessed here."*

- We **object** to the application on the grounds that insufficient evidence has been presented within the socio economic analysis to indicate that negative impacts will be avoided in terms of local housing market.

The National Planning Framework recognises that Inverness needs to broaden its economic base.

- We **object** to the application on the grounds that nothing that is stated in the Socio-Economic report regarding GVA, Economic Activity, Industrial Structure or Occupational Profile will necessarily support the NPF in respect of broadening the economic base of Inverness.

The Socio Economic Report also states that there will be some non-quantifiable impacts, including improvements in economic diversification of the area. This economic diversification would help the area to retain more of its younger people i.e. those with high levels of economic potential.

- We **object** to the application on the grounds that it does not describe the kinds of businesses that it is claimed could be attracted to the area.

The socio economic report states that in terms of earnings and income, the mean gross weekly pay for the Highland Region continues to lag behind both the Scottish and UK Rates.

### 3.2 Strategic Environmental Assessment

In their comments on the A96 Masterplan of 02/08/05 SEPA stated:

*"It is noted that the development options within the corridor were developed through a series of technical capacity assessments, sustainability appraisal of development options by stakeholders and community consultation. Different options scored differently under the three assessments. SEPA is disappointed that the Planning Authority did not carry out Strategic Environmental Appraisal (SEA) as part of this exercise. Clearly this Masterplan sets the framework for many other projects which will require EIA themselves (indeed, work is being carried out at present on the Castle Stuart and Ardersier (White Ness) EIA's at present and hence SEA as a separate assessment would be very appropriate. SEA is best carried out as an iterative process throughout the development of a plan, not as an add-on at the completion of a project. There is a risk that the Planning Authority will carry out SEA on options that have already been pre-determined. This is disappointing, given that SEPA raised the need to consider SEA in its letters to the Council's consultant's of 14 June 2004 and 19 August 2004".*

- We **object** to the application on the grounds no concurrent SEA was carried out on all 8 options (at the time when the concept of a single central settlement was being ranked against 7 other development options by stakeholders)

In terms of the preparation of the A96 Corridor Masterplan; Consultants were not appointed until May 2004. The 2 initial stakeholder meetings took place at the end of June 2004. 8 options were ranked by stakeholders in September 2004. Focus groups (12 community councillors and 39 members of the public) took place at the end of November 2004. The Applicant's Planning Statement reads, Tornagrain was first proposed by The Highland Council in December 2004. The completed consultant's report was sent to the Council just before Easter 2005.

- We **object** to the application on the grounds that insufficient time was allocated for thorough preparation of the masterplan from which it emerged.

### **4 Increase of size of development and construction timescales**

- We **object** to the application on the grounds that the application covers a period to 2046 which is outside the period covered by the A96 corridor framework
- We **object** to the application on the grounds that the applicant has increased the numbers of housing units from 4750 to 4960. Further to comments by Mr Duany at the Charrette we believe that it was always the intention to increase the number of units.

***We reserve the right to expand or otherwise amend our objections as expressed and to seek professional advice in that regard***

***Yours sincerely***

***Catherine Stafford (Mrs)  
Christopher Stafford (Mr)***



## **Appendix 2 – Mr and Mrs C Stafford Response to Main issues Report for the Highland-wide Local Development Plan November 2009.**

**As stated in the main text of our submission, The Housing Need and Demand Assessment does not illustrate the need for more housing in the area of the A96 Corridor specifically There are only 3 places where the A96 corridor is mentioned in the full Housing Need and Demand Assessment consultation draft; one reference to the significant development 'interest' in the area and a small and repeated reference to a shortage of sites in Nairn, (one in the body of the text and another in an appendix).**

### **From the HNDA:**

*Incomes and earning are key drivers of housing demand and need.*

*The Annual Survey of Hours and Earnings shows that in 2008 the median income for all jobs in Highland (both full and part time) was £18,200; 94% of the Scottish median (£19,500) and 90% of the UK median (£20,200).*

*Figure H21 shows that the median house price rose steadily at a rate slightly above inflation between 1998 and 2001 before beginning to increase dramatically. The median house price rose from £51,000 in 1998 to £59,000 in 2001, and £151,000 in 2007 – a massive increase of 196% during the period. Whilst this was similar to trends in the rest of the country, at a number of points in recent years Highland was reported to have the highest house price inflation. One example reported<sup>32</sup> from the BBC -"Highlands have risen faster than any other area in Scotland in the past decade. The Bank of Scotland said the cost of a home in the region has more than trebled since 1997, rising by 221%. The area overtook Edinburgh, traditionally the most expensive place to buy... The average price of a house in the Highlands in 2007 was £173,081, more than three times the £53,991 a home cost 10 years ago....Manager of Highland Solicitors Property Centre, said: In the Highlands, particularly around Inverness, we've seen an incredible rate of growth with businesses opening up and lots of people coming to Inverness. They come because of the lifestyle and the high quality of living and the links to the outdoors. Some people might have sold their property down south and come to the Highlands to get a bit more for their money."*

*The Scottish Government's Scottish housing market review found that the Highlands was consistently amongst the least affordable local authority area when house prices were compared with earnings and considered it to be an affordability hot spot.*

*A combination of high prices and lower incomes means that housing in Highland is far less affordable than the Scottish average*

*For Highland as a whole the threshold entry-level prices are around £79,000, £103,000 and £124,000, in 2007 for the three size groups. For 2-bedroom, the range of variation is from £65,000 in Caithness to c£125,000 in West Ross and Skye & Lochalsh – double the price. One may speculate that the 'external' demand from retirement migrants, holiday and second home purchasers would be a significant factor in the price levels in these latter districts.*

The vast majority of affordable housing requires to be social rented – shared equity or mid-rent housing can take only a small fraction of households in housing need out of it.

In 2007, around 980 new social rented houses needed to be built to meet emerging housing needs and a proportion of the backlog from households with existing needs.

Figure N2: Highland's Need for New Social Rented Housing (units per year) Highland total average 784 per annum

The housing market is most active in Inverness - in terms of owner-occupied turn over in 2007 compared to the proportion of households in the area, Inverness had the highest turnover (7% of households). Badenoch and Strathspey and Nairn also had higher than the Highland average of turnover – around 6% of households. Sutherland had the lowest turnover. Other areas were around 4%.

The vast majority of Highland's new build sales have been in Inverness (over 6 out of 10 sales in Highland between 2003 and 07). There has been some but much less new build sale activity in Nairn – on average around 60 a year – followed by Mid Ross and Badenoch & Strathspey – on average around 40 pa. There have been very few new build sales in Skye & Lochalsh, Wester Ross and Sutherland.

Across Highland only 29% of younger (under 35) households have enough income to buy in the market. This rises to 34% when allowance is made for access to wealth for larger deposits. However, 38% could afford to rent privately – this assumes availability of lettings at what we estimate to be current asking rents. In all districts except Sutherland, private renting appears to be more affordable than buying. This reflects the high level of house prices in 2007.

Table F5 shows how the number of households is expected to change to 2031. Three scenarios for Inverness 2006 - 30,497 2031 med - 41,016 high - 43,169 low - 38,697

GROS predict that nationally the rate of household growth will fall in the longer term – becoming more apparent from around 2021 onwards - and this is also predicted for Highland.

There are parts of Highland – eg Nairn – in which the requirement for open market housing appears to be low (138) relative to the need for affordable housing (430) implying little need for open market housing. In reality the funding is unlikely to be available for the full need and households in need will find solutions for themselves in the open market eg through high housing costs or subsidised renting solutions. Developers should also respond to the market by providing open market and low cost and starter homes.

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Private new build starts and completions have fallen as developers put sites on hold.

- \_ Housing sales have dropped significantly to near historic lows<sup>13</sup>.
- \_ House prices have fallen.
- \_ House purchase loans and re-mortgages have declined and the market is very weak

Lenders have tightened their lending criteria which presents greatest challenge for young, 1st time buyers – they typically needed a deposit of 25% in early 2009 (equal to around £26k) – a year earlier this would have been 12%, around £14k. Income multipliers have fallen.

“...with continued restricted money, weak economy and deteriorating unemployment they, like many commentators, expect recovery to be weak and slow”

**Comments and questions arising:**

**Summary of population figures from HNDA:**

	15-34 (%)	35-44 (%)	45-64 (%)	65-74 (%)	75+ (%)
<b>Highland</b>	45,705 (20.1)	32,282 (14.8)	62,278 (30)	21,249 (10)	17,578 (8)
<b>Inverness</b>	17132 (23.9)	11,326 (15.8)	19,590(27.4)	6,033 (8.4)	5,321 (7.4)
<b>Nairn</b>	2,243 (18.6)	1850 (15.3)	3552 (29.4)	1329 (11)	1110 (9.1)

The extracts from the HNDA indicate that the priority is to provide social rented housing which is not linked to open market housing.

If only 29% of people under the age of 35 can afford to buy in the market and a further 38% can only afford to rent this is an age group that the council wishes to retain in the Highlands, then why are the vast majority of homes going to be open market housing?

The report does not provide an analysis for the 35-55 age group which is likely to be the group which is still in full time employment, (and have family responsibilities), in terms of affordable housing need - given that the area may be attractive to affluent early retirees which are counted in the 45-64 group.

House prices give an indication of the relative attractiveness of an area and its housing stock. It is said that growing numbers of sales alongside rising prices indicate strong demand and capacity for new housing stock. However we now in an extremely difficult market situation and any development may have impacts on local housing markets in other parts of the wider area. With respect to the A96 Corridor there are a number of housing projects that are planned or underway, and, for example, it is possible that Tornagrain may affect, or be affected by, these developments. There may also be concern about the longer-term viability of some existing communities if the level of desired development proceeds.

**The Social and Economic Impact section of the Assessment for Tornagrain prepared by DTZ noted:**

*“Knowledge of the local housing markets, coupled with updated demographic projections, has been used to make an assessment of the impact of Tornagrain on local housing markets. The impact of other housing expansion on Tornagrain, and vice versa, is also considered.*

*The local housing market will also be highly dependent on the UK housing market, i.e. people have to sell their houses somewhere else if they are to move to the A96 Corridor area. At the moment, the national housing market is in decline in terms of house prices and sales, and there are significant fears of a sharp market downswing, particularly in the wake of recent shocks caused by problems with the sub-prime lending market in the US. The housing market is highly dependent on market confidence and, although many market commentators see a slowdown rather than a slump in the housing market in Scotland, any sharp correction will have serious consequences for people's willingness and ability to relocate to the A96 Corridor area."*

**Their assessment also notes:**

*"The timing of the provision of retail facilities will ultimately be responsive to market conditions, as operators are unlikely to want to move into an area until the population thresholds have been met. Therefore, the provision of the entire retail floorspace will take place on a phased basis as the settlement develops."*

**The DTZ assessment also provides recommendations for mitigating negative impacts and enhancing benefits:**

*"Population and household growth will need to meet the best fit case, or higher, in order to avoid negative impacts on the local housing market. Lower growth is likely to result in excess supply. This requires in-migration to the A96 Corridor area to be at a similar level to that over the last 10 years if all the planned developments, including Tornagrain, are to be successful."*

*As a result, the area needs to meet a number of conditions for enhanced economic performance, the most important of which are summarised below.*

- *There need to be higher levels of economic growth in the region, especially in the high value-added parts of the private sector.*
- *The planning regime in the region must continue to recognise the importance of population and economic growth and have policies and procedures that facilitate development.*
- *The current workforce needs to be up-skilled and skilled migrants need to continue to be attracted to the region.*
- *The local transport infrastructure needs to be developed through the upgrading of the major roads in the area and improving rail links with other Scottish cities."*

**We do not feel that sufficient recognition has been paid to the weakness and unpredictability of the national housing market and the Planning Authority is failing to ensure that the plans for the A96 are realistic and achievable and related to need. The plans for the A96 Corridor are unworkable and the Planning Authority should work with communities to seek alternative and achievable solutions.**

**Appendix 4 Mr and Mrs C Stafford Response to Main issues Report for the Highland-wide Local Development Plan November 2009.**

**A key element in the economic strategy which is claimed to underpin the anticipated population growth in the area of the A96 seems to be an assumption that major future drivers to economic growth for the whole of Highland will automatically result from the presence of a medium-sized regional airport, located in the A96 Corridor. We have seen no evidence to support this assumption, and perhaps this is the reason why there seems to have been no reference to Inverness Airport and its role as an economic driver in the Main Issues Report.**

**The reporter noted in the Report in the Public Inquiry into Objections to the Inverness Local Plan (adopted 2006) that:**

*"The Airport Economic Development Initiative, if it proceeds in the form envisaged in the DDILP, is likely to be a long-term option and to depend on very large scale funding that remain to be secured."*

**Amongst the Reporter's conclusions regarding the airport were the following statements:**

*"That said, in the absence of any supporting evidence other than previous developer interest in warehousing, and having had regard to the other extensive allocations proposed in the DDILP, I see no reason to increase the 14 ha industrial allocation to the south-west of the terminal. This allocation appears to have emanated from an assessment undertaken as part of the Feasibility Study that was commissioned by the Initiative partners."*

*"25.1.48 It is possible that the Feasibility Study assessed the likely operational characteristics of a freight village in detail, and modal split, and it is unfortunate that only the Executive Summary appears to be in the public domain. However, on the evidence, I conclude that this element of the proposal merits further scrutiny to establish compatibility with sustainable transport objectives, including those in the HSP, before the Council decides whether to confirm the Policy 3(ii) cargo allocation; and, if so, in what terms."*

**The STPR Environmental Report Technical Note 19 (which identifies areas of economic activity which are of National importance - to aid assessment of transport performance) concludes with respect to Inverness Airport,**

*"although it is recognized that there are significant plans for development on the site little evidence has been found as to the nature of the employment likely to be generated and the fit therefore with the strategic industries being assessed here."*

**As noted in the main body of our submission on the MIR, a recent press release from the Institution of Civil Engineers considers the seriousness of the issues facing aviation:**

*Aviation 2040: what the future could hold for UK airports and air transport*

[http://www.ice.org.uk/news\\_events/newsdetail\\_ice.asp?PressID=283&NewsType=Press](http://www.ice.org.uk/news_events/newsdetail_ice.asp?PressID=283&NewsType=Press)

*Four provocative scenarios showing how UK air transport and airport infrastructure could look in 2040 have been set out in a new report published today by the Institution of Civil Engineers (ICE).*

*Aviation 2040, developed by ICE in conjunction with global built environment specialists ARUP, challenges Government, politicians and industry to take a fresh approach to the long-term development of the UK's airports and their place in the wider transport system.*

*ICE believes too much of the public and political discussion on airport infrastructure is short term and based around arguments for and against individual projects, with very little long-term, strategic thinking.*

*The four scenarios are based on key social, technical, economic, environmental and political (STEEP) factors that could cause dramatic change to our airports and air transport sectors over the next 30 years.*

*These factors include changes in society's attitudes to climate change and terrorist activity, rising UK emission levels, population growth, major technological advancements, changes in Government leadership, and economic conditions affecting jobs, disposable income and the cost of travel.*

*Peter Hansford, ICE Vice President, said: "These scenarios are not predictions for the future; rather they highlight the need for Government, politicians and industry to develop new thinking to take account of the pressures that could dramatically transform air transport and airport infrastructure in the future.*

*"The Government's last strategic policy document on aviation came out in 2003. There have been major developments since then, notably the economic crisis and revised climate change and emission reduction targets. It is time to open a serious debate about the need for a long-term national strategy on the UK's airport infrastructure – one that secures the best outcomes for society, the environment and the economy in the years to come."*

*Presenting the scenarios, Simon Godfrey-Arnold, ICE Aviation Expert and Head of Markets at Mouchel, said:*

*"Planning for the future demand for air transport is generally uncertain, but we hope the creation of the four scenarios will move the discussion beyond some of the immediate talking points surrounding individual projects and encourage a broader consideration of the future shape of UK aviation as a whole. There are a number of very important, strategic questions that need to be resolved now, if we are to provide the infrastructure solutions needed for the future."*

*Marcus Morrell, ARUP Foresight Innovation and Incubation, said: "The Aviation 2040 scenarios provide a robust framework for an informed discussion about the future of UK aviation and airport infrastructure. They are not predictions; instead they represent a*

*range of possible outcomes that may play out over the coming decades. Although fictitious, they are drawn from the expert opinions of key industry stakeholders and captured through Arup facilitated workshops. The possible strategy actions developed point to the need to take a more holistic look at mobility before certain critical constraints take hold."*

*ICE believe now is the ideal time to instigate a serious debate about the future development of UK airport infrastructure.*

*The Council for Science and Technology's recent report A National Infrastructure for the 21st Century found that the "network of networks" that makes up the UK National Infrastructure is becoming increasingly vulnerable to systemic failure and is ill equipped to deal with the socio-economic and climate change challenges of the 21st century.*

*Elsewhere, on 8 December the Committee on Climate Change is set to publish its latest report advising government on how the UK can reduce gross aviation emissions back to 2005 levels by 2050, and outlining the implications this target will have on further airport expansion.*

*Finally, the current economic crisis and the forthcoming General Election have focused thinking on the future structure of the UK economy and the transport system that is required to underpin it.*

**ENDS**

*The scenarios: (each contains a narrative, timeline of events, current and projected 2040 economic and aviation statistics, and key STEEP drivers - [download the scenario document](#))*

**Vortex of Despair 2040** – *The global economic centre shifts east to Asia. Rather than an uninterrupted period of status quo in the UK, there is regular political change. Airports become a political football leading to stasis. The economy is reliant on the export of high value-added services, but the government struggles to fund the educational system by which it is underpinned. Periods of prolonged economic contraction have led to high unemployment. Immigration is a contentious issue as numbers of economic and environmental refugees begin to rise. Public opinion swings in favour of stringent protectionism. Disposable income shrinks while the cost of travel increases. Alarm about the environment, and about health and security issues, is growing. Despite economic difficulties, emissions reduction targets are ratcheted up in reaction to the latest climate science. The whole transport network stagnates. Some regional airports close, others are sold. Long-haul routes to Asia remain popular.*

**Eco Angst 2040** – *Society has become acutely aware of the effects of advancing climate change and air travel has suffered as a result. Those who need to travel by air do so discreetly for fear of vilification. Westminster sees much-needed economic value in air travel and reduces taxes in order to stimulate demand. Local food campaigns have led to a modal shift for freight to ground transportation and shipping. Technological advancements improve fuel efficiency. Oil prices reach a historical post-Peak high and biofuel-based alternatives become economically viable. Environmental lobbyists and civil*

*society groups denounce air travel despite technology gains. Videoconferencing has drastically reduced the need for business and personal travel.*

*The government props up a niche long-haul sector for strategic economic gain. The travelling public shift to rail for domestic and inter-continental journeys. Many regional airports close and international airports are nationalised. Cargo transportation grows, but is constrained by airport capacity.*

**Big Stick 2040** – *The government encourages a reluctant domestic population to shift transport modes, driven primarily by political concerns about climate change. Short-haul air travel is forcibly migrated to rail within an integrated national transport strategy. Road pricing is introduced and rail fares are subsidised. Freight shifts from air to rail and ship. The cost of carbon has increased steadily over time and the government has enacted punitive tax hikes on carbon intensive industry. Capacity is constrained in the South East, while the government attempts to stimulate an ailing economy in the Midlands and the North. The cost of flying is generally high, but those who can afford to continue to fly. Cleaner air travel spurs long-haul demand globally, especially on routes between the US, Europe and prosperous BRIC countries. There are also operational improvements in the long-term. These do not bring prices down, however. Looking forward, the worst of climate change is thought to have been avoided.*

**Laissez-Faire** - *The global economy has grown rapidly and credit is cheap and plentiful. Despite warnings of runaway climate change, economic activity and increased competition fuel social mobility and cultural expression. Airport expansion is virtually self-regulating, with the government employing a light touch in its role as regulator. Taxation measures benefit the aviation industry. Technology gains make emission levels from air transport more acceptable. Airport infrastructure is developed and there is better surface access to airports. Regions prosper around UK hubs. Economic growth has led to job creation and an increase in disposable income. Combined with the demand from a prosperous Asia, aviation booms. Despite the advance in technology global emissions targets are not met. The impacts of extreme, sudden climate change begin to take hold and adaptation becomes a priority; the UK's largest airports build flood defences.*

**DTZ include the airport as related development and state they have calculated that, by 2021, the IABP development will be generating just over 2,000 jobs in Inverness that would not accrue without alternative developments (DTZ, Inverness Airport Business Park socioeconomic assessment: Technical Annex 6 of Environmental Statement. 2008.)**

**Table 1 shows some statements that have been made regarding the numbers of jobs at the airport business park. Clarity should be provided to differentiate between the numbers of jobs that will be created on the business park site and the number of jobs that will be supported throughout Highland due to any resultant expansion of airport traffic.**

**We believe that evidence of the realistic economic viability of the site should be provided to councillors with immediate effect in order to provide them with sufficient time to consider the implications, not only for the A96, but for the wider Highland economy, prior to the publication of the Proposed Highland-wide Development Plan.**

**Table 1**

Date	Agency	Jobs	Floor space Sq metre	Due by	
240604	HIA	300	16,500	2011	
240604		5000 full time	260,000	30 years	
270208	HIA	10,000 fte	350,000	50 years	
2008	IABP OPP	6599 - 14912	345,234	2061	

**Appendix 3 – Mr and Mrs C Stafford Response to Main issues Report for the Highland-wide Local Development Plan November 2009.**

The Highland Council chose to bring forward a major strategy (what is now described as The A96 Growth Corridor Development Framework) as supplementary guidance under the 1997 Planning Act, at a time when Scotland's planning system was undergoing its most radical overhaul in 60 years; and at a time when Scottish Ministers have stated their determination to make the planning system more inclusive and accessible to people, with greater openness and accountability in the decision-making process.

A great deal of guidance on how to engage the public was available to Local Authorities during this time, as illustrated by the fact that Planning Advice Note 81 indicates that it is a summary document of both past and future good practice. The council chose to use a loop hole in the planning system to bring forward what were described as 'emerging' (major) proposals as supplementary guidance (SG). In doing so they did not even comply with elements of the 2 paragraphs of guidance on SG in SPP 1 that Community Councils should be involved and that community aspiration should be defined.

This is evidenced by the fact that community councillors were invited, late in the 'master planning exercise, as individuals only and were told that they were not there to represent the community view – there would be time for that later in the process.

The announcement in a Highland Council Press Release on the Tuesday 31<sup>st</sup> May 2005, that, "A new community serving a population of 10,000 plus should be created on the A 96 Inverness to Nairn Road at Dalcross South – between Tornagrain and Drumine Farm, near Gollanfield." came as a great surprise to the vast majority of the residents in affected communities. The fact that it also stated "This is the main recommendation of the first phase of the A 96 corridor Masterplan, which will be considered on Monday 6<sup>th</sup> June by the Highland Council's City of Inverness and Area Committee and the Nairnshire Area Committee at a joint briefing in the Town house.", came as an even greater surprise to the participants of the small number of focus groups that had taken place a few months previously, (including the community councilors meeting as described above), at which possible options for development of the A96 corridor had been discussed. Those few focus groups had formed the basis of all the claims that Highland Council Planning Department had made with regard to the extent and quality of public interaction that had taken place within the first phase of the A96 Corridor master plan development process.

Further to the announcement, the Area Planning meeting, and a 'Leaflet' consultation Community Councils, members of the affected communities and other local landowners and building representatives raised concerns, between them covering matters such as:

- The quality and extent of this consultation
- How the public's role in the 'decision' making process had been represented to elected members

- **The lack of justification for the population growth upon which the proposals were based**
- **Concerns around deliverability of infrastructure (Homes for Scotland)**

**Nairn Suburban Community Council stated in their August 2005 submission to The Highland Council:**

*"In November 2004 Nairn Suburban C.C. representatives attended a public consultation undertaken by Craigforth Consultancy & Research, Stirling in connection with the A96 Plans for major growth between Inverness and Nairn, neither of whom were aware that they had "voted" for any of the options put forward."*

**A representative of 'Tulloch' made the following submission:**

*"I have followed the consultation process through the exercise established by FG Burnett and attended two of the workshops. In my experience of that process, it was very difficult to discern any clear support from stakeholders or others towards a new community mid way within the corridor, I am concerned now, that for the Council to commit to this strategy unequivocally, as seems to be the case from the information paper, it will not enjoy the range of community and other support necessary to give credibility to the strategy and additionally, it has missed out a step in the consultation process whereby the Council have gone from consultation to a decision and commitment on a major strategic issue, without first seeking meaningful responses from key parties."*

**The General Manager of Norbord submitted on 220705:**

*"We have noted in the local press plans for a proposed new town at Tornagrain. We believe that this may have a significant potential impact on our operation here, and are extremely disappointed that we have had no communication from yourselves regarding this." And,*

*"Norbord have gone to great lengths to develop good community relations, and have established a Community Forum group of local representatives (including community councilors and a regional councillor) which meets on a regular basis. Norbord notes that the Forum is united in its opposition to this plan."*

**The Consultant on behalf of Inverness Estates submitted on 020805:**

*"Having attended all of the relevant forums and workshops, we were surprised to learn that the "transport" option emerged so strongly as a consequence of the testing process for options. Our clear impression from our engagement with the process, and from soundings we have taken outwith that process, is that the "polar growth" option was the one which commanded most support. We understand that this option is considered to have failed on technical grounds (particularly water and sewage). However, we have seen no evidence for this and it may be that other technical views are available. We are also surprised to see that the "polar growth" option did not score well in the "community category". That was not our understanding at the time and we believe that public comment in the past few months gives credibility to our perception."*

**The representative of a number of Nairnshire Stakeholders submitted on 040805:**

*"Between our two representatives, they attended three Stakeholder meetings as part of the process at Inverness and Nairn. At these meetings, the most popular option for additional development was to focus additional growth on the existing settlements of Nairn and Inverness. This same observation was backed up at the public meeting at Croy Hall on Wednesday 6<sup>th</sup> July 2005"*

**Balloch Community Council submitted on 270705:**

*"I am writing on behalf of the Balloch Community Council (BCC) to give you our response to the A96 Corridor Masterplan. Firstly I and two of my fellow community councillors attended the meeting with the consultants at the Highland Council HQ earlier this year. It was described as consultation but there was very little listening and lots of presentation. Time was short and there was a lot to take in. We appreciate that this was an early phase in the consultation process but it has been used as a major reason to justify the final option. Our recollection is that there was no consensus by the community councils as to which option was preferred."*

**Croy and Culloden Moor Community Council made the following submission on 010805:**

*"We are also greatly concerned that some of the views which came up at the community council focus group meetings/discussions on this plan, do not appear in the final consultants report. We have also had representations from members of other focus groups (random members of the public and local landowners) who also attended relevant workshops and felt that the views of their group were not reflected in the consultant's report. Were minutes kept of the various focus group meeting?"*

**Ardersier Community Council expressed these views in their submission of 060805:**

*"Our representative has attended the consultation meetings and has read through the documents and studied them in great detail. I have enclosed a copy of his comments which are backed by Ardersier and Petty Community Council. Ardersier and Petty Community Council along with other Community Councils will be requesting a public enquiry into which this whole consultation process has been conducted"*

**Smithton and Culloden Community Council and Cawdor and West Nairnshire CC**

Smithton - A verbal recollection from one of the attendees at the 2004 community councillors focus group indicates that the consensus of the group was that there was to be development spreading east from Inverness and west from Nairn - subject to the provision of a bypass at Nairn.

Cawdor - Representative has expressed verbal dissatisfaction regarding the process and conclusions reached.

**Only 12 community councillors attended this meeting – the above comments represent the views of 11 of them. We have not identified the 12<sup>th</sup> person.**

**In response to other letters written to the council by members of the public directly or by Members of Parliament on the public's behalf council officers gave the following re-assurances:**

Date of Correspondence	From	To	Comment
23 Aug 05	Mr Rennilson	Mrs H	<i>"Whatever conclusions are reached they will be the subject of incorporation into a future Inverness and Nairn Local Plan, when there will be a period for public representation and objection. Unresolved objections will then need to go forward to a Public and Local Inquiry under the auspices of a Reporter appointed by the Scottish Executive Enquiry (sic) Reporter's Unit" (SEIRU)</i>
03 Oct 05	Mr Rennilson	F Ewing MSP	<i>"...the concept will remain to be tested through the statutory development plan system. The information leaflet makes clear that the final conclusions of the work will require to be incorporated into future local plans of the area this will allow the public to make representations on this issue and, if necessary, for it to be tested through Public Local Inquiry. Thereafter, each aspect of the Masterplan will also require to be the subject of planning applications, when the public will have further opportunities to make their views known."</i>
30 Mar 07	R Hartland	F Ewing MSP	<i>"A considerable level of stakeholder involvement and public consultation has been undertaken at each main stage in the masterplanning work"</i>
04 June 2007	Mr Rennilson	F Ewing MSP	<i>"The Council is therefore committed to progress the finalised masterplan through the statutory Local Development Plan process. I would stress that this does not preclude issues being raised on the principles underlying the masterplan. People will not be fettered in that respect." "My own view, however, is that considerable resources have been invested in the A96 Corridor process thus far with support from a range of partner agencies and it would be unfortunate if the outcomes to date were unraveled."</i>

Reviewing the documents from which the above statements were taken has highlighted just how unsatisfactory the community councils and the 'stakeholders' felt that the consultation on the proposals for the A96 Corridor were. Comments made at recent Public meetings in Croy, Culloden and Nairn indicate that the public remains opposed to and sceptical about the plans for the A96 Corridor and does not wish to see them incorporated into the Highland-wide Local Development Plan.

It is clear that many individuals did not feel that *"a considerable level of stakeholder involvement and public consultation has been undertaken at each main stage in the masterplanning work."*

Mr Rennilson clearly gave the impression to F Ewing MSP that work on a local plan would be completed before any planning applications would be submitted. This was clearly something that the former Director of Planning could not guarantee and we now find ourselves in a situation whereby a significant number of planning applications have been submitted in advance of the land allocation process. We believe that the Planning Authority has placed itself in a high risk situation whereby it is relying on the goodwill of the development interests; these planning applications are now outstanding by several months.

The proposals for the A96 Corridor have progressed to the Growth Corridor Framework Stage because of misleading representations made to councillors regarding both the extent and quality of the involvement of the public in the early stages of the master planning process and the level of support that the public had for what the planning authority stated were proposals based on the consultant's conclusions.

The public's concerns regarding the Tornagrain element of the Framework were dismissed in 2007, in favour of the 'bigger picture' to bring forward a package of measures (see main Mr and Mrs Stafford main submission).

We may be being asked to focus on the land use elements of Corridor Framework as part of the MIR consultation, but the framework would not exist at all if it were not for the level of public support claimed for the corridor master plan in the earliest stages of its conception.

