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Mr T Stott
Highland Council
Sent By E-mail

Our ref: LDP-270-6

10 May 2019

Dear Mr Stott

**PROPOSED WEST HIGHLAND AND ISLANDS LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)
(SCOTLAND) REGULATIONS 2008**

SUBMISSION OF THE REPORT OF THE EXAMINATION

We refer to our appointment by the Scottish Ministers to conduct the examination of the above proposed plan. Having satisfied ourselves that the planning authority's consultation and engagement exercises conformed with their participation statement, our examination of the proposed plan commenced on 7 August 2018. We have completed the examination and now submit our report.

In our examination, we considered all 28 issues arising from unresolved representations identified by yourselves to the Proposed Local Development Plan. In each case we have taken account of the original representations, as well as your summaries of the representations and your responses to such, and we have set out our conclusions and recommendations in relation to each issue in our report.

We undertook a comprehensive series of unaccompanied site inspections. In addition we made six further information requests from the council and representees and the responses to these have been taken into account in making our findings. We did not require to hold any hearing or inquiry sessions.

Strategic environmental assessment

We have reviewed the environmental report which accompanies the proposed plan. This provides an assessment of the vision and spatial strategy and policies including alternative approaches as well as an assessment of site allocations and alternative sites. We note that comments by Historic Environment Scotland, Scottish Natural Heritage and Scottish Environment Protection Agency have been taken forward in the revised report and that the council has responded to all the issues raised and the outcomes recorded.



Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 (as amended) and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, you are now required to make the modifications to the plan as set out in our recommendations.

You should also make any consequential modifications to the text or maps which arise from these modifications. Separately, you will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

All those who submitted representations will be informed that the examination has been completed and that the report has been submitted to yourselves. We will advise them that the report is now available to view at the DPEA, and that it will also be posted on your website.

The documents relating to the examination should be retained on your website for a period of six weeks following the adoption of the plan by yourselves.

It would also be helpful to know when the plan has been adopted and we would appreciate being sent confirmation of this in due course.

Yours sincerely

**Trevor Croft
Reporter**

**Andrew Fleming
Reporter**

**Dilwyn Thomas
Reporter**

**REPORT TO THE HIGHLAND COUNCIL
ON THE
PROPOSED WEST HIGHLAND AND ISLANDS
LOCAL DEVELOPMENT PLAN EXAMINATION**

Reporters: Trevor Croft BSc DipTRP ARSGS FRSA MRTPI
Andrew Fleming BA(Hons) BTP MRTPI
EDK Thomas BSc (Hons) MBA MRTPI

Date of Report: 10 May 2019

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Examination of Conformity with the Participation Statement

Introduction

1. Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the person(s) appointed by the Scottish Ministers to examine the plan: “firstly to examine...the extent to which the planning authority’s actings with regard to consultation and the involvement of the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a).”
2. In our examination, we considered representations to the Proposed Plan of May 2017 that were not resolved.

The participation statement relating to the Proposed Plan

3. The version of Highland Council’s participation statement which was current when the Proposed Plan was published formed part of the Development Plans Newsletter dated January 2017. Previous statements were published in 2014, at the stage of calling for sites and ideas, and 2016 when the main issues report was published.

The council’s Statement of Conformity with Participation Statement relating to the Proposed Plan

4. The statement of conformity that the council submitted to the examination stated that the three participation statements were implemented as follows:

What our 2014 Participation Statement said

Work closely with the local media to let you know about how you can get involved

Make responses to our consultations available online

Use public meetings and committees to update you on how work is progressing

Work closely with community groups and volunteers to encourage people to get involved in planning;

What we did

January to February 2015 press adverts in community newsletters for Ullapool, Gairloch, Lochcarron. Local radio, Cuillin FM (covering the Isle of Skye), adverts for a week in January 2015 and a recorded interview aired in February 2015. Press articles in the West Highland Free Press in January 2015, Ross-shire Journal in February 2015, and Press and Journal in February 2015. Press releases start and end of consultation period.

All responses to the Call for Sites and Ideas stage were published on the Council’s website.

December 2014 to February 2015 presentation and attendance at Ward Forum public meetings (attended by community councils, other community groups and other public agency stakeholders) at Portree, Plockton, Poolewe, Ullapool and Fort William.

Emails to all community councils within the Plan area. The Call for Sites and Ideas included an invitation to communities to record an interest in producing a community plan. A workshop with each of 3 local high schools during a period of

learning about planning and mapping issues with these topics integrated into the curriculum.

Work with our service centre to make sure you can contact the people producing the plans effectively

Prior briefing of the Council's Service Centre (Call Centre) including the names and direct dial telephone numbers of the WestPlan team so customers making enquiries can make quick contact with the relevant officers.

Provide regular updates by email and post on the work that we are doing

Regular emails to those who'd recorded an interest in that part of Highland, updates via the Council's website. Awareness raising postcard sent to all 23,834 residential and business postal addresses within Plan area in January 2015. Press releases at the start and end of the consultation period. (As the Plan progressed through its stages there was a gradual transition from paper to electronic communication)

Provide paper copies of all of our newly published and consultation documents in our service points and libraries

Paper copy deposit of Call for Sites and Ideas guide and form.

Expand our involvement with the public by using social media including our blog, Facebook and Twitter pages

Facebook Promoted Posts 3 times over the Call for Sites period. Use of Twitter and Facebook.

Ask you for feedback on how we are getting you involved

Opportunity for general feedback via social media, website, phone and email.

Make better use of information technology in our consultations

All Plan information and feedback via Council's website. Use of social media.

Provide easy-to-understand guides about certain aspects of development planning, including online videos to explain some of our larger pieces of work

Plain language Call for Sites Guide produced and made available in paper and electronic format. Quick Guide to making online comments.

What our 2016 Participation Statement said

What we did

Produce interactive online documents that are easy to read and comment upon

All documentation available via "Objective" consultation "portal" website. Comments encouraged via direct online submissions. Later Additional Sites Consultation also via portal.

Include clear maps and graphics in our documents

Tailored neighbour notification letters including "zoomed-in" allocation map(s). Consultation portal with quick links to relevant settlement text and maps. Pop-out higher resolution maps available on consultation portal.

Use a range of media to keep you up to date and let you know how and when you can get involved

Neighbour notification of every postal address point within 30 metres of an allocation boundary. Statutory notification in all Highland editions of the Press and Journal in April 2016. Also adverts in the Ross-shire Journal in April 2016, the West Highland Free Press in May 2016 and in Ullapool News in April 2016. Press article coverage on WestPlan in Ullapool News, Press and Journal and West Highland Free Press (all in April 2016). Press releases at beginning and near end of consultation period. We promoted the Main Issues Report consultation extensively on Facebook and Twitter, investing in promoted posts with Facebook to maximise the reach of our engagement. Prior to the launch of the consultation, the team 'liked' and 'followed' relevant community and interest groups in the Plan area to maximise reach of our posts. Followed up with the three high schools at Call for Sites and Ideas stage to let them know what sites and ideas were included in the Main Issues Report. Email contact with all parties making Call for Sites and Ideas stage suggestions.

Provide copies of plans in Service Points and Libraries

Letter to each of 19 public deposit places with "advert" poster, paper copy of plan and supporting documents.

Work with community groups and stakeholders to encourage them to participate

Letter to each of 39 community councils inviting participation and with posters to help advertise events. Personal telephone calls to community council members to encourage local advertisement and involvement. Neighbour notification of every postal address point within 30 metres of an allocation boundary. Email with statutory notice to key agencies, neighbouring authorities and other stakeholders. Letter to Scottish Government with paper Plan documentation.

Use public meetings and committees to provide regular progress updates

17 drop-in exhibitions across the Plan area and 10 evening workshop meetings – including an explanation on how to make online (Objective) comments.

Maintain our availability so you can speak with the people preparing the plans

Prior briefing of the Council's Service Centre (Call Centre) including the names and direct dial telephone numbers of the WestPlan team so customers making enquiries can make quick contact with the relevant officers.

What our 2017 Participation Statement said

What we did

Produce interactive online documents that are easy to read and comment upon

All documentation available via "Objective" consultation "portal" website. Comments encouraged via direct online submissions.

<p>Include clear maps and graphics in our documents</p>	<p>Tailored neighbour notification letters including “zoomed-in” allocation map(s). Consultation portal with quick links to relevant settlement text and maps. Pop-out higher resolution maps available on consultation portal.</p>
<p>Use a range of media to keep you up to date and let you know how and when you can get involved</p>	<p>Neighbour notification of every postal address point within 30 metres of an allocation boundary. 3 press releases during the consultation period. Statutory press advert in Press and Journal May 2017. Use of social media.</p>
<p>Provide copies of consultation documents in Libraries in the relevant plan area</p>	<p>Electronic copies of Plan and associated documentation made available in all public libraries within the Plan area. Library staff alerted to document and staff trained to take enquirers to electronic copy. Online guide on how to use consultation portal and telephone “talk-you-through” assistance via Service (Call) Centre.</p>
<p>Work with community groups and stakeholders to encourage them to participate</p>	<p>Email (or letter where no email contact) to each of 39 community councils with statutory notice inviting participation. Neighbour notification of every postal address point within 30 metres of an allocation boundary. Email with statutory notice to key agencies, neighbouring authorities and other stakeholders. Email to Scottish Government with paper Plan documentation.</p>
<p>Notify the immediate neighbours of potential development sites at both the Main Issues Report and Proposed Plan stages of our Area Local Development Plans</p>	<p>Neighbour notification of every postal address point within 30 metres of an allocation boundary.</p>
<p>Use public meetings and committees to provide regular progress updates</p>	<p>Proposed Plan endorsed by public meetings of the three relevant local committees (see links in Appendix).</p>
<p>Maintain our availability so you can speak with the people preparing the plans</p>	<p>Prior briefing of the Council’s Service Centre (Call Centre) including the names and direct dial telephone numbers of the WestPlan team so customers making enquiries can make quick contact with the relevant officers.</p>

5. For each of the above statements the council’s statement of conformity provides comprehensive appendices setting out examples of the electronic and paper communications used. These provide clear information about the purpose of the planning process and how the public are able to contribute.

6. Copies of relevant advertisements and newspaper reports are included as evidence. Also examples of consultation forms and details of how to comment both on-line and in paper form. I am satisfied that these provide clear evidence of the council’s actions as set out in its statement.

The reporters' conclusions

7. We have reviewed the information submitted by the council. I find that its actings with regard to consultation and the involvement of the public at large as respects the Proposed Plan have been in conformity with, and indeed beyond, the participation statements of the authority which were current when the plan was being prepared and ultimately published. I consider that the range of publicity undertaken was consistent with the council's aim of involving and consulting with the public and planning stakeholders. It is extremely comprehensive and to be commended.

8. Based on the above findings, we are satisfied with the council's actings and find no need to submit a report to the Scottish Ministers under subsection (1) (b) of section 19A of the Act.

Issue 1	VISION & SPATIAL STRATEGY	
Development plan reference:	Headline Outcomes, Vision & Strategy, Pages 6 -9	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Argyll and Bute Council (1104961) Bord na Gaidhlig (1105087) Charles Chisholm (967723) Gwyn Moses (997166) Mountaineering Scotland (964649) RSPB (1104965) Scottish National Parks Strategy Project (930044) Scottish Natural Heritage (909933) SSE Renewables (1104522) Susan Johnston (1104731)</p>		
Provision of the development plan to which the issue relates:	Headline Outcomes, Vision and Spatial Strategy Map, Fort William Hinterland	
Planning authority's summary of the representation(s):		
<p><u>Headline Outcomes/Vision</u></p> <p>Argyll and Bute Council (1104961) - General, no objection, support for whole Plan.</p> <p>Bord na Gaidhlig (1105087) - Growing Communities – wants more Plan focus on sustaining rural communities especially in terms of housing availability and employment/economic opportunities because this is where many Gaelic speakers reside. Employment - requests specific reference to Ar Stòras Gàidhlig [RD03] because it evidences the economic, social and educational value of Gaelic. Connectivity and Transport – wants recognition that the growth in community owned assets has demonstrably increased community capacity with a crossover benefit in terms of the growth of Gaelic language and culture. Environment and Heritage – wants more emphasis on cultural (Gaelic) as well as natural heritage</p> <p>Charles Chisholm (967723) - Believes that South Ballachulish site BH02 will contribute to the delivery of the Plan's Vision. Submits composite justification paper and map [RD01 and RD02].</p> <p>Mountaineering Scotland (964649) - Supports priority to “safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.”</p> <p>RSPB (1104965) - Environment and Heritage – seeks a Plan wording that will offer a greater degree of protection of natural heritage because this will be clearer and more consistent with Scottish Planning Policy Outcome 3 (below paragraph 19). Also suggests that the first bullet point about sustainable travel is more suited to the "Connectivity and Transport" outcome than Environment and Heritage.</p> <p>Scottish National Parks Strategy Project (930044) - Requests that the Plan should endorse and</p>		

promote the principle and benefits of designating more National Parks because national parks: are an issue of national importance; help achieve the Environment and Heritage outcomes; would be a great, cost effective success; inspire pride and passion amongst local people and visitors; provide a wide range of environmental, social and economic benefits to local residents, visitors and Scotland as a whole; bring additional resources to places which deserve it; strengthen Scotland's international standing for environmental protection and support our crucial tourism industry; have substantial national and local public support; generate a high profile; support the active management as well as the protection of an area; encourage integrated planning and management by all public bodies; invest additional national resources in helping both residents and visitors to enjoy the landscape whilst conserving it for future generations; and, have substantial political support (four of the five political parties represented in the Scottish Parliament support the designation of more National Parks). Believes 3 areas meet the criteria for national parks: Wester Ross; Ben Nevis/Glen Coe/Black Mount; and, a Coastal and Marine National Park centred on Mull, but possibly also including the Small Isles or Ardnamurchan. Submits supporting justification [RD04].

Scottish Natural Heritage (909933) - Seeks stronger Plan wording in the Environment and Heritage section of the Vision to better recognise the value and importance that nature and landscapes have to play in contributing to all of the Proposed Plan objectives and the creation of successful communities.

SSE Renewables (1104522) - Seeks greater Plan recognition of the opportunities for renewable energy developments of all forms on land where appropriate because: SSE is the UK's leading generator of electricity from renewable sources and operates the UK's most diverse portfolio of renewable generation; the Scottish Government recently outlined an ambitious new target for reducing greenhouse gas emissions by 66% by 2032, alongside a fully-decarbonised electricity sector; renewable energy is one of the best tools to combat the urgent environment threat posed by climate change; more weighting should be given within planning to the wider economic and social benefits of development. Seeks greater Plan support for onshore wind development in particular because: it delivers a number of secondary, yet direct benefits to the communities and regions in which they are located, including job creation, skills training opportunities, community volunteering, road and other infrastructure improvements and local supply chain opportunities; SSE is the leading developer and operator of renewable energy in the UK and during the 2015/16 financial year, contributed an estimated £1.6bn to the Scottish economy, supporting around 17,300 jobs in Scotland; SSE has been building and operating renewable energy developments in the Highlands for nearly 70 years and is a proud and longstanding part of the Highland business community; the renewables industry is a significant employer, investor, land user and contributor to the local economy within the Highlands area providing meaningful socio economic opportunity in rural communities; it will safeguard existing and encourage further investment; this will better align with Scottish Planning Policy and National Planning Framework 3 (quotes parts of NPF3 and SPP that are supportive of renewables developments); and SSE has supported over 5,000 community projects through community benefit funds, to the value of almost £20million and is currently exploring community ownership options and this will support the Plan's objective of building community empowerment.

Vision & Spatial Strategy Map

Charles Chisholm (967723) - Supports the inclusion of South Ballachulish as a Main Settlement on the Map and considers that site BH02 will help to reinforce this status.

SSE Renewables (1104522) - Seeks greater clarity regarding how much weight will be attached to 'community or neighbourhood plans'. Believes the Plan should be explicit in this respect so

as to avoid any ambiguity. Also seeks confirmation that the areas defined as ‘fragile’ in the Proposed Plan are only labelled as such because of their ‘relatively poor accessibility to services, facilities and employment opportunities’ again to avoid any ambiguity.

Fort William Hinterland

Gwyn Moses (997166) - Seeks reasoning for western extent of Fort William Hinterland boundary. Concerned that the boundary does not follow a precise geographic feature.

SSE Renewables (1104522) - Requests a positive policy in respect of onshore wind proposals because: Scotland has some of the best conditions in Europe and substantial average wind speeds; onshore wind continues to be the cheapest, low carbon form of generation that can be built; it can be deployed quickly, and it has the potential to support an indigenous supply chain along with wider socio-economic benefits; and it would be in the best interest of customers, and for Scottish Government economic ambitions, for onshore wind development, including repowering and life extensions, to be supported in order to meet decarbonisation targets and deliver economic benefits on a local, regional and national level.

Susan Johnston (1104731) - Believes all communities should be allowed to grow organically rather than a Council trying to direct growth to particular settlements. Believes that planned communities don’t work.

Modifications sought by those submitting representations:

Headline Outcomes/Vision

Argyll and Bute Council (1104961) - None.

Bord na Gaidhlig (1105087) - Additional Plan references to Gaelic language and heritage and a general duty on the Council and developers to have regard to Gaelic in planning matters including how development proposals can support Gaelic language and heritage. Specifically, wants: more Plan focus on sustaining rural communities especially in terms of housing availability and employment/economic opportunities; reference to document Ar Stòras Gàidhlig; and, Plan recognition that the growth in community owned assets has demonstrably increased community capacity with a crossover benefit in terms of the growth of Gaelic language and culture.

Charles Chisholm (967723) - None.

Mountaineering Scotland (964649) - Additional and specific Plan outcome to “safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities” (assumed).

RSPB (1104965) - That in the second “Environment and Heritage” outcome, “respectful of heritage resources” is replaced by “protects and enhances natural and cultural assets”. That the first bullet point about sustainable travel be moved from the “Environment and Heritage” outcome to the “Connectivity and Transport” outcome.

Scottish National Parks Strategy Project (930044) - Additional Plan content to endorse and promote the principle and benefits of designating more National Parks in general and specifically for Wester Ross; Ben Nevis/Glen Coe/Black Mount; and, a Coastal and Marine National Park centred on Mull, but possibly also including the Small Isles or Ardnamurchan.

Scottish Natural Heritage (909933) - That the following wording to be inserted into the Environment and Heritage section of the Vision (Table 1 in the proposed Plan):
 “High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.”

SSE Renewables (1104522) - Additional and stronger Plan references to the opportunities for all forms of renewable energy developments across the Plan area and greater Plan support for onshore wind development in particular (assumed).

Vision & Spatial Strategy Map

Charles Chisholm (967723) - None.

SSE Renewables (1104522) - Explicit clarification of what decision making weight the Council will attach to any community plan. Confirmation that the areas defined as ‘fragile’ are only labelled as such because of their ‘relatively poor accessibility to services, facilities and employment opportunities’.

Fort William Hinterland

Gwyn Moses (997166) - Additional Plan text to clarify why the Fort William Hinterland boundary doesn’t follow clear physical feature boundaries (assumed).

SSE Renewables (1104522) - Requests a positive policy in respect of onshore wind proposals within the Hinterland (assumed).

Susan Johnston (1104731) - A revised spatial strategy with no settlement hierarchy (assumed).

Summary of responses (including reasons) by planning authority:

Headline Outcomes/Vision

Argyll and Bute Council (1104961) - Support noted.

Bord na Gàidhlig (1105087) - The Highland Council has an established track record of developing and implementing policies to promote Gaelic language and culture but chooses to do this corporately (via publication and implementation of a Gaelic Language Plan) rather than via its development plan. As the respondent points out, Gaelic should be promoted across all aspects of Highland life. It is therefore more sensible to achieve this aim via a document with a wider remit than just land use planning. The Gaelic Language Plan does contain Council commitments with implications for planning policy and practice. For example, it includes a commitment to increase the visibility of Gaelic in retail, commercial development and small business signage at the formal planning stage. The Council’s development plan for the wider Highland area (the Highland wide Local Development Plan) would be a better location for any general planning policy on this issue. It is scheduled to continue its review during 2018/19 and the respondent could raise the matter again at that stage. Another possible avenue would be to suggest that the Council’s Supplementary Guidance on Public Art be reviewed to incorporate a developer requirement that public art provision could include art that contributes or is relevant to Gaelic language and culture. The Plan’s Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore a fundamental re-write in favour of Gaelic interests would not be appropriate. However, if the Reporter is minded to agree then one addition would provide a greater but not disproportionate reference to Gaelic interests. A reference to the document Ar Stòras Gàidhlig

could be made in the 5th bullet point of paragraph 1.41 which highlights the economic potential of Gaelic culture and heritage.

Charles Chisholm (967723) - Support noted.

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan including the Outcomes. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the suggested addition would not be appropriate. The Council's wider approach to landscape issues is explained in section 1.4 of the Plan and the Council believes this offers adequate coverage of these issues.

RSPB (1104965) - The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the suggested wording would not be appropriate. However, the additional text suggested by Scottish Natural Heritage below is more measured and with a minor amendment will not be prejudicial to other interests. If the Reporter is minded to agree then the following text could be added as a fourth bullet point within the Environment and Heritage Headline Outcome, "High quality places predominate where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded." Promoting more sustainable travel will help achieve both of the "Environment and Heritage" and "Connectivity and Transport" outcomes. On balance, the Council believes it will do marginally more for climate change than for connectivity. For example, modal shift to active travel will reduce emissions but will not necessarily be faster for the user.

Scottish National Parks Strategy Project (930044) - The decision whether to propose designation of a part of the Highland Council area as an additional National Park rests with Scottish Ministers under the National Parks (Scotland) Act 2000. Therefore any Plan support for additional National Parks would be a lobbying statement or recommendation to government rather than a policy. The Council believes that the two existing National Parks have afforded a greater degree of environmental protection and tourism promotion than would have otherwise occurred without the designations and corresponding authorities. However, it also appears that within the Highland Council area that the Cairngorms National Park has reduced or displaced population, household and economic growth. For example, some housing demand has been deflected from Badenoch and Strathspey to Inverness. Designation of the three suggested areas would be likely to achieve these same outcomes. Although there would be some sustainability and cost effective public service provision benefits of redirecting population and housing growth to the largest west coast settlements and to the Inner Moray Firth, the Council also recognises that the designations would be likely to reduce the normally resident population of some of the most remote and economically and socially fragile parts of the Plan area. More arguably, National Park designations also tend to increase house prices at a higher rate than would otherwise occur. Wester Ross already suffers from affordability issues in terms of average house prices compared to average local incomes. In short, the Council believes that the benefits of further designations do not demonstrably and sufficiently outweigh their likely adverse effects. Therefore the Council does not believe that the Plan should contain a positive, lobbying statement on this issue.

Scottish Natural Heritage (909933) - The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest.

However, the text suggested by Scottish Natural Heritage is measured and with a minor amendment will not be prejudicial to other interests. If the Reporter is minded to agree then the following text could be added as a fourth bullet point within the Environment and Heritage Headline Outcome, "High quality places predominate where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded."

SSE Renewables (1104522) - The Highland Council recognises the importance of renewable energy developments to Highland and has a comprehensive suite of policy guidance on this issue. The Council's Highland wide Local Development Plan and related Supplementary Guidance provide adequate policy coverage. Any amendment to the policy presumption for or against renewable energy development would most appropriately be addressed across Highland as a whole, through the review of the Highland wide Local Development Plan. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Vision & Spatial Strategy Map

Charles Chisholm (967723) - Support noted.

SSE Renewables (1104522) - Paragraphs 1.18 and 1.19 of the Plan explain the Highland Council's intentions in respect of the status of community plans within the Plan area. Ultimately, they are intended as statutory Supplementary Guidance to the West Highland and Islands Local Development Plan. However, to achieve this status the community must ensure that its plan addresses the issues and Placemaking Priorities outlined in the Council's Plan. Moreover the community must evidence to the Council that it is carried out inclusive and effective public consultation on its draft plan and responded appropriately to comments made before asking the Council to adopt the plan as interim Supplementary Guidance. This adoption as Council approved guidance is made by the appropriate area committee of the Highland Council. Following adoption of the West Highland and Islands Local Development Plan all related community plans will be collated and submitted to Scottish Ministers for clearance for final adoption as statutory Supplementary Guidance. The Highland Council assists with/undertakes the environmental assessment/appraisal processes associated with the production and adoption of the guidance. As the new Planning Bill and its secondary legislation progresses through parliament then new procedures will come into effect. Paragraph 1.9 states that the areas defined as 'fragile' are labelled as such because of their 'relatively poor accessibility to services, facilities and employment opportunities'. For the avoidance of doubt, these areas are not based on environmental sensitivity/fragility. They are based on data including population loss, drive time to higher order facilities, median household income and unemployment rate. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Fort William Hinterland

Gwyn Moses (997166) - The Fort William Hinterland like others within the Highland Council area was first formulated in the 1990s and embodied within the Highland Structure Plan in 2001. The intention of the policy that accompanies the boundary and area is to control the adverse service network, water environment and landscape capacity effects of unrestricted housing demand close to Highland's major work centres. Similar to green belt policy, some control of commuter led housing demand is promoted within the Hinterland open countryside. The original (2001) hinterland areas were very simple, fixed distance radii shapes measured from the centre of each work centre. Since that time each Hinterland shape has evolved and been fine tuned through each subsequent local plan or local development plan review. That fine tuning has included some clipping of the boundary to specific geographic features but only where

requested. More fundamental amendments were made to better reflect drive times to the work centre. The respondent's particular concern relates to the Hinterland edge near Kinlocheil. Council document [CD24] demonstrates that this particular edge of the Hinterland does follow the fence line of the property Kinloch House. If the Reporter is minded to agree then a further fine tuning of the boundary at this location may be appropriate. The Reporter may wish to ask the respondent to provide further, mapped information on the changes requested.

SSE Renewables (1104522) - The Council offers the same answer (above) to the respondent's representation on the Plan's Headline Outcomes/Vision section. The Council's Hinterland policy relates solely to housing development. If it has any relevance then one purpose of the Hinterland is to ration the limited landscape capacity of the open countryside around major work centres to favour development with a land management or similar justification. On shore wind energy development in general has no locational imperative to be within the Hinterland. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Susan Johnston (1104731) - National legislation and planning policy requires local planning authorities to produce local development plans that "direct the right development to the right place." A plan must contain a spatial strategy and individual planning decisions should be planned. Therefore a council cannot produce a "do-nothing" plan of allowing every community to grow organically without any attempt at direction of development. Moreover, the absence of any direction would lead to some popular areas becoming over developed and other areas undeveloped. Public and private investment in infrastructure and community facility networks would be less efficient. New towns and communities have a long tradition in Scotland and the wider world and once established and mature they can offer high quality places to live and work. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:

Headline Outcomes/Vision

Argyll and Bute Council (1104961)

1. This submission is support for the proposed plan and not therefore part of my examination.

Bord na Gaidhlig (1105087)

2. As the planning authority points out, its main action in relation to the Gaelic language is through its Gaelic language plan and I agree that this is a more appropriate document to promote this than a land use plan. I also accept the planning authority's view that the development plan for the Highlands as a whole, the Highland-wide Local Development Plan, would be a better location for a general policy in this respect.

3. That said, I note the planning authority's suggestion for a modification making reference to Ar Stòras Gàidhlig in paragraph 1.41 and consider that this would be appropriate.

Charles Chisholm (967723)

4. This submission is support for the proposed plan and not therefore part of my examination.

Mountaineering Scotland (964649), RSPB (1104965), Scottish Natural Heritage (909933)

5. These three representations are similar in seeking to expand the Environment and Heritage outcomes in table 1. This is effectively recognised by the planning authority in its suggestion for the same additional text in its response to the RSPB and SNH representations. This would add a fourth bullet point placing emphasis on the outstanding environment and natural, built and cultural heritage. This would also recognise the point made by Mountaineering Scotland.

6. As the text stands in the proposed plan, I consider the Environment and Heritage section of table 1 lacks emphasis on the wider environment, including landscape. This would be addressed by adding the planning authority's proposed extra bullet point and this should be included.

Scottish National Parks Strategy Project (930044)

7. The planning authority has summarised its opinion of the impact of the designation of the Cairngorms National Park with regard to that part of the park that lies within the Highland Council area. Applying these potential effects to the west coast areas, proposed for park designation in the representation, it finds disadvantages as well as benefits. In the light of these considerations, I find that much more work would be required to enable the planning authority to reach a considered opinion on the proposals. I believe such work would go beyond the remit of anything I may consider in terms of modifications to the plan.

8. I note also the planning authority's concerns that the proposed modification could effectively be taken as a lobbying statement rather than a policy. I am unaware at present of any Government initiatives to designate further national parks. Until such a policy position comes forward at national level, I accept the planning authority's view that the plan is not the appropriate place for such a lobbying statement. No modification is needed.

SSE Renewables (1104522)

9. I note the planning authority's reference to the Highland-wide Local Development Plan. This plan covers the whole of the Highland area and sets out an overarching set of policies that provide the planning background for the council's local development plans, reminiscent of the former Highland Structure Plan. As the planning authority points out, the Highland-wide plan provides policy coverage applicable to the whole of the council area. This includes overall policy on renewable energy. Taking this into account, I do not consider there is any need for this to be repeated in the Westplan local development plan. No modification is necessary.

Vision & Spatial Strategy Map

Charles Chisholm (967723)

10. This submission is support for the proposed plan and not therefore part of my examination.

SSE Renewables (1104522)

11. The planning authority notes that the intention is that community plans would become statutory supplementary guidance. As such they would form part of the local development plan and carry appropriate weight associated with that status. As with any part of a local development plan, implementation depends on the balancing of policies within the plan. The weight given to a community plan would be a matter for the decision maker in any particular case. The planning authority also refers to the passage of the new Planning Bill through

Parliament and that new procedures could come into effect. At present however, the proposed plan has been prepared under current legislation and no modification is required regarding this issue.

12. In its response to the representation, the planning authority gives added information on the criteria for the designation of fragile areas as delineated on the vision and spatial strategy map. This could helpfully be added to the text of paragraph 1.9 to provide additional clarity regarding the designation and I propose such a modification.

Fort William Hinterland

Gwyn Moses (997166)

13. The planning authority has explained the history of the designation of the hinterland areas, as embodied in the Highland Structure Plan of 2001. I note the planning authority is open to 'fine tuning' the boundary where relevant requests are made.

14. I followed this up with regard to the representation by issuing a further information request seeking details of how the boundary may be amended at Kinlocheil. No response was forthcoming. Accordingly, as part of my site inspections, I observed the current boundary as it relates to Kinlocheil from vantage points on the south side of Loch Eil in the vicinity of South Garvan as marked on the Ordnance survey 1:50000 map. From here there are clear views of the north side of the loch and the surrounding hills.

15. As the planning authority points out, the boundary at Kinlocheil follows the fence line of Kinloch House and this could be clearly seen. To the north it follows approximately the line of an unmarked burn before turning north-east to cross the south-east shoulder of Beinn an t-Sneachda and across the corrie of the Abhainn Bheagaig in a more or less straight line as indicated on Map 1.1.

16. I assume the representation would have preferred the line to follow specific features such as ridge lines or valley bottoms. This would have led to a very irregular boundary. Given the planning authority's explanation of how the hinterlands were first established, and in the absence of any specific fine tuning proposal, I find no justification for any modification.

SSE Renewables (1104522)

17. As the planning authority points out, the hinterland around towns is primarily a designation for the control of housing development in the countryside. This is carried out through policies that relate directly to the hinterland area. As set out in paragraph 9 above, the Highland-wide Local Development Plan contains policies relevant to renewable energy, including wind power, that the respondent seeks. No modification is required in this case.

Susan Johnston (1104731)

18. The planning authority has explained why it is necessary for local development plans to direct development to appropriate places. To add to that, if development was allowed without reasonable direction and control, it would lead to an inefficient use of resources and call for unnecessary and wasteful expenditure in the provision of services. This would be contrary to national policy and guidance. No modification is required.

Reporter's recommendations:

I propose the following modifications:

1. In paragraph 1.41 in the fifth bullet, add after ashaig: “, as referenced in the research document Ar Stòras Gàidhlig (Our Gaelic resource) showing how the language is being used to add value and the potential to bring further benefits to businesses, communities and individuals.”
2. In Table 1 under Environment and Heritage add a fourth bullet point as follows: “High quality places predominate where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.”
3. In paragraph 1.9 add a new second sentence as follows: “This is based on data including population loss, drive time to higher order facilities, median household income and unemployment rate.”

Issue 2	SETTLEMENT HIERARCHY & HOUSING REQUIREMENTS	
Development plan reference:	Growing Communities section, Pages 10-18	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ballachulish Community Council (969774) Charles Chisholm (967723) Duror and Kentallen Community Council (1105221) Glencoe & Glen Etive Community Council (997398) Gwyn Moses (997166) Kinlochleven Community Council (1105214) Nether Lochaber Community Council (968651) Scottish Government (1101467) RSPB (1104965) SSE Renewables (1104522) Susan Johnston (1104731) Waternish Community Council (1103457)</p>		
Provision of the development plan to which the issue relates:	Growing Communities Sub Outcome, Settlement Hierarchy, Housing Requirements, Policy 1 Town Centre First, Policy 2 Delivering Development, Policy 3 Growing Settlements	
Planning authority's summary of the representation(s):		
<p><u>Proposed Settlement Hierarchy</u></p> <p>Ballachulish Community Council (969774), Duror and Kentallen Community Council (1105221), Glencoe & Glen Etive Community Council (997398), Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651) - Record concerns about sewerage provision and capacity in the Loch Leven communities. In particular, believe North Ballachulish waste water treatment plant is either at full capacity, very close to it, or slightly over capacity. Dispute Scottish Water's figure for the extant capacity of the plant because: it does take account of tourism development committed by planning permission; sewage is tankered out for treatment elsewhere and therefore the figure is misleading as well as adding unnecessary HGV movements to the local and trunk road networks; and, it differs from the figure of 50 housing units quoted by Highland Council. Believe that because of this sewerage capacity constraint that the Plan should be explicit in supporting future development of a scale of 5 houses or more only if that development incorporates modern, on-site wastewater treatment facilities such as UV processing, or a 'Microbac Reactor', and greywater management as integral parts of the planning application and development construction. Believe that the North Ballachulish waste water treatment plant should not be expanded because it would: have an adverse impact on the National Scenic Area; not be cost effective; and, not be feasible given its proximity to the coastline, the A82, a scheduled ancient monument and privately owned grazing land. Believe that any spare capacity at North Ballachulish should be reserved for the Inchree area where current and committed development is serviced via private septic tank/soakaway arrangements. This development should be connected to North Ballachulish via a new public sewer.</p> <p>Charles Chisholm (967723) - Supports inclusion of South Ballachulish as a Main Settlement within the Proposed Settlement Hierarchy and considers that site BH02 will help to reinforce this</p>		

status. Submits composite justification paper [RD05].

SSE Renewables (1104522) - Request Plan clarification as to status of community plans.

Waternish Community Council (1103457) - Requests that Waternish is added to the list of potential community plan settlements because: some preparatory work already undertaken by community; the plan will reflect community wide comments, observations and concerns and can make Waternish an even better place to live and work; sound research and robust engagement has already been undertaken; and, of the desire for the community to produce a document that will be a material consideration in any development decisions. Suggests that the priorities and issues are: Infrastructure - roads, broadband; Tourism - positive and negative aspects; Affordable Housing - local and your people; and, Local Businesses and Crofting - need to support and encourage small scale business growth and the continuation of crofting.

Housing Land Requirements

Charles Chisholm (967723) - States that site BH02 can make a meaningful contribution to meeting the Plan's housing land requirement for Lochaber.

Gwyn Moses (997166) - Seeks clarification whether the housing numbers within the table include housing for people in Lochaber if plans for expansion of the smelter occur as planned and if so asks where the houses for potentially 900 workers and others are likely to be located.

Susan Johnston (1104731) - Believes that the Plan should not support any further development on croft land (other than that already committed through de-crofting applications and/or planning permissions) because: crofting is essential to the identity and prosperity of communities; that development will make the crofting way of life unsustainable; and, the crofting landscape and its contribution to cultural identity is important for tourism (assumed).

Scottish Government (1101467) - Seeks further clarification of the methodology used to produce the published housing land requirements because: a full explanation is required by Scottish Planning Policy and the requirements set out in the Plan are potentially contradictory with those set out in the approved Highland wide Local Development Plan and Housing Need and Demand Assessment. Queries whether and how the Plan can maintain a 5-year land supply if the high rate of assumed windfall development doesn't materialise. Suggests that an annual windfall monitoring commitment should be made and mitigation put in place to comply with Scottish Planning Policy. Seeks a table that demonstrates that the sites allocated for housing add up to the 2,292 figure set out in paragraph 1.24 of the Plan to ensure compliance with Scottish Planning Policy. Seeks a statement on how the Plan will deliver on affordable housing targets as this is required by other Highland and national planning policy.

SSE Renewables (1104522) - Seeks a more positive Plan approach to the delivery of affordable housing especially for young people because this can affect major employer's ability to attract and retain local young people in employment in remote regions.

Policy 2: Delivering Development

Charles Chisholm (967723) - Believes that site BH02 is deliverable provided that specific developer requirement changes are made (detailed within the North Ballachulish, Glenachulish and South Ballachulish Schedule 4)

Policy 3: Growing Settlements

RSPB (1104965) - Requests that in the last criterion of Policy 3, "locally important heritage

feature” is replaced by “locally important natural or cultural heritage feature” to make it clearer that natural and cultural assets are covered by this criterion.

Modifications sought by those submitting representations:

Proposed Settlement Hierarchy

Ballachulish Community Council (969774), Duror and Kentallen Community Council (1105221), Glencoe & Glen Etive Community Council (997398), Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651) - That the Plan, within the combined, listed community council areas, should be explicit in supporting future development of a scale of 5 houses or more only if that development incorporates modern, on-site wastewater treatment facilities such as UV processing, or a 'Microbac Reactor', and greywater management as integral parts of the planning application and development construction. A Plan statement to presume against any expansion of the North Ballachulish waste water treatment plant with any spare capacity reserved for the Inchree area where current and committed development are serviced via private septic tank / soakaway arrangements and a commitment to lobby Scottish Water to connect this area to the North Ballachulish plant via a new public sewer (assumed).

Charles Chisholm (967723) - None.

SSE Renewables (1104522) - Clarification as to the decision making status the Council will afford to community plans.

Waternish Community Council (1103457) - Waternish added to the Plan as a potential community plan settlement with the supplied list of issues and priorities.

Housing Land Requirements

Charles Chisholm (967723) - None.

Gwyn Moses (997166) - Plan clarification whether or not the housing numbers within Table 3 include the additional 900 unit demand related to the smelter expansion and where this demand will be accommodated.

Susan Johnston (1104731) - A Plan policy that presumes against any further development on croft land (other than that already committed through de-crofting applications and/or planning permissions) (assumed).

Scottish Government (1101467) - Requests: additional clarification of the methodology used to produce the housing land requirements; an annual windfall monitoring commitment and mitigation to resolve under supply if necessary; a table that demonstrates that the sites allocated for housing add up to the 2,292 figure set out in paragraph 1.24 of the Plan; and, a statement on how the Plan will deliver on affordable housing targets.

SSE Renewables (1104522) - Additional policies and proposals seeking to improve access to affordable housing for people in the Highlands, especially young people.

Policy 2: Delivering Development

Charles Chisholm (967723) - None, provided that site-specific developer requirement changes are made (detailed within the North Ballachulish, Glenachulish and South Ballachulish Schedule 4)

Policy 3: Growing Settlements

RSPB (1104965) - Replacement of the last criterion of Policy 3, “locally important heritage feature” by “locally important natural or cultural heritage feature”.

Summary of responses (including reasons) by planning authority:

Proposed Settlement Hierarchy

Ballachulish Community Council (969774), Duror and Kentallen Community Council (1105221), Glencoe & Glen Etive Community Council (997398), Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651) - The Council accepts (referenced in paragraph 2.20) that the Loch Leven communities have limited public sewerage capacity and this acts as a constraint on the scale of future development that the Plan can support. Therefore, the Plan allocates very few housing sites within the “sewered area” catchment of the North Ballachulish waste water treatment plant. The Council also agrees that development not connected to the public sewer should have adequate private treatment facilities in place in order to protect the wider water environment. Policy 65 of the Highland wide Local Development Plan, Waste Water Treatment provides adequate Highland planning policy coverage of this issue. The Plan does not allocate land for the expansion of the North Ballachulish plant and therefore offers no positive support for such an expansion. However, public sewerage capital programme investment decisions are made by Scottish Water and not by the Council. Similarly, the judgment on the technical acceptability or otherwise of a larger scale, private drainage arrangement in terms of the quality of its water discharge is a matter for the Scottish Environment Protection Agency. This judgment about the level of treatment required varies with the specifics of the development and site conditions. Moreover, this level of treatment can be achieved via a variety of waste management systems and therefore SEPA does not prescribe a generic system for all sites. Scottish Water have confirmed [CD25] that the North Ballachulish works includes 2 waste water treatment plants with a combined spare capacity of 535 housing units. The plant serving North Ballachulish and Onich has a spare capacity of 270 housing units and the plant serving Glenachulish, South Ballachulish and Glencoe has a spare capacity of 265 housing units. Therefore there is no sewerage plant capacity constraint relative to the capacity of the Plan’s allocations. Accordingly, the Council believes that the existing Plan’s content should remain unaltered in respect of this issue.

Charles Chisholm (967723) - Comment noted.

SSE Renewables (1104522) - Paragraphs 1.18 and 1.19 of the Plan explain the Highland Council’s intentions in respect of the status of community plans within the Plan area. Ultimately, they are intended as statutory Supplementary Guidance to the West Highland and Islands Local Development Plan. However, to achieve this status the community must ensure that its plan addresses the issues and placemaking priorities outlined in the Council’s Plan. Moreover the community must evidence to the Council that it is carried out inclusive and effective public consultation on its draft plan and responded appropriately to comments made before asking the Council to adopt the plan as interim Supplementary Guidance. This adoption as Council approved guidance is made by the appropriate area committee of the Highland Council. Following adoption of the West Highland and Islands Local Development Plan all related community plans will be collated and submitted to Scottish Ministers for clearance for final adoption as statutory Supplementary Guidance. The Highland Council assists with/undertakes the environmental assessment/appraisal processes associated with the production and adoption of the guidance. As the new Planning Bill and its secondary legislation progresses through parliament then new procedures will come into effect. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Waternish Community Council (1103457) - Paragraph 1.18 of the Plan explains that the Council will support communities in preparing their own plans where they have positive land use change ideas. The Council has politely declined requests from communities who have worthwhile community development ideas but ones that don't have direct land use implications – e.g. training programmes for young local unemployed people. Similarly, communities wishing to promote a more restrictive approach to development than the Council's general policies within the approved Highland wide Local Development Plan would allow have not been offered any encouragement. Unfortunately, Waternish Community Council's request and justification for a community plan is very nebulous. It is unclear whether the community have positive land use ideas with potential sites and funding opportunities in mind or whether it simply wishes to place on record a list of issues affecting its area. Accordingly, the Council does not believe that the representation currently provides sufficient justification to include within the Plan a set of priorities and issues for Waternish. However, the new Planning Bill passing through Parliament is likely to offer greater opportunity for community plans (local place plans) without the need for formal endorsement within the Council's local development plan and therefore the respondent may still achieve its aim. In the interim, it will have time to better research, formulate and consult upon its proposals. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Housing Land Requirements

Charles Chisholm (967723) - Comment noted.

Gwyn Moses (997166) - The Proposed Plan's housing land requirements are based upon nationally estimated population and household figures for the Highland area and don't take account of changes likely to result from the smelter site's expansion. These figures are largely based on an extrapolation of past trends in birth rates, death rates and household sizes. The Highland Council has some flexibility in deciding upon the housing land requirement that results from these figures but the overall methodology is checked by Scottish Government. Accordingly, we cannot manipulate the population and household forecasts to take account of the likely smelter expansion, which would result in additional jobs, people and houses. If and when the smelter site's expansion happens it will be reflected in actual population numbers and will be part of the "past" trend and influence the future forecast. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Susan Johnston (1104731) - The respondent's requested change to the Plan is unclear but is founded upon a desire to better protect croft land from housing development proposals. The Council's Highland wide Local Development Plan contains a general policy on this issue. Policy 47 Safeguarding Inbye/AppORTioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up development considerations other than land capability for agriculture. Accordingly, the Council does not agree that a new policy is needed to place an additional or more restrictive presumption against housing development on croft land.

Scottish Government (1101467) - Paragraphs 1.20 to 1.24 and Table 3 provide a simplified but adequate account of how the Plan's housing supply targets and housing land requirements have been determined. This topic has limited interest to most Plan users and the Highland Council's longstanding policy commitment to identify a generous housing land supply across all of Highland has meant that the development industry has rarely challenged the Council's approach. A more pertinent issue to debate is the deliverability of the figures. The Plan area is

affected by more deliverability constraints than would be typical within many other, particularly urban, parts of Scotland. Issues such as crofting tenure, larger estate management practices, higher than average site preparation and construction costs, poorer infrastructure network capacity, and greater environmental constraints, all create challenges to activating housing sites. For the Scottish Government's clarification, the totals in Table 3 are derived from the "Continued Growth" scenario column of Table 4-5 of the 2015 Housing Need and Demand Assessment (HoNDA) and adjusted in 3 ways. First, because the Plan area only encloses 74% of the West Ross Housing Market Area only 74% of the "Continued Growth" figure for West Ross is applied. Second, a future ineffective housing stock allowance is added. This percentage allowance is based on the recently estimated proportion of ineffective stock as set out in Table 3-2 of the HoNDA. Finally, an additional 20% allowance is included to allow for market choice of sites and to take account of the deliverability issues listed above. These three adjustments take the Plan area total from 3,059 in the HoNDA to 4,354 units as the Plan's 20 year housing land requirement. Table 3 of the Plan is compatible with Table 1 (Housing Supply Targets) of the Highland wide Local Development Plan Main Issues Report September 2015, which updates the approved Highland wide Local Development Plan 2012. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Paragraph 1.23, makes clear that the Council proposes to assume that 50% of future house completions will be on sites not specifically allocated for that purpose in the Plan. This 50% figure is far more likely to be an under-estimate not an over-estimate of this Council definition of windfall development. The Council has analysed the location of the 3,720 house completions over the years 2000 to 2017 inclusive within the West Highland and Islands Plan area, relative to the boundaries of sites allocated for development in the previous development plans and found that 3,150 of those completions were outwith those allocations. This equates to an 84.7% windfall level. As paragraph 1.23 explains, this trend is likely to continue because demand for single, private, rural plots drives the housing market within the Plan area. The Council's policy intent is to guide a higher proportion of future development within the larger settlements and to the larger allocations within those settlements. However, as already stated, the deliverability of the larger allocations depends upon a range of issues which often includes the need for significant up-front infrastructure investment. This investment often requires a public subsidy which is not always forthcoming. Moreover the Plan contains fewer allocations than the plans it will supersede so again, if anything, the future windfall percentage level will be higher not lower than previous. The Council monitors and publishes house completion information as a matter of course and this will highlight the need for any review. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Similarly, Paragraph 1.24 and Table 3 make clear that the total housing capacity of the Plan allocations is 2,292 and 50% of the 20 year housing land requirement is 2,177. A schedule of all sites and their individual capacities will not add value to the Plan and lengthen what is already a substantial document. The Council collates and publishes very similar information via its Housing Land Audit [CD18]. If the Reporter requires clarification then a further information request could be issued through the Plan's Examination process.

Predicting a precise number of affordable houses that will be delivered over the next 20 years within the Plan area is impractical. That number will vary as the level of central government funding for such provision varies. Therefore the Council simply states that it will achieve its 25% target. We believe this is reasonable because of the virtual absence of private, volume house builder interest in the Plan area. Most if not all of the larger allocations in the Plan will be affordable housing developer led. Moreover the Council has recently announced its intention to lower the threshold from 4 units to 1 unit for its developer contributions policy in respect of affordable housing. Once implemented, this will capture affordable provision from the smaller scale developments. Accordingly, the Council believes that the existing Plan content is sufficient

in respect of this issue.

SSE Renewables (1104522) - The Council agrees with the sentiment expressed by the respondent and is doing all it can to deliver affordable housing development within Highland. The allocations policies of registered social landlords are a matter for individual providers, the Scottish Government and ultimately the courts but not for the local planning authority. A policy of favouring younger people in preference to those from other age groups of equivalent or greater housing need is likely to be impracticable. The Council believes that the best way forward is to allocate a plentiful and diverse range of size, location and ownership of sites that accommodate all sizes, types and tenures of housing units. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Policy 2: Delivering Development

Charles Chisholm (967723) - The respondent's commitment to implement an allocated site is welcomed. The North Ballachulish, Glenachulish and South Ballachulish Issue Schedule provides the Council's response in respect of the detail of the particular site's developer requirements.

Policy 3: Growing Settlements

RSPB (1104965) - The wording of this criterion of Policy 3 is very similar across the Council's three area local development plans. As such, any change would create inconsistency or the need to update other local development plans across Highland. The Council believes that most Plan readers will infer that the word "heritage" covers natural, built and cultural heritage. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Reporter's conclusions:

Proposed Settlement Hierarchy

Ballachulish Community Council (969774), Duror and Kentallen Community Council (1105221), Glencoe & Glen Etive Community Council (997398), Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651)

1. There is no disagreement between parties that Loch Leven communities have limited public sewerage capacity. However, the framework to deal with this falls to policy 65 of the Highland-wide Local Development Plan, which sets out the overall strategy for the Highland Council area with regard to waste water treatment.
2. As the planning authority points out, judgement on the technical acceptability or otherwise of private drainage arrangements in terms of quality of water discharge is a matter for the Scottish Environment Protection Agency. This judgement would be called for in the case of specific proposals coming forward in those areas not covered by public sewerage systems.
3. Scottish Water has the responsibility for the construction and running of waste water treatment plants. It states clearly that the public plants serving North Ballachulish and Onich, and Glenachulish, South Ballachulish and Glencoe have spare capacity of 270 and 265 housing units respectively. This would appear more than adequate for any housing development brought forward within the plan period. It would be a matter for Scottish Water to come forward with specific sewerage proposals, including connecting existing private systems to the waste water treatment plants. Also for procuring finance for any such proposals.

4. Representations disagree with the Scottish Water figures but I have no specific information before me that confirm this. In the circumstances, I accept the figure given by Scottish Water for plant capacity. In relation to sewerage arrangements for private schemes, as stated above this is a matter for the Scottish Environment Protection Agency under current legislation and it does not require a policy in the proposed plan to confirm this.

5. Drawing this together, I accept the planning authority's judgement that there are no sewerage capacity constraints relative to the capacity of the proposed plan's allocation. Therefore no modifications are necessary.

Charles Chisholm (967723)

6. This representation is supportive of the proposed plan and does not therefore present any issues for me in my examination.

SSE Renewables (1104522)

7. This representation is similar to that made in respect of Issue 1, which was dealt with in my response in paragraphs 11 and 12 of that issue. In that response, I noted the planning authority's intention is that community plans would become statutory supplementary guidance. As such they would form part of the local development plan and carry appropriate weight associated with that status. As with any part of a local development plan, implementation depends on the balancing of policies within the plan. The weight given to a community plan would be a matter for the decision maker in any particular case.

8. The process has been clarified by the planning authority in its comments above and these do not need repeating. As in issue 1, the planning authority also refers to the passage of the new Planning Bill through Parliament and that new procedures could come into effect. At present however, the proposed plan has been prepared under current legislation. I have no reason to suggest that my conclusion in regard to Issue 1 should be altered and therefore no modification is required regarding this matter in Issue 2.

Waternish Community Council (1103457)

9. Contrary to the planning authority's comments above, paragraph 1.18 of the proposed plan does not state specifically that the council will support communities where they have positive land use change ideas. The emphasis is on communities working with the council, landowners and other partners to positively influence future development in their area.

10. From its representation, the community appears to have already carried out some preparatory work reflecting community wide comments, observations and concerns. The suggested priorities include infrastructure, tourism, affordable housing and crofting, all of which could have land use implications.

11. Table 2, in referring to Community Plan Settlements refers to them as 'potential', which does not indicate that such plans would definitely follow. Given the clear support from the community council for the preparation of such a plan, I see no clear reason to justify not including Waternish in the list of potential settlements. The plan should be modified accordingly.

Housing Land Requirements

Charles Chisholm (967723)

12. This comment is one of support and does not affect my examination.

Gwyn Moses (997166)

13. The planning authority has explained the basis of its calculation based on nationally estimated population and household figures. I note that the housing land requirement projects forward to 2034, which is significantly beyond the time when additional houses may be required to provide for employees of the potential smelter expansion. It is likely that further consideration of that demand would form part of the preparation for the next local development plan.

14. In the event that such a requirement came forward sooner than expected, I believe there is sufficient flexibility within the proposed figures to accommodate land release earlier than anticipated. In these circumstances, further allocations to meet demand up to and beyond 2034 could be allocated as part of subsequent plans.

15. I therefore accept the planning authority's view that no modification is necessary in this case.

Susan Johnston (1104731)

16. The planning authority has explained that policy 47 of the Highland-wide Local Development Plan safeguards inbye and apportioned croftland. The Highland-wide plan sets out the over-arching policies for the whole of the council's area and provides the basis for preparing the area local development plans. In terms of this representation, the Highland-wide plan seeks to minimise the loss of more agriculturally productive croft land across the Highlands.

17. The planning authority has also pointed out that the planning system in general and allocation site selection process must take into account considerations other than land capacity for agriculture. Given the over-riding protection put in place by Highland-wide plan policy 47, I am not persuaded that any modification is required in this case.

Scottish Government (1101467)

18. Whilst the planning authority considers paragraphs 1.20 – 1.24 to provide an adequate account of how the housing supply targets and land requirements have been determined, I do not accept its justification that the topic is of limited interest to most plan users, thus implying that further detail is not necessary.

19. The representation seeks further clarity on the methodology used and this is provided in the planning authority's response above. I considered that this text would have been helpful if included in the plan by providing a better understanding of the housing figures. I therefore submitted a further information request asking the planning authority to submit text that would modify the proposed plan to provide the necessary explanation.

20. The planning authority responded positively to this by providing two paragraphs, one new and one amended. Subject to minor editing, I am recommending these as modifications to the plan as they provide a much clearer picture as to how the figures in Table 3 are arrived at.

SSE Renewables (1104522)

21. The figures in Table 3 giving the Housing Land requirement from 2015 – 2034 include a significant proportion for affordable housing. The major part of this is allocated to the Lochaber area where the greatest population levels are.

22. Set against this, the planning authority has explained that the allocation policies for affordable housing are not within its remit. I accept its argument that the best way to ensure an adequate supply is to allocate a plentiful and diverse range of size, location and ownership of sites that can accommodate the necessary demand. I believe this has been achieved with the proposed plan and no modification is necessary.

Policy 2: Delivering Development

Charles Chisholm (967723)

23. This representation is in support of the plan and does not affect my examination.

Policy 3: Growing Settlements

RSPB (1104965)

24. I note the planning authority's explanation that the wording used in the last criterion of policy 3 is similar to that in its other local plans. I do not however consider continuity in this respect to be of major significance as it is unlikely all three plans would be read together. I believe the proposed wording presents a small but significant clarification and the proposed plan should be modified accordingly.

Reporter's recommendations:

I propose the following modifications:

1. In Table 2 on page 11 add 'Waternish' to the list of Potential Community Plan Settlements.
2. Insert an additional paragraph after paragraph 1.22, to be numbered paragraph 1.23, as follows:

"By way of a technical explanation of Table 3, the totals are derived from the "Continued Growth" scenario column of Table 4-5 of the 2015 Housing Need and Demand Assessment (HNDA) and adjusted in 3 ways. First, because the plan area only encloses 74% of the West Ross Housing Market Area, only 74% of the "Continued Growth" figure for West Ross is applied. Second, a future ineffective housing stock allowance is added. This percentage allowance is based on the recently estimated proportion of ineffective stock as set out in Table 3-2 of the HNDA. Finally, an additional 20% allowance is included to allow for market choice of sites and to take account of deliverability issues within the plan area. These three adjustments take the plan area total from 3,059 in the HNDA to 4,354 units as the plan's 20 year housing land requirement. Table 3 is compatible with Table 1 (Housing Supply Targets) of the Highland-wide Local Development Plan Main Issues Report September 2015, which provides an update of the housing supply figures within the approved Highland-wide Local Development Plan 2012."

3. Delete existing paragraph 1.23 and replace with the following to be numbered 1.24:

“We take these totals and earmark sufficient, specifically allocated land on which this amount of housing can be built. In terms of sufficiency, we believe it is necessary to identify a generous housing land supply across the plan area because it is affected by more deliverability constraints than would be typical within many other, particularly urban, parts of Scotland. Issues such as: crofting tenure; the number, financial circumstances and motivations of larger estate owners; higher than average site preparation and construction costs; poorer infrastructure network capacity; and, greater environmental constraints, all create challenges to activating housing sites. We also need to make an assumption as to what proportion of future housing will be built on sites not specifically earmarked for this purpose in this plan. This type of development is known as “windfall”. We monitor the pattern of building and have found that a high proportion of recent residential development within the plan area has been in the form of single, rural, private houses built on unallocated sites. Of the 3,720 house completions over the years 2000 to 2017 inclusive within the plan area, relative to the boundaries of sites allocated for development in the previous development plans, we found that 3,150 of those completions were outwith those allocations. This equates to an 85% windfall level. We wish to direct more future development to allocated sites so have assumed that 50% of future houses will be built on sites not specifically allocated for that purpose in the plan. The Council will continue to monitor this percentage and if 50% proves to be an overestimate and the plan is therefore at risk of not identifying a sufficient future housing land supply then we will undertake an early review to identify additional sites that can accommodate housing development. Plan users can find out more about the quantity, timing and pattern of housing development via the Council's website. In terms of affordable housing, the plan assumes that 25% of future completions will be affordable. We believe this is reasonable because of the virtual absence of private, volume house builder interest in the plan area. Most if not all of the larger allocations in the plan will be affordable housing developer led.”

4. Subsequent paragraphs to be renumbered accordingly.

5. In the last criterion of Policy 3, after ‘locally important’ insert: “natural or cultural”. For the avoidance of doubt, the criterion now reads:

“would not result in adverse impact on any other locally important natural or cultural heritage feature, important public viewpoint/vista or open space.”

Issue 3	ECONOMIC DEVELOPMENT AREAS	
Development plan reference:	Employment section, Pages 19-24	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aileen Grant (995776) Fearann Eilean Iarmain (995590) Jane Mackay Lynch (1096377) Kilmallie Community Council (1104950) Scottish Natural Heritage (909933) SEPA (906306) SSE Renewables (1104522)</p>		
Provision of the development plan to which the issue relates:	Employment Sub Outcome, Economic Development Areas at Ashaig Airstrip (EDA01), Glencoe Ski Centre Base Station (EDA02), Inverloch Castle Estate (EDA03), Kishorn Yard (EDA04) and Nevis Forest and Mountain Resort (EDA05)	
Planning authority's summary of the representation(s):		
<p><u>Ashaig Airstrip</u></p> <p>Fearann Eilean Iarmain (995590) - Believes the potential expansion of business and tourism uses at the airstrip would be beneficial for Skye and the adjacent mainland. With momentum building recently for reopening scheduled air services, it is important that land is allocated for supporting services and developments.</p> <p>Jane Mackay Lynch (1096377) - Disputes inclusion of respondent's property within allocation boundary. The property is a domestic house and garden and the respondent has no intention to pursue a business proposal.</p> <p>SEPA (906306) - Seeks specified amendment to better address flood risk because: the site is adjacent to the sea and has a river and other watercourses running through it and therefore parts of the site are at risk of flooding; Scottish Planning Policy and the Flood Risk Management Act require that people and property are protected from flood risk; that the mitigation measures identified in the Plan's Environmental Report are implemented; and, to ensure consistency with other similar developer requirements within the Plan.</p> <p>Seeks specified amendment to better address carbon rich soils and wetlands because: the Environmental Report identifies that most of the site is located on carbon rich soils and wetlands and SEPA's data confirms this; impacts on carbon rich soils should be minimised in line with paragraph 205 of Scottish Planning Policy; impacts on wetlands should be minimised in line with the Water Framework Directive; and to ensure consistency with other similar developer requirements within the Plan.</p> <p>SSE Renewables (1104522) - Comments that the respondent is working with Transport Scotland and The Highland Council to upgrade the junction at the Ashaig Airstrip, Broadford, Skye as part of the Bhlaraidh Wind Farm project and that this is a good example of how SSE has worked with the Highland Council to help achieve strategic low carbon ambitions while furthering economic investment in the region.</p>		

Glencoe Ski Centre Base Station

SEPA (906306) - Seeks specified amendment to better address flood risk because: the site has watercourses running through it and therefore parts of the site are at risk of flooding; Scottish Planning Policy and the Flood Risk Management Act require that people and property are protected from flood risk; and, to ensure consistency with other similar developer requirements within the Plan.

Inverloch Castle Estate

Kilmallie Community Council (1104950) - Seeks reduction in allocation where its boundary lies close to the River Lochy because a greater development set back from the river would retain and enhance its green corridor function.

Kishorn Yard

Aileen Grant (995776) - Objects to Plan's promotion of further industrial development at Kishorn on the grounds of sustainability because: Kishorn is isolated and remote; the development already generates more heavy goods vehicle trips by road than by sea; there is insufficient local road capacity and no certainty about future improvements such as Lochcarron Bypass; tourism employment will be affected and this is more important to the local economy; the site has other potential including tourism-related development; the new biosphere designation is a material change which requires the future of Kishorn Yard to be reassessed; industrial development will reduce the quality of life and environmental assets in the area.

Scottish Natural Heritage (909933) - Seek Plan update to reflect a new natural heritage designation. The Loch Carron Marine Protected Area (MPA) could be affected by the allocation because marine based activities and operations arising from development that either create pollution, disturb the sea bed or alter the flow of water and so sediment deposition have the potential to affect the species and habitats of the MPA.

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933) - Seeks specified amendment to better reference natural heritage constraints. These interests should be listed in the developer requirements to ensure adequate protection should the masterplan not be adopted as statutory Supplementary Guidance and/or alternative proposals come forward.

SEPA (906306) - Seeks specified amendment to better address carbon rich soils and wetlands because: the Environmental Report identifies that most of the site is located on carbon rich soils and wetlands and SEPA's data confirms this; impacts on carbon rich soils should be minimised in line with paragraph 205 of Scottish Planning Policy; impacts on wetlands should be minimised in line with the Water Framework Directive; and to ensure consistency with other similar developer requirements within the Plan.

Modifications sought by those submitting representations:

Ashaig Airstrip

Fearann Eilean Iarmain (995590) - None.

Jane Mackay Lynch (1096377) - Exclusion from site of land owned by the respondent at Lusa/Rubha Lusa at east end of airstrip.

SEPA (906306) - Developer requirements amendments to read: "In particular, assessment and potentially mitigation will be required of: flood risk (Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures)." Also: "Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed."

SSE Renewables (1104522) - Recognition that SSE has worked with the Highland Council to help achieve strategic low carbon ambitions while furthering economic investment in the region for example to upgrade the junction at the Ashaig Airstrip, Broadford, Skye as part of the Bhlairaidh Wind Farm project (assumed).

Glencoe Ski Centre Base Station

SEPA (906306) - Developer requirements amendments to read: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)". Also: "Retain and integrate watercourse as natural features with the development; no culverting."

Inverloch Castle Estate

Kilmallie Community Council (1104950) - Reduced allocation boundary where it passes close to the River Lochy and wider green corridor notation adjacent to river.

Kishorn Yard

Aileen Grant (995776) - Deletion of industrial use option from site and change to support lower impact uses such as tourism. As a fall back position if support for industrial uses is maintained then a new developer requirement to make further industrial development of the site conditional upon existing transport links being fully upgraded including the Lochcarron Bypass and a link road to the site (all assumed).

Scottish Natural Heritage (909933) - Developer requirements addition. Insert at end: "development proposals must demonstrate that the impacts of marine based activities and operations arising from development will not adversely affect the integrity of the Loch Carron Marine Protected Area (MPA)"

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933) - Developer requirements addition. Insert "avoid adverse impacts on the Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI) and the Glen Roy & the Parallel Roads of Lochaber Geological Conservation Review (GCR) site"
 SEPA (906306) - Developer requirements amendments to read: "Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed."

Summary of responses (including reasons) by planning authority:

Ashaig Airstrip

Fearann Eilean Iarmain (995590) - The Plan's existing provisions are supportive of the respondent's wishes for the site. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Jane Mackay Lynch (1096377) - The allocation's extent is identical to that "rolled-forward" from the approved development plan (the West Highland and Islands Local Plan [as continued in force] 2012). The inclusion of the domestic property is necessary because in the event of the runway being extended to the east then the property may be affected by the runway's operational use and associated safety margins. As the Plan text makes clear, any such extension would be subject to several assessments and a planning application. Currently, it is unlikely that there will be sufficient funding to progress the runway extension and therefore alternatives are being looked at such as using aircraft that can operate within the existing runway length. However, it would be imprudent to rule out the longer term possibility of the extension. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

SEPA (906306) - The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Reporter.

SSE Renewables (1104522) - Although SSE's investment in Highland's infrastructure network is welcomed it would be inappropriate to reference it in a local development plan. Many other developers have invested in that network often just to offset the impact of their particular proposals. Moreover, the Plan looks ahead not back so reference to contributions and direct developer provision of improvements is about what should happen in the future not what did happen in the past. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

Glencoe Ski Centre Base Station

SEPA (906306) - The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Reporter.

Inverlochy Castle Estate

Kilmallie Community Council (1104950) - It would be sensible to make a minor amendment to the allocation's western boundary. It currently follows the owner's fenceline but this encloses land within the 1 in 200 year fluvial flood event flood risk area. Excluding the flood risk area from the allocation would also achieve the respondent's wish to have a greater development setback and expanded green corridor adjacent to the River Lochy. If the Reporter is minded to agree then the allocation boundary could be amended as described above and the green network notation could be extended to meet this boundary on the Fort William Settlement Map.

Kishorn Yard

Aileen Grant (995776) - The Kishorn allocation encloses a long established, largely brownfield area accommodating a variety of existing and operational industrial uses and benefits from various planning permissions. It would be impracticable suddenly to reverse this planning history and substitute tourism or other similar less intensive uses. Moreover the site's relatively unique combination of existing deep water berthing and dry dock facilities led to its inclusion in the National Renewables Infrastructure Plan as a potential shorebase to service the offshore renewables sector. It would not be sensible to erode this opportunity. The site's planning permission includes a travel mode monitoring condition and allows for the possibility of local road network improvements. However, expansion of the site is not dependent upon construction of Lochcarron Bypass. The Plan content and planning permission conditions contain adequate environmental safeguards (excepting the additional reference requested by Scottish Natural

Heritage below).

Scottish Natural Heritage (909933) - The suggested change would update the Plan and therefore would be appropriate subject to the agreement of the Reporter.

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933) - The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Reporter.

SEPA (906306) - The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Reporter.

Reporter's conclusions:

Ashaig Airstrip

Fearann Eilean Iarmain (995590)

1. This representation is supportive of the proposed plan and is not therefore part of my examination.

Jane Mackay Lynch (1096377)

2. I note that the proposed land allocation has been rolled forward from the extant local plan, approved in 2012. As such the situation in the proposed plan is unchanged from the previous one.

3. As proposed any potential impact on the representor's property would only arise in the event of a specific proposal and planning application coming forward to extend the Ashaig airstrip to the east. As the planning authority points out this is unlikely in the immediate future. Even if the property were to be removed from the land allocation it would not remove the possibility of it being affected by any runway extension so in practical terms it would not prevent that possibility. Retaining it within the allocated area removes any potential doubt about this position. I therefore consider that the planning authority's conclusion that the plan should be retained unaltered is a prudent one. No modification is necessary.

SEPA (906306)

4. The proposed changes relate to the important environmental issues of flood risk and peat management. The planning authority has accepted that including these would ensure consistency with the approach at other site allocations and would therefore be appropriate. I share this view and propose the modifications accordingly.

SSE Renewables (1104522)

5. This representation comments on activity that has already been taking place by the representor and others. As such it refers to an existing situation rather than a specific future proposal. I therefore accept the planning authority's view that there is no need to modify the plan in this respect.

Glencoe Ski Centre Base Station

SEPA (906306)

6. As above, this representation relates to important environmental issues and would ensure consistency with the approach of other site allocations. I therefore share the planning authority's view that the plan should be modified accordingly.

Inverlochy Castle Estate

Kilmallie Community Council (1104950)

7. During my site inspections I walked along the east bank of the River Lochy north from the A82. It was clear that the flood plain extends east of the current fence line, including the area of a 1 in 200 year fluvial flood event flood risk. It therefore makes sense for the western boundary of the Inverlochy Castle Estate to be moved slightly to the east to exclude the flood risk area. This is a relatively small area and would be unlikely to prejudice any activities the estate may wish to carry out in that area.

8. As a consequential modification, as the council suggests, the green network notation should be extended to meet the new boundary on the Fort William Settlement Map.

Kishorn Yard

Aileen Grant (995776)

9. As the planning authority points out, the Kishorn Yard has a long history of industrial development. From my own experience, this dates back to the oil platform developments of the 1970s. These developments have the benefit of a number of extant planning permissions and I accept the planning authority's view that it would be impracticable to suddenly reverse this planning history and substitute other uses.

10. I note also that the site is included in the National Renewables Infrastructure Plan for servicing the offshore renewables sector, so it is effectively designated at national level. Whilst I can understand the representor's concern at major industrial uses being set in such an important area for landscape and tourism, comprehensive studies were carried out at the time of the initial development and specific requirements put in place to control activities. These are taken forward for the future by the developer requirements.

11. I see that the planning permission includes a travel mode monitoring condition and the possibility of road network improvements, although not specifically the Lochcarron bypass. It is a matter for the planning authority to monitor observance of conditions. Also Scottish National Heritage proposes additional safeguards for the marine environment and these are dealt with below.

12. Taking all these points together, I accept the planning authority's view that no modification is required to the proposed plan in this respect.

Scottish Natural Heritage (909933)

13. The planning authority accepts that this proposed change would update the plan. This would take into account the designation of the Loch Carron Marine Protected Area and I accept the proposed modification.

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933)

14. This proposal would give added protection to an important stretch of landscape, taking into account Site of Special Scientific Interest and local geological conservation review sites. I accept the planning authority's view that the proposed modification should be made.

SEPA (906306)

15. I accept the planning authority's view that this would be consistent with the approach taken on other site allocations. The Nevis Resort is a high altitude site and peat considerations are of major importance. The modification should be made.

Reporter's recommendations:

I recommend the following modifications:

1. On page 20, Ashaig Airstrip, under Developer Requirements, after 'flood risk' insert:

"(Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures)"

2. On page 20, Ashaig Airstrip, under Developer Requirements, after 'and other natural heritage interests' insert:

"Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed."

3. On page 21, Glencoe Ski Centre Base station, under Developer Requirements, after 'Glen Coe NSA' insert:

"Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

4. On page 21, Glencoe Ski Centre Base Station, under Developer Requirements, after 'within the development;' insert:

"no culverting."

5. On page 22, Inverlochy Castle Estate, on Map 1.5, move the western boundary of the EDA03 land allocation slightly to the east so as to exclude the 1 in 200 year flood risk event area.

6. On page 38, Fort William Inverlochy Map, on the eastern bank of the River Lochy alongside the Inverlochy Castle Estate, extend the Green Network annotation to meet the new boundary of the EDA03 land allocation as recommended under Modification 5 above.

Note: consequential adjustments to other Fort William maps may also be needed.

7. On page 23, Kishorn Yard, at the end of the Developer Requirements, insert:

"Development proposals must demonstrate that the impacts of marine based activities and operations arising from development will not adversely affect the integrity of the Loch Carron

Marine Protected Area (MPA).”

8. On page 24, Nevis Forest and Mountain Resort, at the end of Developer Requirements insert:

“Avoid adverse impacts on the Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI) and the Glen Roy and the Parallel Roads of Lochaber Geological Conservation Review (GCR) site. Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed.”

Issue 4	TRANSPORT	
Development plan reference:	Connectivity and Transport, Pages 25-27	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ann Leitch (995969) Donald Donnelly (990970) Gwyn Moses (997166) Lochaber Environmental Group (1105232) Scottish Government (1101467) SSE Renewables (1104522)</p>		
Provision of the development plan to which the issue relates:	Connectivity and Transport Sub Outcome, Transport Improvements Table	
Planning authority's summary of the representation(s):		
<p><u>Transport Improvements Table</u></p> <p>Ann Leitch (995969) - Objects to the potential Caol Link Road scheme because of its closeness to the respondent's property, that it may involve compulsory purchase of the property, and that the other road safeguard route (A82 "bypass") shown on the Fort William Settlement Map would be a cheaper and easier option as it doesn't involve building a bridge over the River Lochy.</p> <p>Donald Donnelly (990970) - Objects to the Caol Link Road corridor because: more achievable transport solutions for the Fort William area are available such as better active travel connections, a first phase of the Link Road simply to connect the A830 to Lochyside and, the A82 bypass which will be better at relieving A82 congestion which is the primary problem; no funding is identified for the scheme and therefore the scheme is an unrealistic aspiration within the lifetime of the Plan; no detailed feasibility work has been commissioned for the route in 40 years; the level of developer contributions likely to result from the scheme will be very low in proportion to its total cost; the safeguarding corridor stymies development that could otherwise help meet local housing supply targets; the Plan's Transport Background Paper lists and accepts the Caol Link Road has drawbacks; the scheme has a poor Benefit Cost Ratio because local congestion is only a seasonal issue; traffic levels have not been increasing since 2006; modal shift to active travel alternatives will happen because of increasing fuel prices thus reducing congestion; moving destination uses such as the hospital to Blar Mor will ease traffic flow; and, reopening the An Aird to Inverlochy Village bridge could ease flows in the case of a temporary blockage of the A82. Submits additional justification paper [RD06].</p> <p>Gwyn Moses (997166) - Suggests a list of road improvements to counter A82/A830 congestion relief within the wider Fort William urban area. No specific reasons stated.</p> <p>Lochaber Environmental Group (1105232) - Welcomes and supports plans to improve active travel networks across all communities. Suggests that these networks should be connected, accessible and safe. States safety concerns about two sections of the A82 that are frequently used by long distance cyclists between Onich and Fort William and the A82 from Fort William to Inverness.</p>		

Scottish Government (1101467) - Requests that an exemplar walking and cycling friendly settlement should be identified in the Plan and developed because this is required by paragraph 5.14 of NPF3. Similarly, asserts that the Plan should identify locations for and promote electric vehicle charging points because this is required by paragraph 165 of SPP and paragraph 5.30 of NPF3.

SSE Renewables (1104522) - Requests Plan recognition that SSE has historically undertaken significant improvements of key transport links within the Highlands and will continue to work closely with Transport Scotland and The Highland Council to deliver transport infrastructure improvements through the development of major infrastructure projects where possible.

Modifications sought by those submitting representations:

Transport Improvements Table

Ann Leitch (995969) - Removal of Caol Link Road from Plan (assumed).

Donald Donnelly (990970) - Relocation or deletion of Caol Link Road Corridor from Plan.

Gwyn Moses (997166) - Amendment to A82/A830 proposal to include upgrading of River Nevis bridge and roundabout to Glen Nevis. Also a new road bridge across the Lochy next to the Old Inverlochy Castle. Also a bypass from the Morrisons roundabout, past Inverlochy village to join at the New North Road development roundabout. Also a spur road across the River Lochy to join the roundabout where the police station is located and the hospital may be sited.

Lochaber Environmental Group (1105232) - More Plan support for connected active travel networks to ensure any infrastructure built is widely accessible and provides safe travel links for both pedestrians and cyclists. For example, the A82 between Onich and Fort William and the A82 from Fort William to Inverness.

Scottish Government (1101467) - Identification of an exemplar walking and cycling friendly settlement. The identification of locations for and promotion of electric vehicle charging points.

SSE Renewables (1104522) - Plan reference to SSE's previous and likely future funding of significant improvements of key transport links (assumed).

Summary of responses (including reasons) by planning authority:

Transport Improvements Table

Ann Leitch (995969), Donald Donnelly (990970), Gwyn Moses (997166) - Relief of Fort William congestion including that on the A830 and A82 is a defined improvement within the Plan and seen by the Council and most Plan respondents as a desirable objective. However, the precise nature of the transport interventions that will be most effective in reducing congestion in Fort William is subject to further transport appraisal work. The Plan's Fort William Settlement Map depicts two indicative routes for "relief roads", one connecting the A830 at Blar Mor with the A82 at An Aird and the other providing an alternative to the existing A82 between An Aird and Carr's Corner. To better define which transport interventions are necessary, feasible and will require developer contributions, the Highland Council and its partners have, through Hi-Trans, commissioned AECOM consultants to undertake a Fort William Pre-Appraisal transport Study [CD26]. This will set transport objectives for the greater Fort William urban area and then formulate and sift transport intervention options that can help meet these objectives. This sifting process will include reference to the views of a wide variety of stakeholders (including public

engagement), the best available data on transport and related matters, and analysis of local transport problems and opportunities. One of the key deliverables of the Study will be a short list of transport interventions requiring further, more detailed, appraisal. It is hoped that the Study will be completed by May 2018. The issues raised by objectors cannot be satisfactorily resolved until the Study is undertaken. The Fort William Schedule contains further information on the specifics of particular sites affected by possible transport interventions. If and when any transport interventions are chosen and progressed then they will involve separate public consultation and (most likely) objection procedures. Therefore, it is not possible, at this stage to offer a definitive policy statement or decision on the choice, detailed design or timing of any particular transport intervention. The Council's Transport Background Paper [CD08] accepts and lists brief pros and cons of certain interventions but further appraisal work is required to reach a fully considered conclusion on this matter. Accordingly, the Council believes the Plan should remain unaltered in respect of these representations pending the completion and publication of the Fort William Pre-Appraisal transport Study. The Council suggests for the Reporter's consideration that the Study be a "further information" document during the Examination process and that respondents on this issue be allowed an opportunity to comment on it through the process.

Lochaber Environmental Group (1105232) - Support welcomed. The Council recognises the limitations of several sections of the longer distance national cycle routes within Highland and the particular problems associated with the A82 trunk road. The physical constraints of Highland and the lack of funding available to the relevant public agencies hampers the search for effective solutions. Given the recent UK Supreme Court judgment in respect of strategic transport developer contributions, seeking contributions towards a long distance cycle route would be open to challenge. Therefore the Council, through the Plan, concentrates on improvements to local networks most notably by setting requirements for developers to ensure and improve connectivity.

Scottish Government (1101467) - Paragraph 5.14 of NPF3 announces a Scottish Government commitment to encourage local authorities to develop exemplar walking and cycling friendly settlements. It does not specify where within the local authority area these settlements should be. The Council has progressed active travel masterplans/audits for 9 settlements across Highland including Fort William. These identify a core active travel network and prioritised action plans for each settlement which serve as a framework for future investment and new development. These documents inform each local development plan within Highland and justify particular active travel related developer requirements within this Plan area. The installation of a standard electric vehicle charging point in a suitable location does not require planning permission. Moreover the funding for such provision currently comes from Scottish Government grant not from the local authority or private sector. Also, live, updated information on the location, type and availability of charging points is best accessed by the ChargePlace Scotland website. For all these reasons it would be inappropriate at this time for the Plan to reference this issue. However, the Council is reviewing its Highland-wide Developer Contributions Supplementary Guidance and is considering future provision. The Council, in partnership with Hi-Trans are developing an E-Vehicle Charging Strategy and developers may be expected, in the future, to contribute towards the delivery of this strategy through the provision of e-vehicle parking spaces and charging point infrastructure. If so then the issue is best addressed through the review of Highland wide policy. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

SSE Renewables (1104522) - Although SSE's investment in Highland's infrastructure network is welcomed it would be inappropriate to reference it in a local development plan. Many other developers have invested in that network often just to offset the impact of their particular proposals. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

Reporter's conclusions:Transport Improvements Table

Ann Leitch (995969), Donald Donnelly (990970), Gwyn Moses (997166)

1. Note that this matter, the Caol link road, is also dealt with under Issue 6 Fort William. I have dealt with it in more detail there on account of the more numerous and comprehensive objections. This response should be read in association with Issue 6.
2. During the course of the examination the council published its 'Fort William Strategic Transport Study – Pre-Appraisal, the Case for Change' (CD 26). In response to this, and in relation to Issue 6, I issued a number of further information requests seeking comments on the document. The council had an opportunity to respond. These comments, and the council's response, are also relevant to Issue 4.
3. Concerns have been expressed at the length of time the safeguarded corridors have been in the planning system without any action being taken to pursue them. The council acknowledges that the corridors have been integral to the Highland development plan policy and strategy for three successive plans since the 1990s.
4. The council also accepts that its appraisal work is not fully compliant with that required under Scottish Government and Transport Scotland guidance and advice. It states that it has progressed appraisal work to the extent that its ever reducing resources allow.
5. It also suggests that the pertinent questions are whether the indicative safeguarding corridors depicted on the Fort William settlement inset maps are unnecessarily and unreasonably holding back development potential in appropriate locations, blighting neighbouring properties and/or are prejudicial to the continuing appraisal of transport intervention solutions to Fort William's congestion issues. It considers the answer in each case to be no.
6. During my site inspections I traversed, where practicable, or viewed from close by, both by car and on foot the safeguarded lines. During this I was also able to appreciate the potential restrictions that could negate alternative solutions, including some options suggested by representors.
7. Whilst accepting that it may have been advantageous, in the opinion of some representors, if the Pre-Appraisal study had been produced earlier, I consider it marks a step forward in the council's transport planning programme. It is an accepted planning principle that development plans safeguard land for future development. In some cases this can run the risk of planning blight where other possible developments may be restricted or made impossible.
8. The publication of the study marks, however, a step forward in the council's forward planning for transport. I accept that it does not identify specific proposals, and that it is one early step in the planning process. It does however identify the safeguarded routes as potential solutions to Fort William's traffic problems. It is not a final solution but provides a basis for further study and is supported by a steering group that includes Transport Scotland, effectively representing the Scottish Government.
9. I understand the frustrations of representors who feel the potential use of their land may be threatened or their individual homes affected. I accept however the council's view that the deletion of the routes could pre-judge the outcome of the ongoing transport appraisal process

by eliminating them as credible transport interventions.

10. Taking all these points together I am not persuaded that modifying the proposed plan by deleting the safeguarded routes would be of benefit to the future traffic planning process in Fort William. No modification is therefore necessary in this respect.

11. Specific proposals are suggested for the A82/A830, new bridges and local bypass and spur roads. These should be considered as part of the ongoing transport appraisal and do not require any modifications to be made.

Lochaber Environmental Group (1105232)

12. This representation is largely in support of the council's proposals for active travel networks. The council has noted the improvements to local networks. Most notably in setting developer requirements, through the plan. No further modification is required.

Scottish Government (1101467)

13. I note that the council has progressed active travel/masterplans for nine settlements across the Highlands. Prioritised action plans serve as a framework for future investment and new development, informing each local development plan and justifying particular active travel related developer requirements. With this in mind I consider no further modifications are necessary.

14. The representation is incorrect in its reference to Scottish Planning Policy paragraph 165, which refers to wind energy. The correct reference is paragraph 275. The council has explained that it is developing an E-vehicle charging strategy in partnership with Hi-Trans. This will include developer contributions and delivery of charging points in new developments. The council considers this is best developed through a review of Highland-wide policies and I accept this view. No modification is required.

SSE Renewables (1104522)

15. This representation is about recognising past developments but this is not the purpose of the plan. This is about making provision for future development. If everything that had been achieved historically was referred to the plan would become unwieldy and more difficult to follow. I therefore accept the council's view that the current content should be retained unaltered. Accordingly no modification is necessary.

Reporter's recommendations:

No modifications are required.

Issue 5	ENVIRONMENT	
Development plan reference:	Environment and Heritage, Pages 28-31	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Lochaber Environmental Group (1105232) Scottish National Parks Strategy Project (930044) SSE Renewables (1104522)</p>		
Provision of the development plan to which the issue relates:	Environment and Heritage Sub Outcome, Special Landscape Areas (SLAs), Efficient Use of Heat	
Planning authority's summary of the representation(s):		
<p><u>Special Landscape Areas and Other Environment Issues</u></p> <p>Lochaber Environmental Group (1105232) - Supports Plan content regarding green networks and outcomes to better manage heritage resources. Objects to any new developments on peatlands because peatlands are vulnerable habitats that support important native species and help mitigate climate change via long term carbon storage. Requests a clear Plan definition of what is considered good environmental practice, when taking environmental considerations into account.</p> <p>Scottish National Parks Strategy Project (930044) - The respondent repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule. Submits justification document [RD07].</p> <p>SSE Renewables (1104522) - Requests a written, technical justification for the proposed extension to the SLA at Ardgour to allow potentially affected parties to respond.</p>		
Modifications sought by those submitting representations:		
<p><u>Special Landscape Areas and Other Environment Issues</u></p> <p>Lochaber Environmental Group (1105232) - Deletion of all development sites on peatland, a policy to oppose any development on peatland and a clear definition of what is considered good environmental practice, when taking environmental considerations into account (assumed).</p> <p>Scottish National Parks Strategy Project (930044) - The respondent repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule.</p> <p>SSE Renewables (1104522) - A written, technical justification for the proposed extension to the SLA at Ardgour.</p>		

Summary of responses (including reasons) by planning authority:Special Landscape Areas and Other Environment Issues

Lochaber Environmental Group (1105232) - The approved Highland wide Local Development Plan 2012, Policy 55: Peat and Soils, sets out the Council's approach to development and peatland across Highland. It establishes a policy presumption against a development proposal that would cause unnecessary and/or unacceptable disturbance of peat unless there are social, environmental or economic benefits arising from the proposal that would outweigh the adverse effects of that disturbance. Where disturbance is unavoidable then the policy requires that its adverse effects are assessed, minimised and mitigated. The Council accepts that since 2012 the position of the Scottish Government and its relevant agencies such as SNH and SEPA has moved towards greater protection and is now best expressed through Scottish Planning Policy and Scotland's National Peatland Plan. The Council's review of the Highland wide Local Development Plan has progressed as far as a completed Main Issues Report consultation stage. It endorses a similar direction of travel to that expressed nationally in strengthening the degree of protection of peatland. The Council believes that its general policy on peatland and development should be contained within a Highland wide Local Development Plan not within the area local development plan for west Highland. Other settlement schedules address site-specific peatland issues. The Council's development plans, suite of supplementary guidance and other guidance notes contain detailed and sufficient definition of good environmental practice for particular topic areas. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Scottish National Parks Strategy Project (930044) - As the respondent simply repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule, the Council's response is identical to that contained in that Schedule and for brevity's sake is not repeated here.

SSE Renewables (1104522) - Paragraph 1.53 of the Plan contains a sufficient, written justification for the very minor proposed change. The purpose of the change is simple: to complete the process that was progressed through the SLA citation process (The Assessment of Highland Special Landscape Areas) which was completed in 2011. One function of this process was to eliminate any small gaps or overlaps between SLAs and National Scenic Areas (NSAs). SLA and NSA boundaries were first formulated at different times, using different output map scales, by different organisations and using data of different spatial accuracy. Therefore, when overlain, the combined boundaries revealed many overlaps and some small gaps. Having two landscape areas covering the same land but each carrying a different degree of planning policy protection made little sense. Similarly, thin slithers of land between areas with similar landscape qualities and characteristics to land within those areas but carrying no protection was/is illogical. The land affected in this case is a small section of a complex ridgeline between the summits of Sgurr Ghiubhsachain and Sgorr Craobh a' Chaorainn south east of Loch Shiel. It is land which is very unlikely to attract any type of development proposal but has similar landscape qualities and characteristics to that adjoining. The proposed change is technical in nature and unlikely to have any material implications for any future planning application. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:Special Landscape Areas and Other Environment Issues

Lochaber Environmental Group (1105232), Scottish National Parks Strategy Project (930044),

SSE Renewables (1104522)

1. The council's approach to peatland is set out in Policy 55 of the Highland-wide Local Development Plan (CD12). This clearly sets out that there is a policy presumption against development that would cause unacceptable disturbance of peat unless there are social, environmental or economic benefits arising from the proposal that would outweigh the adverse effects of that disturbance. The policy also states that where the disturbance is unavoidable, the council may ask for a peatland management plan in order to demonstrate how impacts have been minimised and mitigated. Given the presence of peatland across the council area, not just within the proposed plan area, it is appropriate to apply a council wide policy on such a subject matter. I therefore do not consider it necessary or appropriate to include a further policy on peatland within the proposed plan which is contrary to this policy. In reaching this conclusion, I am mindful that the settlement schedules within the proposed plan deal with site-specific peatland issues through developer requirements. In light of the above, I am not recommending any changes to the proposed plan in respect of this matter.

2. I note that the Scottish National Parks Strategy Project repeats the same objection as that contained in the Vision and Spatial Strategy Schedule. I consider that the objection is most appropriately addressed in that Schedule. I therefore do not make any recommendations in respect of this matter and refer parties to the conclusions and recommendations reached by my reporter colleague on this matter under Issue 1.

3. The planning authority advises that the boundaries for Special Landscape Areas (SLA) and National Scenic Areas (NSA) were drawn up by different organisations using different map scales and using data with different spatial accuracy and that this resulted in small gaps between the boundaries of these respective designations in certain areas and also overlaps between these designations in other areas. This has resulted in a small section of a complex ridgeline between the summits of Sgurr Ghiubhsachain and Sgorr Craobh a' Chaorainn, to the south east of Loch Shiel, being excluded from the Ardgour SLA. There is no other logical explanation as to why this thin slither of land (with similar landscape qualities and characteristics to that adjoining) would be excluded from the regional SLA designation. On the contrary, given its limited extent and location, I consider it appropriate for inclusion within the SLA boundary, thus rectifying a technical anomaly. In light of the above, I am not recommending any changes to the proposed plan in respect of this matter.

Reporter's recommendations:Special Landscape Areas and Other Environment Issues

1. No modifications.

Issue 6	FORT WILLIAM	
Development plan reference:	Fort William Settlement Chapter, Pages 32-50	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Alice Cameron (1104920) Ann Leitch (995969) Ardgour Community Council (1103772) Boyd Brothers Haulage Limited (1105200) BSW Timber Group (1105115) Calum-Ruairidh Foxley (1105262) Cameron (1104805) Christopher O'Brien (1098822) Don Michie (993020) Donald Donnelly (990970) Highlands Small Communities Housing Trust (1095508) (late representation) James Ramsay (1105176) Kilmallie Community Company (992492) Kilmallie Community Council (1104950) Liberty British Aluminium (1105244)</p>	<p>Linnhe Lochside Holidays Ltd (1105213) Lochiel and Achnacarry Estates (1105774) M Cameron (1165804) Margaret MacRae (1105217) Mark Linfield (995168) Michael Foxley (1103411) Mountaineering Scotland (964649) Samantha Thomson (1104826) Sarah Ferguson (1102559) Sarah Kennedy (1105051) Scottish Government (1101467) SEPA (906306) Sportscotland(1069318) Susan Brown (1104546) Tony Laidler (1101521)</p>	
Provision of the development plan to which the issue relates:	Placemaking Priorities, Transport Developer Contributions, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities/General</u></p> <p>Ann Leitch (995969) - Concerned about compulsory purchase as the planned route of the Caol Link Road passes behind respondent's house on St John's Road. Notes support for an alternative route going from Inverlochy Black Park area, Inverlochy Castle and over to the A82 near where a new roundabout is already being constructed and believes this option would cheaper and easier as it doesn't involve building a bridge over the River Lochy.</p> <p>Cameron (1104805) - Supports the Placemaking Priorities but objects to the resulting Map 2.1 of the Fort William area (detail of objection within representation made for FW08).</p> <p>Don Michie (993020) - Objects, as owner and potential developer, to the non-inclusion as a 13 unit housing allocation within the Plan of the former Caol sewage works site. Objects to the Plan's Caol Link Road safeguard which inhibits the development of this site. Asserts that the site is worthy of allocation because it is: in a single ownership and control; brownfield land, being part of the site of the former Caol sewage works; flat and free from existing development; free from contamination; subject to a recent flood risk assessment and capable of being incorporated within the proposed River Lochy and Caol Flood Protection Scheme; adjacent to the existing Caol settlement and other consented residential development, and forms a natural extension to the village; close to existing amenities and employers; subject to an established vehicular access and readily connected to water, drainage, telecom and other infrastructure and services; and, available and effective land which would contribute to the urgent need for</p>		

housing, and particularly low cost housing, within the Fort William settlement area. Other reasons include: the additional, unforeseen within the Plan, need to have additional housing land to meet employment led growth at the Fort William smelter; the need to provide housing site choice and flexibility; the low cost of servicing site compared to allocated alternatives; conformity with national policy; and, there is spare capacity in education, health, infrastructure or other services in the area. The reasons for refusal of the previous planning application are not relevant because: the site is not within a flood risk area; an updated flood risk assessment could be undertaken and mitigation provided; the site could benefit from a realigned River Lochy and Caol Flood Protection Scheme; that realignment could be achieved at no cost to the Council; since the refusal of planning permission, a new house has been built between the site and Caol village and planning permission granted for a further three houses on land adjacent to the site thus making the site a natural extension of the existing settlement; and, the density proposed is compatible with other affordable housing developments closeby, economically viable for low cost housing and would make efficient use of the available land. The associated development of detached villas on the eastern portion of the Site will enable the provision of low cost housing on the remainder of the Site.

Objects to Plan including reference to the Caol Link Road and its mapped safeguard corridor for the following reasons: Circular 6/2013 states that plans should be realistic and deliverable and yet the route has no prospect of being financed or delivered; realistic and deliverable alternatives to it exist; inclusion of the safeguard would continue to blight potential development land; no detailed feasibility work has been undertaken; the Council's own Transport Background Paper concedes that it has deliverability constraints and that alternatives should be considered; its route requires 2 expensive bridge crossings of the River Lochy and Mallaig railway line; part of the route falls within the 1 in 200 year flood event area; part of the route has poor ground conditions; the route is in multiple landownerships with an overlay of crofting interests which will result in complex, lengthy and costly acquisition; the route crosses and conflicts with the Caol/Lochyside Flood Protection Scheme; the route will need to be elevated and is therefore more likely to have an adverse visual impact; the road scheme is not included in Highland Council or Scottish Government capital programmes; it will only lever minimal developer contributions; its benefit cost ratio is likely to be poor compared to alternatives; the Kennels A82 realignment/bypass is a far more effective alternative because it has far fewer constraints and is cheaper; and, it is unreasonable again to defer the decision on its future waiting for the results of a transport appraisal that may not reach any definitive conclusions. Submits supporting justification documents [RD11 and RD12].

Donald Donnelly (990970) - Objects, as owner of land at 104/105 Lochyside, to the Caol Link Road corridor depicted on the Fort William Settlement Maps. Seeks that the proposed road is either relocated or deleted from the Plan for the following reasons: more achievable transport solutions for the Fort William area are available such as better active travel connections, a first phase of the Link Road simply to connect the A830 to Lochyside and, the A82 bypass which will be better at relieving A82 congestion which is the primary problem; no funding is identified for the scheme and therefore the scheme is an unrealistic aspiration within the lifetime of the Plan; no detailed feasibility work has been commissioned for the route in 40 years; the level of developer contributions likely to result from the scheme will be very low in proportion to its total cost; the safeguarding corridor stymies development that could otherwise help meet local housing supply targets; the Plan's Transport Background Paper lists and accepts the Caol Link Road has drawbacks; the scheme has a poor Benefit Cost Ratio because local congestion is only a seasonal issue; traffic levels have not been increasing since 2006; modal shift to active travel alternatives will happen because of increasing fuel prices thus reducing congestion; moving destination uses such as the hospital to Blar Mor will ease traffic flow; and, reopening the An Aird to Inverlochry Village bridge could ease flows in the case of a temporary blockage of the A82. Submits supporting justification document [RD10].

Kilmallie Community Company (992492) - Requests extension to cherished greenspace area to include ground which was/is the play park at the east end of Guisach Terrace in Corpach plus a textual addition to preserve public access from the east end of Guisach Terrace to the play park and through it to the pine wood because although the path network in the pine wood is not designated as a Core Path it is important for local residents.

Kilmallie Community Council (1104950) - Seeks extension to cherished greenspaces to include the area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal because: there are not many examples of this type of open grass area in Kilmallie; it is extensively used for a number of activities in a similar way to a village green; there is also an active group, Friends of Banavie Park who are working towards development of better play park facilities there; community events have confirmed support for this change; area is within easy walking distance of bus stop, train station and Great Glen Core Path, so is easily accessible by public transport, walking and cycling; and, this would contribute to the place making priority to safeguard an area of high public amenity. Also seeks cherished greenspace safeguarding for woodland to the north of Old Banavie Road and Bad Abrach, and along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east because of its value as a wildlife corridor. Supports SDA but requests tighter adherence to it in making individual planning application decisions at Banavie. Queries reasons for differences between Housing Land Audit site boundaries and Plan boundaries.

Liberty British Aluminium (1105244) - Requests that the Plan acknowledges the significant change of circumstances associated with the GFG Alliance acquisition of the Lochaber smelter and associated interests which present a major opportunity for the Fort William, Highlands and Scottish economies. Reports that this initiative protects existing economic activity and presents significant opportunities for investment, job creation and regeneration across the plan area. Suggests that the Council consider how best to accommodate potential GFG development projects in the LDP. Reports the intention to develop an alloy wheel plant at the Lochaber Smelter, involving an investment in excess of £120 million. Other development potential at this site includes scope for an aluminium sheet rolling mill forming a longer term second phase. These projects require construction and temporary accommodation, housing for employees and associated community infrastructure. Across the wider estate there is scope for regeneration and redevelopment of estate property with local enterprise opportunities. Other aspirations include a Fort William Helipad, Corpach Port enhancements, Gas supply - plant and community requirements, a Tailrace watersports facility; and tourism, sporting and recreational interests. Housing requirements will place pressure on community infrastructure, and the delivery of new housing will require to consider direct provision, and where appropriate, enhancement of existing community infrastructure to service the increase in the population of the town. The proposed alloy wheel plant is anticipated to generate 400 direct permanent jobs with many of these requiring to be filled through recruitment from outwith Fort William given current labour supply constraints. Delivery of direct employment will result in additional indirect and induced employment opportunities through the growth in economic activity from the investment in the facilities. This in turn will place additional pressures on housing supply and needs to be considered in the context of the effective housing and employment land supply. The housing need and demand analysis is based on 2012 population projections, at which time the GFG Alliance investment proposals were not anticipated and so cannot have been taken into account. There will be a significant impact on housing requirements as a result of employment retained, new jobs created and the wider supplier and income effects. These will be over and above those anticipated in the 2015 assessment. It is also acknowledged that THC are currently consulting on the 2017 Housing Land Audit, and a detailed review of this document will be required to inform the proposed approach and understanding on the effectiveness of existing allocated sites. Highlights the following socio-economic implications of their investment proposals and how these should be considered: population growth is likely to be higher than

recent trends as a result both of people retained in the area and new people attracted by the new economic opportunities; effects on population will be on the working age population in particular, which currently makes up a smaller proportion of population than the Scottish average; employment created will be high added value and so this would be expect to increase average annual household incomes; associated increase in demand for housing, over and above that anticipated in 2015, based on 2012 population projections; and, higher percentage of house buyers may be from outwith Lochaber than has been the case, but these will be working age people moving for employment reasons, rather than retirees or second home buyers. Reports that the likely implications of their investment will be: a more balanced age profile; an opportunity to tackle deprivation in Fort William; and, a necessary increase in supply of housing to match increased demand from GFG and other employers and address housing affordability issues.

Seeks a reference in the Plan's Vision to: industrial opportunities surrounding the aluminium smelter in Lochaber and the wider supply chain and economic multiplier effects given the scale of the investment; and, reference to settlements providing the quality of life that will retain and attract people in the area to ensure that full advantage is taken of the employment opportunities that are expected to be generated. Submits supporting justification document [RD13].

Mountaineering Scotland (964649) - Supports a Placemaking Priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.

Scottish Government (Transport Scotland) (1101467) - Requests removal of reference to any specific transport intervention for Fort William within the Plan and accompanying Action Programme because no intervention has been justified through an appropriate transport appraisal and Transport Scotland has not endorsed any appraisal or intervention. Scottish Planning Policy in paragraph 274 and 275 requires such endorsement. The Transport Background Paper published alongside the Main Issues Report in April 2016 was and is insufficient justification for the trunk road schemes depicted within Fort William. However, recognises that emerging transport appraisal work may provide better information.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation) - Supports the identification of the land for large scale residential development, as part of wider settlement expansion proposals.

SEPA (906306) - Seeks amended developer requirement to better reflect likely reduction in development potential attributable to presence of peatland and wetland because impacts on wetlands should be minimised in line with the Water Framework Directive and to ensure consistency with other similar developer requirements within the Plan.

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318) - Complains at lack of consultation on related planning application because Sportscotland should have been a statutory consultee for a site involving the loss of a playing field.

Lundavra Road (FW05)

M Cameron (1165804) - Seeks (on behalf of owners) enlargement of site boundary and capacity to 10.0ha and 150 units respectively [RD14]. Requests a developer requirement

amendment to state that the limits of development to the north and the potential for appropriate buffer uses on the intervening land towards housing at the lower level should be determined by the developer's masterplan. Provides the following justification: the site capacity has been diminished from the provisions in the adopted WHILP; a pre-application process has demonstrated that a higher capacity and larger boundary are acceptable; the Plan site boundary does not reflect the topography, i.e. does not enclose all gently sloping and developable land; it should be left to further masterplanning and technical analysis to determine a precise boundary; a masterplan could also address the positioning, orientation and design of buildings which would address matters of residential privacy/overlooking; an enlarged site would still maintain a buffer to existing neighbouring housing at the lower level, and that the separation distance between properties (existing and proposed) would be 85m-150m (these distances are generous and respectful of residential amenity; the enlargement land appears to offer very favourable ground conditions for development; there is not any precedent for land instability or slippage, or undue threat to properties lower down the slope that needs be exacerbated as a result of development; if anything, it is conceivable that a measure of betterment will arise from surface water provisions integrated within a development proposal; the Council needs to expand its housing land supply to meet employment led growth of Fort William; the land involves two parties and therefore presents the opportunity for shared servicing costs, flexibility in phasing of development and market choice; and, the reduced site area diminishes/excludes any role for the land outwith the allocation in the provision of open space, sustainable urban drainage, structural landscaping (including in the burn gullies which would be characteristic of the area) or connection to footpaths/cycle routes and the waterfront, all of which the Council and its partners had placed considerable emphasis on as integral to a housing development in this location.

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244) - Suggests site should be considered for housing development in the immediate to short/medium term given the shortage of developable sites.

Lochiel and Achnacarry Estates (1105774) (late representation) - Supports allocation as owner. Reports that its agent has recently submitted to the Council a pre-application request for residential development for the strip of land off MacQuarrie Court, Caol.

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation) - Supports the allocation but considers it could be delivered within the initial Plan period. Reports that there have been some advance discussions regarding a development proposal to include the site.

Christopher O'Brien (1098822) - Objects to principle of development because: of adverse impact on tourism businesses; depreciation in property prices; adverse environmental impact; increase in noise pollution and traffic levels; loss of private, direct access to peat track; and, loss of peat track to Cow Hill which is well used by tourists and locals) a track that many tourists to my business use on a daily basis. If development is to proceed then requires thorough impact assessment and mitigation of all adverse effects.

Blar Mor (FW08)

Cameron (1104805) - Requests extension to mixed use allocation and expansion of SDA to enclose land owned by respondent at Camaghael [RD09] because: land forms part of mixed use allocation and is within SDA in adopted WHILP and there has not been a material change in circumstances to justify the changes; the land would help deliver the Plan's Placemaking Priorities by providing additional connectivity from Camaghael to Blar Mor; the land is not

required for peat management in connection with the Blar Mor development; it is unfair that all the buildable Miller Construction Ltd land remains allocated for mixed use development but the adjacent private individual(s) land is no longer allocated; the land is not peat but contains well drained, compact ground presently used for grass and is better building ground conditions than some of the peaty areas retained within the adjacent mixed use allocation; and, the respondent's second field should be included within the SDA because the River Lochy would be a more natural and definitive line for the SDA boundary.

Upper Achintore (North) (FW13)

Highlands Small Communities Housing Trust (1095508) (late representation) - Reports, as owner, intention to develop allocation for affordable housing only and seeks higher (in excess of 400 units) indicative capacity and a less onerous distributor loop road requirement because: of significant pressure to deliver affordable housing in the Fort William area; a feasibility study was carried out in late 2016 which indicated scope for the site to accommodate 353 to 412 homes; the site is very expensive site to develop, mainly due to ground conditions and infrastructure and it is therefore critical that unit numbers are maximised in order to maintain development viability; a mixed use designation will significantly compromise the deliverability of the site for affordable housing; association will deliver tenure diversity; the land required to construct the desired loop road is not in the respondent's ownership and a suitable alternative loop could be constructed.

Tony Laidler (1101521) - Seeks retention, as local resident, of green network that runs to the south of Glasdrum Road and Glasdrum Court so that the link between the two depicted cherished greenspaces is maintained. This strip contains trees and shrubs that wildlife (including migratory and resident birds, roe deer and pine marten) use for feeding and breeding. Similarly, the Core Path that runs within and beside the green network strip must be maintained because it is used by large numbers of people transiting between the Plantation and Upper Achintore.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168) - Supports allocation and its requirements.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation) - Supports allocation for long term mixed use development.

James Ramsay (1105176) - Seeks reassurance that all ancient and semi-natural woodland and/or areas depicted as green networks and cherished greenspaces will not be developed because these areas provide habitat for: many native trees, shrubs, herbs, and other plants including Oceanic Bryophytes; a variety of protected mammals, such as Pine Martens, and birds like Buzzards and woodland nesters such as Siskins; and, invertebrates, for instance butterflies and dragonflies and a range of soil invertebrates.

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411) - Reports that the Gaelic School was designed to allow its extension from the current 4 classrooms to 6 and then 8 plus a community facility.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244) - Requests site be considered for housing development.

Corpach Locks (FW19)

James Ramsay (1105176) - Requests additional developer requirement to reference and safeguard otter interests because otters are using this area along the shoreline, in the sea and around the exit of a larger freshwater burn and going up it, throughout the year. Any development would need to include adequate access to the freshwater burn and the resting places upstream. If the burn is to include culverted sections these would need to have otter ledges and be sufficiently large to be navigable by otter with young.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244) - Seeks Plan changes that would support business and industrial development across a wider area at this locality because of the proposals to progress an alloy wheel plant and because alternative business only sites are available or could be identified.

Fort William Waterfront (FW22)

Sarah Kennedy (1105051) - Supports redevelopment of waterfront because: it is vital for the regeneration and economic security of Fort William and wider Lochaber, Fort William is the only town on the West Coast of Scotland that doesn't utilise its loch; there is an unmet demand from the growing marine tourism industry; Fort William is at the Heart of the Highlands of Scotland and has so many amazing locations for people to visit and see that are so unique; it is a vital marine visitor reception area; and, an active waterfront will stop people bypassing the town and its centre.

Heathercroft Drive (FW23)

Sarah Ferguson (1102559) - Objects, as local resident because: the allocation boundary is inaccurate and should be updated to reflect the boundaries of houses built on the former Angus Centre site; the roof design of the business units will obstruct views from respondent's property; respondent was told of impact of adjoining development in taking property from Council; this locality is a residential area with no public transport; of concern over type of future unit occupiers and crime; of risk to children playing in locality; of adverse impact on local habitats and species; and, loss of green space.

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920) - Objects, as owners of tourism business in Achaphubuil, to existing and any future expansion of industrial activities at this location because: of noise pollution (existing timber operations and dispatch of logs makes a horrendous bounding sound); possible loss of planting in front of timber plant, which it was agreed with the local community council would be retained; of increased light pollution which would have a detrimental impact on the respondent's business as it relies upon being in a rural quiet location with scenery and wildlife; and, of adverse effect on value of respondent's property. Accordingly, requests mandatory impact assessments are undertaken in relation to the environment, noise, pollution and lighting.

Ardgour Community Council (1103772) - Objects to any further development of the Corpach and Annat industrial zone because of existing noise issues, which the Council have failed to

address which means there is no confidence that the amenity of local residents will be protected or have any bearing on these operators or their future plans.

Boyd Brothers Haulage Limited (1105200) - Broadly supports allocation but concerned about any pier/jetty development in the throat of the narrows due to the tidal flows and the problems this could create for vessels manoeuvring and navigating in the area.

BSW Timber Group (1105115) - Supports allocation of the land south and east of Allt Dogha for industrial use. However, seeks 10 hectares of land to the west of Allt Dogha to be allocated for mixed tenure housing development with an indicative housing capacity of 90-115 units [RD08]. States the following reasons as justification for this change: site is in a single ownership and available for development immediately; could be justified by further technical studies and supporting reports; there is a clear need for more housing to support the growth of Fort William and in particular the workforce growth at the smelter and other local businesses servicing and supplying larger employers; housing at this site would fit better with the Placemaking Priorities for Fort William, rather than industrial use; land south and east of Allt Dogha would also meet the Placemaking Priority of increased loading capacity at Corpach quayside, including buildings, land and lay down space surrounding the BSW sawmill; site lies within an area of mixed uses and the Plan allocates land for further housing and community developments to the north and east; housing and related uses at this site would help consolidate the settlement and ensure that it is better connected with the waterfront than would be achieved with further large scale industrial development; alternative road and active travel access from the A830 could be provided to serve the housing area (not defined in any detail); there are bus stops to the north on the A830; core path improvements could be made; local education provision capacity can be assessed; other site drainage and servicing requirements can be assessed and if necessary addressed; the SEPA flood map indicates only minimal areas of risk and a topographic survey has been undertaken which broadly supports this indicative SEPA information; a more detailed flood risk assessment could be undertaken; the site should have adequate load bearing capacity for typical housing development; a walkover survey suggests that the site is not significantly constrained by peat unlike a number of other allocations; further ground investigation could be undertaken to assess any potential contamination; a detailed habitat and species survey could be undertaken and appropriate mitigation incorporated; a sensitive relationship between development and the surrounding landscape can be achieved; areas of woodland and open space can be retained and enhanced; there is potential for strong green network connections, attractive open space provision and community uses; the site could become a most desirable housing waterfront neighbourhood; there is an opportunity to utilise local timber resources for construction and in this location, houses with timber finishes would be highly appropriate and attractive, and such lighter timber structures would be more sustainable; there is potential for a district heating system (as supported by the Plan) serving this site and other developments in the area, in conjunction with the BSW plant to the east, which produces a significant amount of timber by products suitable for biomass energy; and, the respondent has recent experience of delivering housing development in the area and is keen to retain an interest in the development of this site, in order to achieve a high standard of design, layout and place quality.

Calum-Ruairidh Foxley (1105262) - Objects to any expansion of industrial operations in particular on Eilean nan Craobh because: of potential adverse visual impact in the context of existing lochside visual damage caused by the wood yard and loading dock developments; of noise pollution, which already effects quality of life through interrupted sleep and continuous noise throughout some days (existing operating hours are protracted and noisy - the sounds of alarms, horns and heavy machinery are hellish at the best of times and often extend into unsociable hours, either late into the night on weekdays or early in the morning over the weekdays); of adverse impacts on local property values; and, of the effect of increased noise on

the already ravaged local wildlife, which is only now reviving after the rampant pollution of the pulp mill which previously was on the site. Accordingly, demands a full ecological survey to make sure that no further harm comes to the local ecosystem, on which local fisheries and agriculture rely.

Kilmallie Community Council (1104950) - Concerned that the Plan should not endorse further industrial development at this site because: existing noise levels cause adverse mental and physical health effects to residents within Corpach and south of Loch Eil; there are ongoing enforcement issues; and, there is no evidenced operational need for expansion. Suggests greater safeguards are added to Plan to maximise woodland retention around boundary of site for green network connections and visual screening and to reduce noise impact. Also that a strip of land of sufficient width is designated along the shoreline to allow for a significant woodland corridor to provide a visual barrier and reduce noise propagation. This strip should include the whole foreshore within FW24 except for the pier area. Also that any further development be subject to a Landscape and Visual Impact Assessment and full Environmental Impact Assessment.

Linnhe Lochside Holidays Ltd (1105213) - Concerned, as neighbouring tourism operator, about any expansion of industrial area because: existing noise and impact from the new sawmill is already attracting adverse comments in customer reviews; of adverse environmental impact as this area has a large amount of peat which manages a substantial water table and is home to a thriving population of animal and birdlife; and, the adjoining strip between the properties was originally intended as a (noise) buffer.

Margaret MacRae (1105217) - Objects because: existing operations cause noise and light pollution which is not adequately mitigated and has adverse health effects for local residents; expansion of the operations would magnify these adverse effects and bring them closer to houses; and of other adverse effects on marine wildlife, aspects of local history, and the wider group of marine users including prawn fishermen, mussel farmers, and yacht owners.

Michael Foxley (1103411) - Objects to Plan's support for expansion of industrial operations at Corpach because: existing port users already cause adverse effects in terms of noise, light and marine pollution; some existing activities are unauthorised and inadequately monitored and enforced against; neighbouring residential and tourism properties suffer serious and severe environmental impacts from existing operations at Annat; of loss of bookings of tourist accommodation; of loss of 150 metres of trees screening between the BSW site and Loch Eil that used to provide a visual and sound barrier and was secured by planning condition; of inadequate mitigation of noise, visual, light and marine pollution issues; Eilean na Craobh was the earliest known residence of the Camerons of Loch Eil and is an important archaeological site; and, of the adverse effect on the entrance setting of the Caledonian Canal which is a Scheduled Ancient Monument.

Samantha Thomson (1104826) - Objects because of adverse effects: from noise and light pollution; on nearby residents' physical and mental health; and, visual impact on the shore front.

Susan Brown (1104546) - Objects, as local resident, because: of a recent increase in noise from the industrial operations; of loss of 150 metres of trees screening between the BSW site and Loch Eil that used to provide a visual and sound barrier and was secured by planning condition; of lack of enforcement action following recent neighbour complaints; noise pollution is amplified over water and now there is no space to add effective mitigation measures along the shoreline at Corpach; of significant negative impact on quality of life; and, of lack of neighbour notification of Achaphubuil residents.

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244) - Suggests allocation land could be suitable for housing development.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244) - Supports allocation and seeks modification to boundary to reflect pre-application submission for alloy wheel plant. Suggests that loss of business land to industrial use would not be significant because adequate alternatives exist within the wider landholding or at Blar Mor.

Modifications sought by those submitting representations:Placemaking Priorities/General

Ann Leitch (995969) - Removal of Caol Link Road safeguard from Plan (assumed).

Cameron (1104805) - Extension of allocation boundary to include land at Camaghael. Expansion of SDA boundary to include this land and further land at Camaghael as detailed in supplied document [RD09].

Don Michie (993020) - New housing allocation on site of the former Caol Sewage Treatment Works with an indicative housing capacity of 13 units (10 low cost units and three detached villas). Deletion of Caol Link Road textual and map references from Plan. Inclusion of an alternative road scheme (commonly referred to as the "Kennels" route) to connect the A82 and A830.

Donald Donnelly (990970) - Caol Link Road corridor relocated or deleted.

Kilmallie Community Company (992492) - Expansion of cherished greenspace to cover the piece of ground which was/is the play park at the east end of Guisach Terrace in Corpach. Plan requirement to preserve pedestrian access from the east end of Guisach Terrace to the play park and through it to the pine wood.

Kilmallie Community Council (1104950) - Expansion of cherished greenspace area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal. Additional cherished greenspace notation to cover woodland along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east.

Liberty British Aluminium (1105244) - Plan allocations and policies to accommodate the implications of the GFG group's investment in the area (assumed).

Mountaineering Scotland (964649) - None.

Scottish Government (1101467) - Remove the "Proposed Road Safeguards" from the Proposed Plan and Fort William Settlement Maps. Remove reference to specific interventions around Fort William within the Action Programme until an appropriate transport appraisal has been carried out.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation) - None.

SEPA (906306) - Amendment of developer requirements to read: "Presence of deep peat and wetlands may limit areas that can be developed."

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318) - None.

Lundavra Road (FW05)

M Cameron (1165804) - Expansion of allocation boundary and increase in its capacity as per supplied document [RD14]. New site area to be 10.0 ha and new indicative housing capacity 150 units. Amended developer requirements as follows: insert after "Developer to prepare masterplan" "which will determine the limits of development to the north and the potential for appropriate buffer uses on the intervening land towards housing at the lower level"and must address...

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244) - Change in classification of allocation to support short/medium term housing development.

Lochiel and Achnacarry Estates (1105774) (late representation) - Allocation for short term housing development of a narrow strip of land off MacQuarrie Court, Caol (assumed).

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation) - Change in classification of allocation to support short term residential development (assumed).

Christopher O'Brien (1098822) - Preservation of existing, private, direct, pedestrian access to hill track. Greater Plan definition of the type of development proposed. A developer requirement for an environmental impact study and mitigation to offset that impact. Retention of peat track to Cow Hill.

Blar Mor (FW08)

Cameron (1104805) - Extension of allocation boundary to include land at Camaghael. Expansion of SDA boundary to include this land and further land at Camaghael as per supplied document [RD09].

Upper Achintore (North) (FW13)

Highlands Small Communities Housing Trust (1095508) (late representation) - Higher indicative capacity of above 400 units. Change from mixed use allocation to housing only. Amendment to developer requirement for a road connection through to Lundavra Road to only require an alternative loop road connection.

Tony Laidler (1101521) - Greater Plan protection or clarification of existing protection of the green network strip that runs to the south of Glasdrum Road and Glasdrum Court and the core path that runs within and beside the green network.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168) - None.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation) - None.

James Ramsay (1105176) - Plan clarification that the ancient and semi-natural woodland within and close to the allocation will be protected and more generally the areas marked as " Green Network" and "Cherished Open Space" will not be developed (assumed).

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411) - None.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244) - Change in acceptable use(s) of allocation to support housing development.

Corpach Locks (FW19)

James Ramsay (1105176) - Additional developer requirement to include adequate otter access to the freshwater burn and otter resting places upstream.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244) - Amendment to allocation boundary to reflect recent alloy wheel plant proposals at the smelter and to support industrial uses on land currently shown for expansion of Glen Nevis Business Park.

Fort William Waterfront (FW22)

Sarah Kennedy (1105051) - Early implementation of the allocation (assumed).

Heathercroft Drive (FW23)

Sarah Ferguson (1102559) - Deletion of allocation and safeguarding of area as greenspace (assumed).

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920), Ardgour Community Council (1103772), Calum-Ruairidh Foxley (1105262), Margaret MacRae (1105217), Michael Foxley (1103411), Samantha Thomson, (1104826), Susan Brown (1104546) - Deletion of allocation or Plan presumption against any increase in industrial operations at site (assumed).

Boyd Brothers Haulage Limited (1105200) - Clarification that the Plan doesn't support a pier/jetty development in the throat of the narrows (assumed).

BSW Timber Group (1105115) - New 10ha housing allocation on land to the west of Allt Dogha as per supplied document [RD08] with an indicative housing capacity of 90-115 houses.

Kilmallie Community Council (1104950) - Amended developer requirements to better enforce retention of boundary woodland and/or require significant, new boundary planting along the whole foreshore within FW24 except for the pier area. Also requirements that any further development is subject to Landscape and Visual Impact Assessment and full Environmental Impact Assessment.

Linnhe Lochside Holidays Ltd (1105213) - Developer requirements clarified and amended to ensure that land between its property and the allocation be maintained as a noise buffer (assumed).

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244) - Change in classification of allocation to support housing development.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244) - Amendment to allocation boundary to reflect recent alloy wheel plant proposals at the smelter.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities/General

Ann Leitch (995969), Donald Donnelly (990970), Don Michie (993020), Scottish Government (1101467) - Relief of Fort William congestion including that on the A830 and A82 is a defined improvement within the Plan and seen by the Council and most Plan respondents as a desirable objective. However, the precise nature of the transport interventions that will be most effective in reducing congestion in Fort William is subject to further transport appraisal work. The Plan's Fort William Settlement Map depicts two indicative routes for "relief roads", one connecting the A830 at Blar Mor with the A82 at An Aird and the other providing an alternative to the existing A82 between An Aird and Carr's Corner. These have been rolled forward from the adopted local plan but the Council accepts that they are corridors rather than definitive alignments, should be subject to further appraisal, and may have suitable alternatives. Therefore, to better define which transport interventions are necessary, feasible and will require developer contributions, the Highland Council and its partners have, through Hi-Trans, commissioned AECOM consultants to undertake a Fort William Pre-Appraisal Transport Study. This will set transport objectives for the greater Fort William urban area and then formulate and sift transport intervention options that can help meet these objectives. This sifting process will include reference to the views of a wide variety of stakeholders (including public engagement), the best available data on transport and related matters, and analysis of local transport problems and opportunities. One of the key deliverables of the Study will be a list of transport interventions requiring further, more detailed, appraisal. It is hoped that the Study will be completed by May 2018. Accordingly, the issues raised by objectors cannot be satisfactorily resolved until the Study is undertaken. Other parts of this schedule contain further information on the specifics of particular sites affected by possible transport interventions. If and when any transport interventions are chosen and progressed then they will involve separate public consultation and (most likely) objection procedures. Therefore, it is not possible, at this stage to offer a definitive policy statement or decision on the choice, detailed design or timing of any particular transport intervention. The Council's Transport Background Paper accepts and lists brief pros and cons of certain interventions but further appraisal work is required to reach a fully considered conclusion on this matter. Accordingly, the Council believes the Plan should remain unaltered in respect of these representations pending the completion and publication of the Fort

William Pre-Appraisal Transport Study. The Council suggests for the Reporter's consideration that the Study be a "further information" document during the Examination process and that respondents on this issue be allowed an opportunity to comment on it through the process.

Cameron (1104805) - Support noted. See Council response to specific representation made for FW08.

Don Michie (993020) - The site was suggested by the respondent as a new housing site in response to the Plan's Main Issues Report consultation during spring/summer 2016. It and other potential development sites were published as part of the West Highland and Islands Local Development Plan Additional Sites Consultation during autumn 2016 to gauge public and agency reaction. That consultation stated brief positives and negatives for each potential new site. For this land, the remediation of a brownfield site (the former sewage works) as part of the proposed site area would be a benefit. However, the site is also subject to coastal flood risk and would stymie any sensible, detailed alignment for the Caol Link Road along the route indicatively depicted on the Plan's Fort William settlement maps. In response to that consultation SEPA recorded a conditional objection to the site's potential inclusion [CD27] because it is subject to coastal flood risk and because housing is a land use highly sensitive to flood risk. In 2008/9 the suggested site was also subject to a planning application for 10 affordable homes which was refused under delegated powers and the appeal to the review body was dismissed in March 2010 for the same reasons: conflict with the road corridor safeguarded in the development plan; a location and layout incompatible with the locality's settlement pattern; overdevelopment; and, coastal flood risk. As stated in the response to the Caol Link issue above, the Caol Link Road safeguard is subject to review via a transport appraisal but even if this constraint is overcome then the settlement pattern and coastal flood risk arguments remain. The Caol Flood Protection Scheme will be published in 2018 and is scheduled for completion in 2020. It does not protect this suggested development site and it is not the function of a flood scheme to create additional development land. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Kilmallie Community Company (992492) - The former play park at the eastern end Guisach Terrace is not a viable redevelopment site but currently is also not useable public open space. Given the community's interest and that the land could be returned to useable condition then if the Reporter is minded to agree then the land could be identified as cherished greenspace. With regard to safeguarding local access, given that there are no development proposals or allocations in this area, the safeguard of public access through this land is not a matter requiring specific reference within the Plan.

Kilmallie Community Council (1104950) - The area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal has not been identified as cherished open space because: it is used infrequently but importantly for major event parking; it may have very limited development potential for tourism related facilities; and, the areas of grass and trees although attractive are not strategic in scale. Small scale, incidental use changes such as better play facilities don't require a specific Plan designation or allocation. The Council's Highland-wide Local Development Plan Settlement Development Areas policy would apply to this unallocated land within the urban area and this policy supports the principle of such changes. With regard to the woodland along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east, all larger woodland areas falling within the SDA have been identified as cherished greenspace with areas of woodland beyond the SDA boundary that are important in terms of continuity of wildlife and human movement being identified as forming part of the green network. The reason that many green networks straddle the SDA boundaries is that they are about preserving movement corridors for people and wildlife rather than being specific delineated areas requiring specific protection from

development. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Liberty British Aluminium (1105244) - The Council welcomes GFG Alliance's existing and proposed future investment in Lochaber. That investment will help meet many of the objectives of the Highland Council's approved and emerging development plans including diversification of the local economy, expanding business opportunities at locations that have a competitive commercial advantage and the creation of skilled job opportunities. However, the Council also accepts that this investment will have land use implications. Council and other agency officers have considered these implications and the key question of whether and if so to what degree the Plan should be amended to reflect these implications. Discussions with the Scottish Government and other stakeholders are ongoing but the Council believes that the Plan's content is sufficient for at least the next 5 years. In particular, the Council believes the capacity of its Fort William land use allocations are sufficient to accommodate the increased housing demand that will result from the proportion of the new workforce that will require new build accommodation. Similarly, sufficient land has been reserved for increasing school and health facility capacity. As evidenced elsewhere in this schedule there is also an ongoing assessment of transport implications.

However, the Council does recognise that this investment will have significant land use effects in the medium and longer term on Fort William and the wider Lochaber area and therefore the Plan and its related action programme should signpost what could and should happen beyond the current Plan period. This schedule contains several minor, suggested, site-specific adjustments to the existing Plan's content which will maximise short term flexibility but significant changes (notifiable modifications) to the Plan should await its next review. It is also suggested for the Reporter's consideration that Fort William's Placemaking Priorities be amended to reference GFG's existing and proposed investment and to cross reference a *Fort William 2040: Development and Assets* future vision document currently being formulated by relevant stakeholders. This vision document would not form part of the current Plan but will, when completed, be included within its action programme and furnished to the Reporter for wider consideration through the Examination process. The Council sees the action programme as a live document aimed at delivery of the Plan's outcomes and it is important therefore that *Fort William 2040: Development and Assets*, which will be a graphical representation of the future investment intentions of a range of public and private agencies be included and updated as necessary. It is suggested that the following text be added to the end of the second Fort William placemaking priority bullet: "Recent and expected future investment at the smelter will result in a step-change in employment opportunities within Fort William and the wider Lochaber area. In the short term, the Plan should maximise the opportunities resulting from such growth but also safeguard land to accommodate its implications. Beyond the initial 5 year Plan period, additional land and investment will be needed and the Council and other relevant stakeholders are formulating a future vision document, *Fort William 2040: Development and Assets* which will signpost and coordinate the future investment intentions of a range of public and private agencies necessary to achieve the Plan's outcomes and priorities."

Mountaineering Scotland (964649) - No modifications sought. The Council believes the Plan's content should remain unaltered.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation) - No modifications sought. The Council believes the Plan's content should remain unaltered.

SEPA (906306) - The suggested amendment would ensure consistency with the approach

taken with other site allocations and therefore, subject to the agreement of the Reporter, it would be appropriate to include the following text additions within the developer requirement: Presence of deep peat “*and wetlands*” may limit areas that can be developed.

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318) - No modifications sought. The Council believes the Plan’s content should remain unaltered.

Lundavra Road (FW05)

M Cameron (1165804) - The current site allocation area was reduced compared to that covered by allocation H3 within the adopted WHILP to exclude the now completed primary school and the lower slopes of the site which have steeper gradients and therefore have greater land stability, overlooking and surface water drainage implications. The respondent has undertaken a topographic survey and produced a test layout [RD14] that demonstrates that the current allocation boundary could be expanded on to gently sloping land without undue, additional implications for these three issues. Therefore, if the Reporter is so minded then the allocation boundary could be expanded to include an additional area of 1.4ha to the north west. Similarly, it would be sensible to remove the existing property and its associated land holding (0.2ha) on the eastern boundary of the allocation bringing the total allocation area to 9.9ha. However, the Council does not accept the respondent’s requested increase in the allocation’s indicative capacity to 150 units. The respondent’s test layout [RD14] does not take account of the land take required to tackle the site’s sloping nature, to address any peat management issues and to make provision for surface water drainage devices within the site boundary. For example, ground conditions are unlikely to support within curtilage infiltration. The adjoining primary school development had to resort to a complex and “land hungry” surface water drainage solution. It is appropriate therefore that the Plan’s indicative capacity remain unchanged at least pending further masterplanning and feasibility work prior to determination of any future application.

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244) - The site benefits from a long standing allocation for housing within the Council’s successive development plans. It is central to the wider urban area, close to existing and proposed community facilities and represents a large but natural infill opportunity. It was later phased during the current Plan review because of doubts about its effectiveness. It is flat, central and has public sewer connectivity but otherwise has severe constraints. These include: it’s poor ground conditions which present a challenge in terms of surface water drainage; a common grazings crofting interest the removal of which requires negotiation with several parties; peat depths of up to 3 metres, the management of which will increase costs or lead to loss of developable area if retained on-site; a broad corridor of land that requires to be safeguarded for the Caol Link Road including embankments close to bridging over the Fort William to Mallaig railway line; and, a lack of strategic road capacity without the Link Road. Although the site was subject to a previous planning application for 301 houses in 2008 this was ultimately withdrawn, primarily due to development viability issues. The landowner has responded to the Plan but only to suggest a piecemeal release of a narrow strip of land off MacQuarrie Court. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this site.

Lochiel and Achnacarry Estates (1105774) (late representation) - In July 2017, the Council provided pre-application advice [CD28] for the potential development of a narrow strip of land off MacQuarrie Court, Caol. The release of this strip of land for affordable housing was considered to be contrary to the development plan and would not be supported. This is in the

interests of safeguarding fit for purpose open space which is important to local residential amenity (HwLDP Policy 75); design and layout concerns with this site having insufficient plot depth to deliver sufficient space for footpath provision and amenity garden ground (HwLDP Policy 29) and loss of existing trees (HwLDP Policy 51). This area of land has however been incorporated into the long term housing site allocation to reflect the potential for this area of open space to be reconfigured and properly master planned, forming part of the wider longer term development proposals for this area. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation), Christopher O'Brien (1098822) - The landowner's views are noted but are not evidence of a serious intent to develop the land or release it to another party for development. The land benefits from a mixed use allocation within the adopted WHILP but has lain undeveloped for many years. Most sensibly, it would be developed as a final phase of the adjoining FW13 allocation to allow completion of a loop road through it to Lundavra Road. However, site FW13 will take several years to complete and it is very unlikely that the additional capacity offered by FW07 will be required within the Plan's initial 5 year time period. In any event, an earlier application could be considered if a proven and unmet housing demand/need was evidenced. In terms of the neighbour's concerns then no developer requirements have been set for any of the long term sites identified in the Plan. It is however likely that a number of the concerns raised could be addressed through developing site specific developer requirements during a future plan review or through the development management process in the event of an earlier application. Matters relating to environmental impacts, paths access, noise and safeguarding residential amenity could all be addressed. Any loss of view/resultant loss in value of the neighbouring B&B premises are not considered to be sufficient overriding reasons for not identifying the long term housing development potential of this site. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Blar Mor (FW08)

Cameron (1104805) - The Plan's SDA boundary was drawn in at this location compared to that defined within the adopted WHILP to restrict the potential for further speculative housing development accessed off the Camaghael loop road, which is single track and has capacity constraints. Similarly, the mixed use allocation at Blar Mor was reduced to minimise the loss of peatland and to better identify developable areas. The character of land adjoining the River Lochy at Camaghael is more rural in nature and is therefore more appropriate to tourism and crofting uses than as a settlement expansion area. Moreover the land does not benefit from mains sewerage provision and part of it is subject to fluvial flood risk. Notwithstanding the above the respondent's requests for a minor extension to the allocation and SDA have merit. A road connection through an extended allocation linking to the Camaghael loop road would provide an alternative vehicular to this area and similarly offers the possibility of a mains sewer connection from Blar Mor. If the Reporter is so minded, Field 1 [RD09] and the adjoining field to the south could be included within the SDA boundary [RD09]. In addition, if the Reporter is so minded Field 1 [RD09] could be included within allocation FW08 providing that this area is master planned with the wider allocation and provides a road access onto the single track road to the east and road access through the wider site to join the A830. The resultant site area for allocation FW08 would be increased by 1.3ha to 21.9ha and given the good ground conditions in this field, allowing for boundary tree retention and structural landscaping, the indicative housing capacity of FW08 could be increased from 130 to 155, reflecting a housing density of 25 homes per hectare. This additional area of relatively unconstrained land could also assist with infrastructure costs/development viability of delivering the wider site. With regard to the

further areas out with allocation FW08 to the north and north west, beyond land earmarked for peat storage/structural landscaping and areas for retained habitat, these areas would not be contiguous with the built up area of FW08 which is proposed to define the SDA boundary in this area. In isolation, with no infrastructure improvements in this area, it is considered that these areas be defined as forming part of the green network and remain part of the landscaping buffer to the outer edge of site allocation FW08.

Upper Achintore (North) (FW13)

Highlands Small Communities Housing Trust (1095508) (late representation) - Following submission of this representation, Lochaber Housing Association (LHA) submitted a major application pre-application enquiry for the proposed development of 400 affordable homes on this site. The Council's response [CD30] stated its view that the suggested capacity of 400 units could not be supported unless a future application and its related package of assessments and mitigation measures demonstrated no overall net detriment to the locality's visual, landscape, environmental and servicing capacity. The Plan's proposed indicative site capacity of 220 takes account of issues such as limitations in the local road network, peat management, flooding and watercourse retention and set back, as well as enhanced green networks and the provision of local amenities, including a local commercial unit. The Council believes that given the scale of the allocation and lack of convenience retail provision in the wider area, this would be a welcome and viable addition. The Plan's indicative housing capacity for this 23.3ha site has been set based upon assuming a housing use area of 17.5ha. 5.8ha of the site has therefore been indicatively reserved for the following: 2.2ha comprising the existing 42 houses completed on the lower area of the site with this area also incorporating a setback for the adjacent footpath and green network corridor between Glasdrum Road and Glasdrum Court; adjacent to this is an 0.7ha area of peat stores; 1.4ha comprises the watercourse and embankment development setback; and finally 1.5ha has been reserved for future local shop(s)/community building which incorporates an allowance for access, parking and associated peat storage. Of the residual 17.5ha reserved for housing, 40% of this is anticipated to be required for future peat stores with this percentage being based upon the extent of peat stores required for the initial area of housing development completed to date. In addition, a further 10% of this 17.5ha area is anticipated to be required for the road connection through the site to Lundavra Road. In the aforementioned pre-application response the Council's Transport Planning Team stated a clear preference for this to be through site FW07, however, have intimated that should the adjoining landowner not be willing to engage, an alternative through route may be considered. The Plan's developer requirements wording allows for either scenario, requiring "a road connection through the site to Lundavra Road will need to be completed", with the decision on routing to be informed through undertaking a Transport Assessment. The land take associated with this road connection is yet to be proven, however, a provisional 10% is considered to be a reasonable allowance based on the land take associated with the extent of the loop road completed to date on-site. This leaves a residual net developable area for housing of circa 8.75ha. With an assumed housing density of 25 units per hectare, this equates to an indicative site capacity of 218.75, rounded to 220 homes. Any significant increase in capacity of the allocated sites in this area, such as that suggested by LHA, would also place additional pressure on the new Lundavra Primary School. Whilst this school has excess capacity at present, the 2017/18 School Roll Forecast [CD31] identifies that this school will reach 100% capacity in around 10 years time. This forecast is based on a proportion of the adopted WHILP sites coming forward and an assumption that the build out rate in this area will significantly accelerate within the Plan period resulting from jobs lead growth arising from the smelter expansion proposals. Should build out rates or site capacities increase further, this may generate the need to review school catchment boundaries and/or trigger the need to consider the provision of a new primary school. No specific provision for this has been made in this southern area of the Plan, however, sufficient primary school extension/new school site options are safeguarded for the northern

area of Fort William through allocations FW08 and FW17. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Tony Laidler (1101521) - The area in question falls within allocation FW13, however, it is also identified on the Plan's mapping as forming part of the green network and the existing core path is defined. The indicative housing capacity for the site has been set based upon retaining this area of green network and the developer contributions for this site also requires the protection and enhancement of mature trees with integration of the green network, protected species survey, land safeguard for open space provision, active travel connections and high quality design which minimises impacts from the adjoining core path network. This offers a sufficient degree of environmental protection for this part of the allocation. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168) - No modifications sought. The Council believes the Plan's content should remain unaltered.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation) - No modifications sought. The Council believes the Plan's content should remain unaltered.

James Ramsay (1105176) - The site is a long term mixed use allocation and provides only an indication of the likely preferred direction for future growth. Its suitability for development has not been subject to recent and detailed assessment. Therefore no developer requirements have been listed. However, it is likely that the respondent's concerns regarding woodland could be addressed through developing site specific developer requirements during a future plan review or through the development management process in the event of an earlier application. The Council accepts the nature conservation and amenity value of the woodland in this area and has added a green network notation to the relevant Fort William settlement map in this respect. However, the woodland area is intermittent not continuous and could therefore happily coexist with future development subject to appropriate safeguarding and setback. The woodland is not a defined and publicly accessible greenspace and is therefore not shown as such on the Plan's mapping. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411) - No modifications sought. The Council believes the Plan's content should remain unaltered.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244) - This site comprises sports pitches associated with Lochaber High School and the south eastern area of this site has planning permission [CD32] for the development of an indoor training and community centre. Although the site allocation extends to cover the wider playing fields, there is no anticipated surplus land for housing release/disposal, especially with pupil numbers for the High School anticipated to rise in the latest 2017/18 School Roll Forecast [CD33]. Accordingly, the Council believes the Plan's content should remain unaltered.

Kilmallie Community Council (1104950) - No modifications sought. The Council believes the

Plan's content should remain unaltered.

Corpach Locks (FW19)

James Ramsay (1105176) - The developer requirements for this site include the requirement to undertake a protected species survey which would include surveying for otter interests. The requirement for associated mitigation measures, such as otter access and resting places would therefore be informed by this. Accordingly, adequate provision has been made and the Council believes the Plan's content should remain unaltered.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244) - Since the preparation of the Proposed Plan, the Council has granted planning permission [CD34] for the development of an alloy wheel manufacturing facility at the smelter which covers the vast majority of allocation FW21 as well as part of allocation FW26. If the Reporter is minded to agree then these allocations could be merged for industrial use with the addition of 3.0ha of presently unallocated land situated to the south east between these allocations to round off this merged allocation, tying it in with the extent of the SDA boundary as detailed on [CD35]. The merged allocation could also retain the developer requirements for allocation FW26 which could remain largely unaltered with the exception of the addition of the following introductory text to the site developer requirements: *"Development in accordance with planning permission 17/0502/FUL. Alternative or additional proposals require the..."* The site area of this merged allocation would extend to 86.6ha. The loss of business land is not significant. As described in the Plan's Glossary of Terms under Uses - 'Industry' comprises Class 4 Business, Class 5 General Industrial and Class 6 Storage and Distribution. As such business and employment uses would be encouraged and we are not aware of any other proven demand for the creation of additional Class 4 Business Park sites. Provision for such uses is also being made within several industrial and mixed use allocations within the wider Fort William area.

Fort William Waterfront (FW22)

Sarah Kennedy (1105051) - No modifications sought. The Council believes the Plan's content should remain unaltered.

Heathercroft Drive (FW23)

Sarah Ferguson (1102559) - The business allocation benefits from a partially implemented and therefore extant planning permission for business unit development [CD36]. That permission does not overlap the boundary of the adjoining housing development. The Council has georeferenced the consented planning permission site layout plan with the neighbouring residential properties [CD36]. This indicates a c.14m setback will be achieved from the closed residential elevation/window to the elevation of the consented business unit. Concerns relating to the loss of a private view are not a material planning consideration. Concerns relating to the proposed business uses not being well served by public transport provision are not accepted. The site is located within 250m of an existing bus stop on Lochaber Road and the site is situated approximately 1km of Fort William Town Centre which is within active travel distance, albeit that this hillside location makes walking and cycling a less attractive option. In any event, the scale of the allocation is intended to serve the local community and would not generate a significant number of trips. Concerns relating to crime are unsubstantiated and provision for open space is to be made on the adjacent site allocation FW13 and substantial areas of cherished open space are to be safeguarded in the surrounding area. Similarly, there is no evidence of any protected species on this site however should any protected species be

encountered during construction, it is the responsibility of the developer to ensure that the contractor is made aware of all applicable protected species related legal requirements. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920), Ardgour Community Council (1103772), Calum-Ruairidh Foxley (1105262), Margaret MacRae (1105217), Michael Foxley (1103411), Samantha Thomson, (1104826), Susan Brown (1104546) - The majority of this land is already allocated for business and industrial uses (Use Classes 4, 5 and 6) within the adopted WHILP. The proposed Plan's allocation is not significantly changing the extent of this allocation, with the exception of incorporating additional land to the east, the island of Eilean nan Craobh and the existing Annat Industrial Estate. The Council's response to each principal issue raised in representations follows.

Noise

The Council's Planning Enforcement officers are working in partnership with the Council's Environmental Health officers to investigate and seek proportionate solutions over the amenity issues arising from the operational and proposed development on the site. The investigations to date, suggest the need for enforcement action during 2018. If the Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This would take into consideration existing developments on the site with identification of mitigation measures to be implemented as part of any development brought forward. With the inclusion of this requirement, noise mitigation measures could be introduced to limit impacts on neighbouring residential amenity.

Lighting

Any additional site lighting requirements would be considered as part of any future planning application. However, if the Reporter is so minded then the existing developer requirements wording could be amended to read "site boundary treatment and lighting to respect neighbouring residential and caravan park amenity".

Landscape and Visual Impacts

This issue is already referenced in the site's developer requirements. The majority of the land is in current or is of former industrial use and lies within the previously developed limits of the settlement. It also provides significant local employment and many of the local businesses have a locational imperative to be on the shoreline being reliant upon transport of raw materials and product by sea. Therefore it is reasonable to expect that some further development will be on or close to the shoreline, which will inevitably result in some landscape and visual impact. Industrial uses are long established at this location and part of its landscape character. Moreover the site and surrounding area are not covered by any natural heritage designations with the nearest landscape designation being the Ben Nevis and Glen Coe National Scenic Area which is located around 4km to the south east at the opposite end of Fort William. In terms of the potential of additional local residential visual amenity impacts, these are likely to be greatest for a limited number of residents of Achaphubuil to the south. Any impacts would however be considered at the planning application stage with any significant industrial development likely to require the undertaking of a LVIA which may result in alterations to proposals to limit/mitigate such impacts wherever possible.

Marine (wildlife, fishing/aquaculture and leisure)

In terms of any future development within the scope of terrestrial planning, significant development proposals are likely to be accompanied by a hydrological assessment to fully assess any potential surface water runoff or discharges to watercourses (which may have an impact on marine wildlife, fishing and aquaculture). The Council would be guided by SEPA and SNH with regard to the acceptability or otherwise of any residual effects. In addition, the developer requirements for the site include the need for a protected species survey to be undertaken. Impacts on leisure uses would also be considered as part of any requirement for a marine licence application. Whilst there are proposals to develop a marina at allocation FW19, at the connection with the Caledonian Canal, this is approximately 500m east of the site allocation and the majority of leisure craft are anticipated to enter and exit the marina from the south, i.e. not bypassing this industrial site.

Built Heritage

Given the context of existing and historic industrial operations and infrastructure at Corpach Port and Eilean nan Craobh, the allocation of this land is not anticipated to give rise to any significant impacts on the setting of the Caledonian Canal Scheduled Ancient Monument and Historic Environment Scotland have not raised any concerns with this allocation. With regard to development on Eilean nan Craobh, whilst there is a Historic Environment Record entry [CD37] covering the island relating to the Locheil Chiefs family residence in the 16th and 17th centuries, there is no trace of this dwelling remaining and the presence of this record does not preclude development. This Island was more recently used to form a jetty to serve the former Scottish Pulp and Paper Mill [CD38].

Accordingly, with the exception of an additional developer requirement for a cumulative noise assessment to be undertaken and a minor amendment to the site boundary treatment and lighting developer requirements to respect neighbouring residential amenity, the Council believes the Plan's content should remain unaltered in respect of these issues.

Boyd Brothers Haulage Limited (1105200) - The Plan supports the intensification of industrial uses at the port. Any resultant proposals for a pier/jetty development and issues relating to shipping manoeuvring and navigational safety issues would be carefully assessed through any subsequent marine licence application, which would be considered concurrently with any further planning application. At this stage further environmental assessment is likely to be required. Accordingly, the Council believes the Plan's content should remain unaltered.

BSW Timber Group (1105115) - The Council believes this land is better suited to industrial development but including retention of a landscaped buffer to adjoining incompatible uses. As referenced in the Fort William Placemaking Priorities, improving Corpach port and back up land facilities is important to enhancing local employment prospects and the more sustainable seaborne transport of raw materials and product. The loss of potential industrial land at this location, which is an established industrial area with existing quayside, to housing (a use that would be a sensitive receptor to existing and potential future industrial operations) would not be sensible. The land is unsuitable for housing development for other reasons such as transport and education. The nearest primary school is at Banavie and it is impracticable to create a safe active travel route to this school from the suggested housing area. The respondent has not suggested a new school on-site or closer than Banavie. Whilst the respondent has considered preliminary options for road access there are no clear solutions presented. A new rail bridge will be of a cost disproportionate to the development return on the number of houses proposed. Network Rail has a national policy of insisting on new bridges have sufficient line clearance to allow future electrification and have stated that the Fort William to Mallaig line cannot be treated as an exception. Network Rail is also resistant in principle to new level crossings because of

their increased safety risk, signalling costs and journey time effects. The other option of taking a housing development access through the existing sawmill site to use the existing A830 access(es) raises similar operational and safety issues. An alternative access solution could potentially be taken via the caravan park further to the west but this has no agreement from the park owner and would result in an even longer journey to local facilities. As stated by respondents for site FW24, the sawmill's operations create noise and to allow new housing in close proximity to the source of existing and potentially increased future noise would be inappropriate. Noise mitigation could be introduced in the form of close boarded fencing, amenity bunding and woodland retention but these may not be wholly effective and there is no overriding shortage of housing land which cannot be met on other allocated sites. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Kilmallie Community Council (1104950) - The existing developer requirements address the issue of noise and visual screening to the extent that it is reasonable to do so given that this is a long established, strategic, industrial area which has a locational imperative to be close to the shoreline. The Council believes that a section of existing vegetation adjacent to the rail halt has recently been felled but that the sawmill operator is erecting a 3 metre high acoustic fence along the southern perimeter of the site. If the Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This would inform the requirement for further mitigation. With regard to the suggested requirement for a Landscape and Visual Impact Assessment (LVIA) for any additional development in this area, the requirement for this, forming part of an Environmental Impact Assessment, would be subject to the scale of any development proposal. The requirement for this would be considered at the planning application stage as part of EIA Screening and Scoping. However, the development requirements for this site do highlight the likely requirement for an LVIA to accompany any proposed infrastructure at Eilean nan Craobh.

Linnhe Lochside Holidays Ltd (1105213) - The area of ground between the caravan park and the allocation comprises a strip of woodland and vegetation which extends to approximately 150 metres in width. This area is intended to remain as a noise and visual buffer from the industrial allocation. The suggestion that the western area of the allocation be omitted on grounds of noise, visual amenity and impact on ecology is not accepted by the Council. The developer requirements for this site already include provision for "site boundary treatment and lighting to respect neighbouring caravan park amenity". In addition, the developer requirements require a "protected species survey" to be undertaken. However, if the Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This will inform the requirement for further mitigation or development setback from the caravan park.

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244) - The site is considered unsuitable for housing use because it is bordered by incompatible uses:- a busy trunk road, a railway line, and an industrial estate. The site lends itself far better to a natural extension of the industrial estate and has planning permission in principle for business and industrial uses [CD39]. Accordingly the Council believes that the Plan's content should remain unaltered in respect of this issue.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244) - Refer to Council's response provided for FW21.

Reporter's conclusions:Placemaking Priorities/General

Ann Leitch (995969), Donald Donnelly (990970), Don Michie (993020), Scottish Government (1101467)

1. Note that the issue of the potential Caol link road is also dealt with under Issue 4 Transport. I expand slightly on what I said in relation to those representations, which are largely repeated here.
2. During the course of the examination the council published its 'Fort William Strategic Transport Study – Pre-Appraisal, the Case for Change' (CD 26). In response to this, and in relation to Issue 6, I issued a number of further information requests seeking comments on the document. The council had an opportunity to respond. These comments, and the council's response, are also relevant to Issue 4. In considering these I am aware that the study is a pre-appraisal and in effect an initial examination of what the options may be for the future of Fort William's transport network. In this regard it is a first step in planning for transport and does not put forward any definitive solutions.
3. With regard to the Caol Link Road concerns have been expressed at the length of time the safeguarded corridors have been in the planning system without any action being taken to pursue them. The council acknowledges that the corridors have been integral to the Highland development plan policy and strategy for three successive plans since the 1990s. From my experience this situation is not unusual in the planning of long term transport projects. The length of time a potential project has been under consideration is not a reason for removing it from potential implementation.
4. The council also accepts that its appraisal work is not fully compliant with that required under Scottish Government and Transport Scotland guidance and advice. It states that it has progressed appraisal work to the extent that its ever reducing resources allow. This also does not justify the removal of safeguarded corridors, although it does emphasise the need for accelerated action in consideration of the traffic issues.
5. The council also suggests that the pertinent questions are whether the indicative safeguarding corridors depicted on the Fort William settlement inset maps are unnecessarily and unreasonably holding back development potential in appropriate locations, blighting neighbouring properties and/or are prejudicial to the continuing appraisal of transport intervention solutions to Fort William's congestion issues? It considers the answer in each case to be no.
6. During my site inspections I traversed, where practicable, or viewed from close by, both by car and on foot, the safeguarded lines. During this I was also able to appreciate the potential restrictions that could negate alternative solutions, including some options suggested by representors.
7. Whilst accepting that it may have been advantageous, in the opinion of some representors, if the Pre-Appraisal study had been produced earlier, I consider it marks a step forward in the council's transport planning programme. It is an accepted planning principle that development plans safeguard land for future development. In some cases this can run the risk of planning blight where other possible developments may be restricted or made impossible.

8. The publication of the study marks, however, a step forward in the council's forward planning for transport. I accept that it does not identify specific proposals, and that it is one early step in the planning process. It does however identify the safeguarded routes as potential solutions to Fort William's traffic problems. It is not a final solution but provides a basis for further study and is supported by a steering group that includes Transport Scotland, effectively representing the Scottish Government. I have considered carefully the safeguarded corridors. In each case I find them to take logical lines which in effect offer least resistance. That is not to say they are the definitive or only solution but they do offer corridors that, in my view, offer a sensible choice for further consideration.

9. I understand the frustrations of representors who feel the potential use of their land may be threatened or their individual homes affected. I accept however the council's view that the deletion of the routes could pre-judge the outcome of the ongoing transport appraisal process by eliminating them as credible transport interventions.

10. Taking all these points together I am not persuaded that modifying the proposed plan by deleting the safeguarded routes would be of benefit to the future traffic planning process in Fort William. I believe it would be a retrograde step for the sound planning for future road connections in the Fort William urban area and that no modification is therefore necessary in this respect.

11. Specific proposals are suggested for the A82/A830, new bridges and local bypass and spur roads. These should be considered as part of the ongoing transport appraisal and do not require any modifications to be made.

Cameron (1104805)

12. This representation gives support to the placemaking priorities and that needs no further part in my examination. See comments on site FW08 Blar Mor below regarding remainder of representation.

Don Michie (993020)

13. This representation shows a difference of opinion in professional views about the developability of the suggested site. The question of the Caol link road corridor has been dealt with above. Another primary issue is the question of flooding where opinions differ. As the council has pointed out it is not the aim of the Caol flood prevention scheme to create development land and it confirms that the site would be excluded from any such scheme.

14. I note that a planning application for the site has twice been refused – by officer and the local review body. Also that SEPA has objected on flood risk grounds. There are claims that the site would add to the housing supply at a time when increasing houses are necessary in the light of industrial expansion. I do not however consider the potential approximately 10 houses to present a significant contribution when no firm evidence has been put forward of such need. I note that other houses appear to have been granted permission in the area but I have no details of these. In any case each proposal must be judged on its own merits. I find no justification for modifying the plan in this case.

Kilmallie Community Company (992492)

15. This site lies at the end of Guisach Terrace which lies parallel to and just north of the A830 in the centre of Corpach. Formerly a play park I accept the council's view that giving it a cherished greenspace designation would give it protection. Hopefully this would generate local public interest in seeing it returned to useable condition. I recommend the modification should

be made.

Kilmallie Community Council (1104950)

16. The council has given reasons why the designation of the land near Neptune's Staircase car park should not be designated as asked for and I accept this explanation. I note that development of the type suggested, better play park facilities, could be carried out under Highland-wide Local Development Plan policies and therefore does not require specific designation.

17. The council also explains that woodland within the SDA boundary is designated as cherished greenspace, but as part of the green network outwith the boundary where it is important for wildlife or human movement. These areas of woodland are not necessarily areas needing specific protection from development.

18. With regard to sites for houses the proposed plan sites would be the definitive ones for assessing planning applications. These may not necessarily follow boundaries shown in a housing audit. It would be a matter for any individual planning application to be assessed on its merits, including any departure from allocated site boundaries.

19. I find no modifications are needed in these cases.

Liberty British Aluminium (1105244)

20. The council has expressed itself satisfied that the proposed plan's content will be sufficient for the next five years and I have no evidence before me to doubt that. One of the key issues before me is housing land but the plan has established a forward supply and there are sites within the Fort William area designated for substantial housing provision in the longer term. In the event that development requiring additional housing goes ahead at a faster pace than anticipated by the council some or all of these sites could be brought forward according to their effectiveness status. Further work is taking place on transport as examined above and under Issue 4. Other future developments, such as a new hospital, have not formed part of this examination.

21. The council has acknowledged and welcomed the GFG Alliance's existing and future investment plans for the area. I consider the plan provides sufficient flexibility to accommodate these. I also note the continuing development of the "Fort William 2040: Development and Assets", that will help inform future local development plans. This is still under preparation but the council sees it as a document to guide development into the future. I am aware that the Planning Bill currently before Parliament makes provision for different timing for future development plans. This would introduce a degree of flexibility for local planning authorities with the possibility of bringing plan reviews forward where considered necessary. The passage of the Bill is still under consideration however.

22. In the meantime the council has proposed a modification to the Placemaking Priorities that I consider addresses these issues. I therefore recommend that such a modification be made.

Mountaineering Scotland (964649)

23. This representation is supportive of the plan and does not therefore form part of my examination. No modification is required.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation)

24. This representation is supportive of the proposed plan and does not form part of my examination. No modification is required.

SEPA (906306)

25. This representation is seeking consistency with other site allocations by reference to wetlands as well as deep peat. The council has accepted this and I am therefore recommending an appropriate modification.

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318)

26. This representation concerns the plan preparation consultation process. It does not request any modifications and does not form part of my examination. No modification is required.

Lundavra Road (FW05)

M Cameron (1165804)

27. This site lies on the western side of Lundavra Road, at the southern end of the built up area. It falls away to the west. The council has explained changes to the allocation from that in the extant plan following the completion of the primary school to the north. The council has also indicated a willingness to extend the site to the north-west in accordance with the request, as well as removing the existing property and its associated land holding on the eastern boundary. These are shown on drawing Sk005 submitted on behalf of the representor. I see no reason why these modifications should not be made.

28. The indicative housing capacity shown on the proposed plan is 125 units. The representation requests this be modified to 150 units. The council has explained its opposition to this because of issues with the topography, peat management and particularly drainage, citing problems that arose in the latter regard with the primary school construction. The council does not discount some change in numbers but relies on further masterplanning and feasibility work prior to the determination of any future planning application. This is a sensible way forward and I accept the council's view that no modification to the indicative figure is required.

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244)

29. This large 17.4 hectare site, largely flat scrub covered ground, lies on the south-west side of the Mallaig railway line. It is bounded on south-west and south-east sides by housing and to the north-west by open space and the Gaelic primary school. Although the reserved corridor for the Caol Link road (see above) runs through the site, during my site inspection I found there is no easy road access at present.

30. Although the site has been allocated for housing in successive development plans the council has expressed concerns as to severe constraints that have lead, in part, to its

designation in the proposed plan for long term development beyond the life of the proposed one. These include particularly drainage and peat management. I note that a previous application in 2008 was withdrawn over viability issues.

31. Although the representor seeks the development of the site in the short to medium term because of a claimed shortage of developable sites, no evidence has been provided to support this. Accordingly I find no justification for modifying the plan in this regard.

Lochiel and Achnacarry Estates (1105774) (late representation)

32. The council notes that in response to a pre-application inquiry for a strip of houses along the north-east side of McQuarrie Court, along the south-western edge of the site, it expressed concerns at the need to safeguard fit for purpose open space. From my site inspection I can understand this opinion, which would seek to protect the outlook for existing houses on the south-west side of McQuarrie Place.

33. The council also acknowledges the existing and continued designation of the strip as part of site FW06 as a long term housing site. Development would however be subject to masterplanning, potentially allowing the reconfiguration of the open space, as well as addressing the constraints outlined above.

34. There is nothing to prevent the submission of a planning application for a strip of housing, which would be judged on its merits against the policies of the Highland-wide Local Development Plan as well as the extant local plan or the proposed plan after adoption depending on timing. In these circumstances I find no justification for modifying the proposed plan.

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation)

35. This is an allocation for longer term housing beyond the period covered by this plan. It would also serve to provide housing for the Lundavra link road through to allocation FW13 covered above. Consequently no site capacity is given and no developer requirements set out. The council clearly does not expect it to be developed until FW13 has been developed, which is likely to take many years. That said, if an application for planning permission was to come forward this could be considered on its merits against current development plan policies. No modification is required at this stage.

Christopher O'Brien (1098822)

36. The representation lists a number of concerns largely associated with the residential amenity of the adjacent established housing to the north of the site. Concern is also expressed about the continuity of access to the peat track leading to Cow Hill. It requests thorough impact assessment and mitigation of adverse effects. As noted above this is a long term site with development proposed in the post plan period. No developer requirements have been set out. This will no doubt be done in due course as part of the next or subsequent plans, and take these concerns into account. In the meantime if a planning application should come forward it would be assessed on its own merits according to current policies. I do not consider there is any justification for a modification of the proposed plan.

Blar Mor (FW08)

Cameron (1104805)

37. The main thrust of this representation is the removal from the settlement development area (SDA) in the West Highlands and Islands Local Plan of fields on the south-west side of Camaghael loop road. This road bounded the north-east side of allocation MU4 in the local plan, designated for mixed uses. The proposed plan allocation FW08 excludes a substantial area of ground that was included in the local plan. The council states this was primarily to restrict the potential for further speculative housing development off the loop road because it is single track with capacity constraints. I drove along it during my site inspections and can confirm this. There are also a number of existing houses along the road, particularly where it turns south towards its western end.

38. Allocation FW08 is a substantial area of level ground covering 20.6 hectares. Development has already started towards its south-western side with the construction of a new police station. A roundabout has been formed to give access onto the A830 Mallaig Road, already somewhat optimistically signposted to a 'Superstore' via a spur onto the site. There is also a short curved stretch of new road which does not appear to have any particular purpose being located in the middle of the allocated area and unconnected to any other development. The major part of the allocated site has been cleared for development and a sewer connection formed.

39. The representor has asked for the inclusion of two fields within an extended allocated area. Field 1, and the adjoining field to the south, lie to the north-east of the proposed allocation, between it and the Camaghael loop road and cover 1.8 hectares. Including them in the allocation would effectively reinstate part of the extant MU4 allocation and the SDA boundary. At my site inspection I noted the land is currently under grazing. It is demarcated on drawing RD09 which is a drawing originally produced for developer Miller and which superimposes zoning areas on an aerial photograph. The fields have been marked on this and submitted to the examination.

40. The council considers this proposal to have merit in that it would allow a road connection from the Camaghael loop through the allocation onto the A830. From my site inspection this would connect to the eastern section of the Camaghael loop where it is predominantly dual track width serving existing development along that part of the road. The restricted western end would be unlikely to be affected significantly by potential newly generated through traffic. Development on the fields would also be open to a sewer connection across the allocated site.

41. The council points out that the inclusion of this land would bring the overall allocated area to 21.9 hectares, with a total indicative housing capacity of 155 houses. It notes also that the site is relatively unconstrained and would help the overall viability of the allocation. Taking all these points into account I accept the council's view and consider the proposed plan should be modified accordingly.

42. Field 2 on the other hand is a different proposition. It lies on the northern edge of the loop road, opposite field 1 but outwith the original local plan SDA. The representor argues that the River Lochy would present a better development boundary but I do not accept this view. The Camaghael loop road provides a clear boundary to development at this point, even accepting that some houses have been development outwith the loop in the past. As the council points out land to the north of the loop road would not have mains drainage as well as being susceptible to fluvial flood risk from the river. The council says it would be more appropriate for crofting or tourism use and I accept this view. I find no justification for modifying the proposed

plan in this regard.

Upper Achintore (North) (FW13)

Highlands Small Communities Housing Trust (1095508) (late representation)

43. This large 23.3 hectare site is located on the southern edge of Fort William and wraps around the established and recently developed housing areas between Lundavra Road and Heathercroft Drive. It consists largely of undulating rough moorland grazing, with the northern part dropping relatively steeply around the northern edge of Heathercroft Drive. The southern part of the site is generally of higher ground and links to allocation FW07 Upper Achintore south on its northern edge.

44. As the representation points out it will not be an easy site to develop and a large number of housing units may be necessary to make it viable. That said initial discussions between the housing trust and the council are at an early pre-application stage. The council has explained above its thinking for the site which appears logical and credible. It anticipates a net developable area of 8.75 hectares. From my site inspection the council's approximate area allocations appear reasonable given the rough upland nature of much of the ground.

45. It is also clear having inspected the local roads system that the council's request for a link road through the site is necessary for sensible future traffic management given the relatively tortuous access on account of the steep hillside that is already developed.

46. The developer requirements are comprehensive and indicate the significant planning work necessary to provide a cohesive workable development for the site. As it is for mixed use there is scope in discussions to adjust the indicative housing capacity of 220 units. Given the overall difficulties of developing the site I consider the 220 indicative housing unit is a sound starting point for assessing the capacity of the site and its mix of users. I am not persuaded there is any need for a modification.

Tony Laidler (1101521)

47. This representation concerns land that forms part of the FW13 allocation that sweeps fairly steeply downhill around the northern side of Heathercroft Drive as I have referred to above. The green network area, and core path, are clearly marked on the allocated site and the developer requirements refer to the need to protect and enhance these. I am satisfied that this provides clear protection for the retention and enhancement of this part of the green network. No modification is necessary.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168)

48. This representation supports the allocation. It does not seek any modification and is thus not part of my examination. No modification is necessary.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation)

49. This representation is supportive of the proposed plan and does not therefore form part of my examination. No modification is necessary.

James Ramsay (1105176)

50. This good sized site of 11.9 hectares, allocated for mixed use, rises to the north from the A830 and is covered in mixed vegetation including areas of woodland. It is allocated for mixed uses for development beyond the life of the proposed plan. The council has acknowledged that no recent assessment has been made as to how the site may be developed.

51. As a consequence no developer requirements have been put forward. I note that much of the southern part of the site is part of the designated green network. The council has also indicated its view that patches of woodland over the rest of the site can be protected. The representation is concerned with both flora and fauna and I am satisfied that when the site comes to be assessed as part of successive future plans it will be possible to draw up appropriate safeguards for these. In the meantime I do not consider any modification is required.

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411)

52. This representation provides factual information and is not seeking any modifications to the plan. Accordingly none is required.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244)

53. This relatively level site is located to the north-east of the new Lochaber High School with which it supports joint sports uses. As the council points out planning permission for the development of an indoor training and community centre was granted for the south-eastern area, close to the school, although the current status is unclear. The remainder of the site comprises sports pitches in association with the school.

54. The council notes there is no spare land within the allocation to support housing and that the school roll forecast is increasing. I have not been provided with any evidence to suggest any unmet housing need requiring the release of the site. In any event I consider the important part played by the present sports and potential community use, helped by the proximity of the school, to outweigh any value housing development may have on this specific site. No modification is required.

Kilmallie Community Council (1104950)

55. The representation is not proposing any modification to the proposed plan and does not form part of my examination. No modification is required.

Corpach Locks (FW19)

James Ramsay (1105176)

56. By far the greater part of the mapped allocation of this 1.5 hectare site comprises the small tidal inlet between the north pier of the canal entrance and the north bank of the loch. Very little land area is available for development, hence the developer requirement emphasis on water based recreational and tourist uses.

57. Whilst the council maintains there is adequate protection for otters in the requirement for a protected species survey I believe the importance of otters justifies the strengthening of this by specific reference. I am proposing an appropriate modification in consequence.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244)

58. This representation has effectively been overtaken by the granting of planning permission by the planning authority for the development of an alloy wheel manufacturing facility at the smelter. This would take up the majority of allocation FW21 as well as overlapping onto the smelter allocation FW26. Taking into account the representation, the council has suggested merging allocations FW21 and FW26 under the umbrella of industrial use. In addition it suggest that the triangle of land comprising 3.0 hectares on the proposed plan to the east of FW21, effectively unallocated land as proposed, be added to the new enlarged allocation.

59. The council has provided a plan CD35 showing the three merged areas that would provide a plan basis for the merged allocation. This would include the 15.6 hectares of FW21, 68 hectares of FW 26 and 3.0 hectares of the unallocated land, totalling 86.6 hectares.

60. The council is not concerned about the loss of the FW21 business park land to the alloy wheel plant as provision for such uses is also being made within several industrial and mixed use allocations in the wider Fort William area. I have no basis to disagree with this. The developer requirements for FW26 would pass over to the new enlarged allocation, with the addition of references to the new planning permission.

61. Given the granting of planning permission for the alloy wheel plant, and the compelling logic of it being located adjacent to the smelter providing the raw material, I have no justification for not accepting the council's proposals. I therefore propose appropriate modifications to combine the two allocations and the unallocated land, together with consequential modifications.

Fort William Waterfront (FW22)

Sarah Kennedy (1105051)

62. This representation is largely supporting of the plan and extolls the merits of the Fort William seafront. The developer requirements are comprehensive regarding the site, much of which comprises the loch itself. This is dealt with in considerable detail and no modification is required.

Heathercroft Drive (FW23)

Sarah Ferguson (1102559)

63. According to the council this small area of ground benefits from an extant planning permission for business use that has been partially implemented. The site consists of rough ground and the only obvious evidence of work having been done that I could see on my site inspection was the installation of a dropped kerb across the footway. There was also a small fenced off area in the middle of the site that could have been an inspection pit but this was unclear. Despite this, as the council is satisfied that an extant permission exists I find no justification for modifying the plan by excluding it. In any event the council has explained the separation from the residential properties and confirmed there is no overlap between them and

the site. It is a small scale allocation and I accept the council's argument that it is designed to serve the local community. No modification is required.

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920), Ardgour Community Council (1103772), Calum-Ruairidh Foxley (1105262), Margaret MacRae (1105217), Michael Foxley (1103411), Samantha Thomson, (1104826), Susan Brown (1104546)

64. This very large predominantly flat 70.3 hectare site is located mainly to the south of the A830 apart from an area to the north in approximately the middle of the site. It is zoned for industry use classes 4, 5 and 6 in the current adopted local plan. I am also aware from general experience that much of it has been in industrial use for many years, including development for the former Corpach pulp and paper mill, taking advantage of relatively cheap hydro-electricity and good rail and sea connections for delivery of raw materials. From my site inspection I see that much of that site is now occupied by a large timber yard. I note from the council that there is only a small extension to the allocated area compared to the extant plan, incorporating land to the east and Eilean nan Craobh. A pier connection from the latter to the shore allowing deeper water access was developed for the former pulp and paper mill.

65. The council has dealt with these representations by subject matter of issues raised and I am following that format.

Noise

66. The council has acknowledged there are some noise issues associated with the site potentially affecting the residential amenity of nearby housing. It suggests the addition of a noise assessment as part of the developer requirements for the site, taking into account existing developments, and the identification of mitigation measures that may be necessary. This is a sensible way forward and I propose that such a modification be made.

Lighting

67. The council acknowledges the potential issue that can be caused by light and has suggested an amendment to the existing developer requirements in this regard. This extends the additional requirements to include residential amenity and site boundary concerns. I recommend that this modification be made.

Landscape and Visual Impacts

68. The council has commented on the long term established position of the site already noted above. It explains that because of this, and the absence of any designated landscape interests, there are inevitably going to be developments that affect the landscape setting. That said this does not give freedom to developers to dismiss these issues and council rightly points out the need for them to be addressed at planning application stage. I note that the existing proposed developer requirements already make reference to woodland and screening, and the special situation regarding Eilean nan Craobh and historic interests. I do not therefore consider that any modification is required in this regard.

Marine (wildlife, fishing/aquaculture and leisure)

69. The council notes that any future developments affecting the marine environment are likely to require a hydrological assessment, and that SEPA and SNH would give guidance. This is not

however a certainty and it would be sensible to strengthen the developer requirements to include this where necessary. I therefore propose such a modification. I note that protected species are already included in the requirements.

Built Heritage

70. The council notes that the allocation of land at Corpach Port and Eilean nan Craobh are not anticipated to give rise to any significant effects on the setting of the Caledonian Canal Scheduled Ancient Monument. I note that Historic Enterprise Scotland has not stated any concerns in this respect. Given the distance apart between the features observed during my site inspection I therefore accept the council's view. The council has also added the lack of any evidence of former Locheil Chiefs' historic residencies on Eilean nan Craobh. I do not therefore consider any modification is required about this.

Boyd Brothers Haulage Limited (1105200)

71. This representation concerns potential future pier or jetty development and its effect on navigation. As the council points out any such proposals would require a marine licence application, to be assessed alongside any planning application. Navigation and marine safety would be considered as part of this. I believe this adequately covers the situation and therefore no modification is needed.

BSW Timber Group (1105115)

72. This representation seeks the redesignation of the western 10 hectares of the site for housing development. This is countered strongly by the council for very valid reasons, among others, relating to the need for good industrial land with port access and the general unsuitability of the site close to industrial land and lacking good residential access. I support these views.

73. The whole of this area is well established in industrial use and at a time when industrial development appears to be on the increase in Fort William it makes sound planning sense to safeguard such a site with its good access to the waterfront and scope for goods to be delivered and taken away by water as well as rail. Most of the comments made in the representation about the suitability of the site for housing could have made for any of the existing allocated sites. I have not been aware of any specific shortfall in the availability of housing land, and I note that a number of sites are allocated for long term development beyond the future life of the proposed plan, without undue constraints attached to them. If it should be the case that further land is required in the short term one or more of these sites could be brought forward.

74. Taking all these factors into account I am not persuaded there is any need for a modification in this regard.

Kilmallie Community Council (1104950)

75. The major thrust of this representation has already been dealt with, especially the principle of industrial development on this allocation. The council has acknowledged the existing developer requirements and suggested areas where these could be strengthened, including a cumulative noise assessment, dealt with under the noise heading above. The council has explained how an Environmental Assessment is governed by the scale of a development, among other things. There are strict and comprehensive regulations that govern such developments to ensure the proper consideration of environmental matters, including the impacts on surrounding land uses. I am not therefore persuaded that any further modification is required.

Linnhe Lochside Holidays Ltd (1105213)

76. The principal concern of this representation is noise and I understand fully the importance of this to a holiday development. The council has explained the roll of the tree buffer, which at up to 150 metres deep covers a significant area of ground. I have dealt with the suggestion for an additional developer requirement dealing with noise assessment under noise above. I note also the council's belief that a three metre high acoustic fence is being constructed along the southern boundary of the sawmill site to address noise issues. Overall I do not find any justification for further modifications.

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244)

77. This relatively large area comprising 9.8 hectares of flat land is bounded in turn by the A830 Mallaig road, the Mallaig railway line and the Blar Mor industrial estate. Planning permission was granted in principle in March 2011 for retail, business and industrial uses although it is unclear as to the current status of this. The allocation is also crossed at its south-eastern end by the reserved corridor for the potential Caol relief road, already dealt with above.

78. Because of these constraints the council believes the site is better suited to an extension of the existing Blar Mor industrial estate. I accept the council's view that such a use would be an appropriate one for the site. I have not been provided with any evidence to show that housing land is required on the scale of this site and there is no justification in terms of the housing land requirement. I consider there are more appropriate sites already allocated elsewhere. These include allocated housing sites and those as part of mixed uses.

79. No modification is therefore required.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244)

80. See response to FW21.

Reporter's recommendations:

I recommend the following modifications:

Site FW01 – Annat Farm

- In the developer requirements after 'deep peat' add: "and wetlands". Phrase now to read: "Presence of deep peat and wetlands may limit areas that can be developed".

Site FW05 – Lundavra Road

- Extend the proposed site to the north-west to include an additional 1.4 hectares.
- Remove the property on the north-eastern part of the allocation and associated land holding of 0.2 hectares.
- Both the above as shown on drawing Sk005 as submitted with the representation. The modified area totals 9.9 hectares.

Site FW 08 - Blar Mor

- On the allocation map for FW08 extend the allocation to the north-east between the current allocation boundary and the Camaghael loop road to include field 1 as marked on production plan RD09 as submitted with the representation.
- Extend the settlement area boundary to include the newly allocated land.
- Alter the indicative housing capacity for the overall FW08 site from 130 to 155.

Site FW19 – Corpach Locks

- Under developer requirements, after ‘Protected species survey’ add “with appropriate mitigation measures identified as necessary”.

Sites FW21 – Glen Nevis Business Park and FW26 – Aluminium smelter and adjoining land

- The three areas of land comprising allocations FW21 – Glen Nevis Business Park and FW26 – Aluminium smelter and adjoining land, together with the area of unallocated land to the east of FW21, as shown on plan CD35 provided by the council, should be merged to form one new industrial allocation of 86.6 hectares.
- The developer requirements for proposed allocation FW26 be transferred to the new proposed allocation unaltered but a new introductory text should be added after ‘Developer Requirements:’ as follows: “Development in accordance with planning permission 17/0502/FUL. Alternative or additional proposals require the...”
- Consequential renaming and renumbering will be required for the new allocation with the deletion of the original proposed names and numbers as necessary. Other site renumbering may be necessary to maintain continuity.

Site FW24 - Annat, Former Paper Mill and Adjoining Land (FW24)

- Under developer requirements, after ‘A830 trunk road add: “a cumulative noise assessment to be undertaken. Where potential surface water runoff or discharges to watercourses, which may have an impact on marine wildlife, fishing and aquaculture, a hydrological assessment is necessary”.
- Under developer requirements delete: ‘Boundary treatment and lighting to respect neighbouring caravan park amenity’ and replace with: “Site boundary treatment and lighting to respect neighbouring residential and caravan park amenity”.
- Under developer requirements, after ‘Protected Species Survey’ add; “Hydrological Assessment for development affecting the marine environment;”

Un-named site at Guisach Terrace, Corpach

- The area covered by the former play park at the eastern end of Guisach Terrace should be designated as cherished greenspace.

Placemaking Priorities – Fort William

- After the second Fort William placemaking priority bullet add a new third bullet point as follows: “Recent and expected future investment at the smelter will result in a step-change in employment opportunities within Fort William and the wider Lochaber area. In the short term, the Plan should maximise the opportunities resulting from such growth but also safeguard land to accommodate its implications. Beyond the initial 5 year Plan period, additional land and investment will be needed and the Council and other relevant stakeholders are formulating a future vision document, *Fort William 2040: Development*

and Assets which will signpost and coordinate the future investment intentions of a range of public and private agencies necessary to achieve the Plan's outcomes and priorities."

Issue 7	GLENCOE	
Development plan reference:	Glencoe Settlement Chapter, Pages 51 - 55	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Crofting Commission (955042) John Roy (1099967) Mountaineering Scotland (964649) Ruth Malcolm (1103163) Stephen Chomiak (995318) Susan Johnston (1104731)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p><u>North of Glencoe Primary School (GC03)</u></p> <p>Crofting Commission (955042) - Concerned that loss of site to development would significantly affect the viability of a crofting unit (almost all of the holding is within the allocation boundary) and reduce the availability of in-bye croft land. Both of these effects would be contrary to the Council's stated policies on croft land safeguarding.</p> <p>John Roy (1099967) - Objects because this land: has a long established crofting use; is a relatively large area to lose; and, crofting is important to the cultural heritage of the area.</p> <p>Ruth Malcolm (1103163) - Objects because: it will have an adverse visual and landscape impact undermining tourism employment; in particular it will have an adverse impact on the much photographed view of Glencoe from the Ballachulish bridge; the land supports both wildlife such as Canada geese, deer and local crofters livestock; the servicing works for this site would be comprehensive as the area is waterlogged for most of the year; there is a better alternative housing site outwith the village on forestry land that could be gifted; a longer walk to school would improve the health of schoolchildren; and, the existing village hall is adequate and doesn't need a replacement only refurbishment.</p> <p>Stephen Chomiak (995318) - Objects because of: adverse visual and landscape impact; loss of croft land; adverse impact on wildlife; loss of cultural identity that is important to tourists; flood risk; poor viability; the adequacy of the existing village hall which could be refurbished if necessary; and, inadequate and expensive to improve water, sewerage, road and communications capacity.</p>		

Susan Johnston (1104731) - Objects because: this site is all long established crofting land and is the largest cohesive piece of crofting land left in the community and should be kept intact; a clustered development would be alien to the established linear settlement pattern; the offer of a village hall is a “sweetener” and the site is unsuitable because it is on an isolated housing estate; the existing village hall site is more central and therefore more compliant with the Council’s Town Centre First Policy; if necessary then the existing hall could be refurbished; the adverse visual impact of the development will undermine tourism and the employment it brings; allocations GC01 and GC02 are preferable because they have a lesser visual impact; the site is a wildlife corridor and a habitat for Red Deer.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649) - No modifications sought (assumed).

North of Glencoe Primary School (GC03)

Crofting Commission (955042), John Roy (1099967), Ruth Malcolm (1103163), Stephen Chomiak (995318), Susan Johnston (1104731) - Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

North of Glencoe Primary School (GC03)

Crofting Commission (955042), John Roy (1099967), Ruth Malcolm (1103163), Stephen Chomiak (995318), Susan Johnston (1104731) - The Council and its Plan recognise that the four main settlements surrounding Loch Leven have significant constraints to development and have therefore limited the capacity of allocations within these settlements to a total of just 60 homes across: North Ballachulish (0), Glenachulish (20), South Ballachulish (20), and Glencoe (20). Almost all land is constrained by topography, ground conditions, flood risk, viability, landowner attitude to release, settlement pattern, crofting and/or other factors. Recent housing development in all four communities has been piecemeal; i.e., single private houses most often on in-bye croft land. Although this form of development is usually more socially acceptable to adjoining residents than a larger housing scheme it is not comprehensively serviced and causes a “drip-drip” adverse impact on sub soil soakaway, un-adopted side road, and crofting capacity. More arguably a 10 unit well designed housing scheme in a village centre has less adverse visual and landscape impact than 10 separate plots spread throughout a village.

Allocation GC03 has the potential to deliver land for community, business/tourism use and around 10 homes. The Council accepts that the land is in crofting tenure and has moderate land capability for agriculture. The affected crofting family wish to release the land for a mixed use development that will benefit the wider community. There is a de-crofting application affecting

the same land which is understood to be pending consideration by the Crofting Commission. The Council's Highland wide Local Development Plan contains a general policy on this issue. Policy 47 Safeguarding In-bye/AppORTioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up all development considerations, including land capability for agriculture and crofting heritage interests. In this instance, the loss of croft land is considered to be justified given the lack of suitable alternatives not in crofting tenure.

The current allocation forms two existing allocations in the adopted WHILP (site references H1 and B2) and has been carried forward into the Plan. To reflect the presence and importance of the Ben Nevis and Glen Coe NSA, housing numbers for this allocation have been reduced from 20 units to 10 units and the developer requirements include the need for high quality of siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe NSA. The site is also situated fairly centrally within the built up area of Glencoe and therefore considered unlikely to have any adverse affect on the special qualities of this area. It is not, as respondents assert, prominent in any principal public view and is very distant from the A82 Ballachulish Bridge viewpoint. The developer requirements for the site also require the retention of existing trees and additional planting to create shelter and enhance the green network. This planting, together with careful siting and design will help to filter views of the development, both from within the village looking north and long distance views of Glencoe from the Ballachulish Bridge looking east.

The allocation also includes scope for business/tourism uses and therefore could have a positive impact for visitors. In terms of habitats and species, the developer requirements for this site include the requirement for a protected species survey to be undertaken. In terms of flood risk, it is acknowledged in the developer requirements that part of the site (western part) could be susceptible to coastal flood risk and a Flood Risk and Drainage Impact Assessment is therefore required to inform the layout and design of the site. In terms of infrastructure capacity, the village of Glencoe is served by part of the waste water treatment plant at North Ballachulish which has capacity to accommodate this and other allocated development [CD25]. Access to the site could be formed via the B863 and active travel connections are specified within the developer requirements, including provision of a direct linkage to the adjacent school. There is not considered to be a need to provide a road access direct to the village centre which is within easy walking distance. The local water treatment works has sufficient spare capacity and a potential new connection is within easy reach of this site. There are no known abnormal electricity supply or communication connection issues to be overcome and, with the exception of the potential area of coastal flood risk, there are no other development constraints which would adversely affect development viability. In its representation made to the WHILDP MIR, Glencoe & Glen Etive Community Council expressed a need for a replacement village hall and suggest that it be located on the allocated site. This allocation is the largest in the village and therefore, it is considered appropriate that land on this site for such a future community use is reserved.

In terms of alternative, preferable development sites, the Council has through the Plan process considerable all reasonable options including the suggested Forestry Commission site on the Clachaig Inn loop road. The Council's assessment of the alternative sites considered, together with the feedback received at these consultation stages and the Council's responses were presented to the 18 January 2017 Lochaber Area Committee [CD10-2]. The forestry site was non-preferred by the Council because of: the loss of woodland (and/or restocking opportunity) listed on the Ancient Woodland Inventory; the adverse impact on the enjoyment of the footpath

(core path) which intersects the site; the lack of daylight unless woodland is cleared; the green network continuity that could be interrupted by development; and, the distance to the village's facilities including the lack of a safe route to school.

For all the reasons stated above, the Council believes that the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Placemaking Priorities

Mountaineering Scotland (964649)

1. Mountaineering Scotland supports the Placemaking Priorities for Glencoe and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for Glencoe, based on the representations made.

North of Glencoe Primary School (GC03)

Crofting Commission (955042), John Roy (1099967), Ruth Malcolm (1103163), Stephen Chomiak (995318), Susan Johnston (1104731)

2. Site GC03 currently forms two allocations (housing and business) within the settlement boundary in the adopted West Highland and Islands Local Plan (WHILP) (site references H1 and B2, respectively). I noted, during my site inspection, that the site is relatively flat, occupying low lying land associated with the main settlement. There is residential development and a primary school immediately to the south of the site and residential development to the east and north-east of the site. The village centre, with its associated amenities, is within comfortable walking distance of the site thus contributing to active travel and sustainability, in accordance with Scottish Planning Policy (CD01).

3. I am satisfied that the site can be adequately serviced in respect of water and waste water treatment with capacity at the respective treatment works. Other than flood risk, no other physical development constraints have been brought to my attention that would render the site unviable. Whilst flood risk is an important consideration, I would expect this to be addressed as part of any future planning application for the site. In any event, I am reassured on this matter given that the developer requirements include the need to undertake a flood risk assessment and drainage impact assessment in order to inform site layout and design.

4. Whilst the site is not covered by any designation for the importance of nature conservation, there are concerns that development would have an impact on local wildlife. I am satisfied that these concerns can be properly taken into account as part of the planning application process, given that the developer requirements for the site include for a protected species survey.

5. I acknowledge concerns about the loss of crofting land within the settlement. However, I am mindful that there is a balance to be struck, identifying sites for housing that are in sustainable locations, close to amenities, which are the least constrained, physically, and hence represent viable development site options. The attitude of landowners to land release is also an important consideration as is the availability of suitable sites which are not in crofting tenure. I am mindful that a suggested alternative site, outwith the settlement boundary, was discounted due to the distance to village facilities and the lack of a safe route to school, amongst other matters. The developer requirement for the 'affordable homes' element (at least 25%) to be entirely delivered

on site is a further illustration of the lack of suitable alternative housing sites that are less constrained than the GC03 site.

6. The Ben Nevis and Glencoe National Scenic Area (NSA), covering the settlement of Glencoe and surrounding area, is recognised for its outstanding scenic value in a national context and is intended to protect the area from inappropriate development. As noted above, the site is located on low lying land associated with the main settlement. There are mature trees along the southern boundary of the site, across the centre of the site and, in part, along the B863 road to the west, all of which help to filter views of the site from within the settlement. During my site inspection, I visited the Ballachulish Bridge, to the west of the settlement and I am satisfied that the site is not prominent from this viewpoint. Given the site's location in relation to the main settlement, the existing mature trees on site and along its southern and western boundaries, and the developer requirement including for their retention together with additional planting, I am satisfied that landscape and visual impacts would be limited.

7. I am further reassured given that the planning authority is also seeking, under developer requirements, a high quality of siting and design that will avoid adverse impacts on the NSA. I consider that the indicative housing capacity of 10 units, reduced from 20 units in the adopted local plan, would assist in minimising impacts on the NSA.

8. Given my conclusions regarding landscape and visual impact, I find no evidence to suggest that the development of the site would deter visitors to the village or have a negative impact on tourism employment. On the contrary, the allocation provides scope for community, business and tourism use which could support tourism growth and assist employment opportunities including tourism employment.

9. I note that the Glencoe and Etive Community Council previously expressed, at MIR stage, a need for a new village hall and suggested that this could be accommodated on site GC03. Given the size of the site, its proximity to the centre of the village and the fact that the site owner is prepared to gift part of the site to the village for a new village hall, I consider it logical to identify such a use as part of the overall allocation. This is irrespective of the condition of the existing village hall which I cannot concern myself with.

10. I am satisfied, given the site's location within the settlement, its physical characteristics and the lack of suitable alternative sites (not in crofting tenure), that it is appropriate for allocation. I am, therefore, not recommending any modifications to the proposed plan in respect of this allocation.

Reporter's recommendations:

Placemaking Priorities

1. No modifications.

North of Glencoe Primary School (GC03)

2. No modifications.

Issue 8	KINLOCHLEVEN	
Development plan reference:	Kinlochleven Settlement Chapter, Pages 56 - 59	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
Mountaineering Scotland (964649)		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p>		
Modifications sought by those submitting representations:		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - No modifications sought (assumed).</p>		
Summary of responses (including reasons) by planning authority:		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.</p>		
Reporter's conclusions:		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649)</p> <p>1. Mountaineering Scotland supports the Placemaking Priorities for Kinlochleven and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for Kinlochleven, based on the representations made.</p>		

Reporter's recommendations:

Placemaking Priorities

1. No modifications.

Issue 9	MALLAIG	
Development plan reference:	Mallaig Settlement Chapter, Pages 60-65	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Colin MacNeill (1103355) Mountaineering Scotland (964649) Nevis Estates Ltd (998593) Scottish Government (1101467)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>Nevis Estates Ltd (998593) - Objects to the Green Network designation as it is depicted at land north of Gordon Brown Place within the settlement boundary because it benefits from planning permissions for 2 dwelling houses and the Green Network designation should be amended to exclude these areas given that they will not be delivered for that purpose. One of these properties is currently under construction and the other site is currently subject to a revised planning application [RD15].</p> <p><u>Coteachan Hill (MA01)</u></p> <p>Nevis Estates Ltd (998593) - Welcomes and supports changes made to the MIR allocation boundary to reflect the area of land being brought forward for development with the Highlands Small Communities Housing Trust. Also supports the indicative capacity of 20 houses.</p> <p><u>North and West of Reservoir (MA02)</u></p> <p>Colin MacNeill (1103355) - Concerned about impact of development of site on neighbours because of: the lack of demand for residential development in and around Mallaig; the site's inaccessibility from existing roads; potential surface water drainage issues, the need to connect to mains sewerage; the potential loss of amenity and adverse visual impact; and, the potential adverse impact on the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike.</p> <p>Nevis Estates Ltd (998593) - Welcomes and supports changes made to the MIR and the indicative capacity of 45 houses.</p>		

South of Glasnacardoch (MA05)

Colin MacNeill (1103355) - Concerned that: any increased traffic on the B8008 (old road leading out of Mallaig to Glasnacardoch) would be detrimental to the existing residents of the area, so all access in and out of any proposed sites should be on the main A830; and, the amenity of what is a local area of beauty (in particular the track/path leading from the site to Loch an Nostarie, which is widely used by locals and visitors) should not be adversely affected.

Scottish Government (1101467) - Objects to the Plan's possible support for either allocation MA05 or MA06 taking a new access to the trunk road network because SPP Para 278 states; *"New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance."* Also because this section of the A830 trunk road is a climbing lane layout and is within the national speed limit, approximately 1.5 km away from the start of the 30 mph limit at Mallaig. Any new access at this location would most likely have a significant adverse impact on road safety and operational performance.

East of Garage (MA06)

Scottish Government (1101467) - Objects to the Plan's possible support for either allocation MA05 or MA06 taking a new access to the trunk road network because SPP Para 278 states; *"New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance."* Also because this section of the A830 trunk road is a climbing lane layout and is within the national speed limit, approximately 1.5 km away from the start of the 30 mph limit at Mallaig. Any new access at this location would most likely have a significant adverse impact on road safety and operational performance.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649) - No modifications sought (assumed).

Nevis Estates Ltd (998593) - Removal of Green Network notation from land with planning permission for housing development close to Gordon Brown Place (as per map supplied by respondent).

Coteachan Hill (MA01)

Nevis Estates Ltd (998593) - No modifications sought.

North and West of Reservoir (MA02)

Colin MacNeill (1103355) - More onerous/effective developer requirements to ensure that road access, surface water drainage and all other services (in particular sewerage) are fully thought out and implemented to avoid any detrimental effect to existing residents (assumed). Also a requirement to ensure that the amenity of the area (in particular the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike) is preserved (assumed).

Nevis Estates Ltd (998593) - No modifications sought.

South of Glasnacardoch (MA05)

Colin MacNeill (1103355) - Developer requirements to ensure all road access in and out of any proposed sites should be on the main A830 (assumed). Also a requirement to ensure that the amenity of the area (in particular the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike) is preserved (assumed).

Scottish Government (1101467) - Deletion of the text that makes reference to the possibility of a new access to the trunk road network.

East of Garage (MA06)

Scottish Government (1101467) - Deletion of the text that makes reference to the possibility of a new access to the trunk road network.

Summary of responses (including reasons) by planning authority:Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Nevis Estates Ltd (998593) - The extant and partially complete permissions should be reflected on the Plan's mapping.

If the Reporter is so minded then the Council would support the removal of the green network notation from the land north of Gordon Brown Place enclosed within these permissions.

Coteachan Hill (MA01)

Nevis Estates Ltd (998593) - Support noted – no modifications sought.

North and West of Reservoir (MA02)

Colin MacNeill (1103355) - Mallaig is a long standing and important rail, ferry and port arrival/departure point. As a result it supports a wide range of community and commercial facilities for its size and has several affordable and private housing areas. There is no lack of private housing demand or housing need just a severely constrained supply of effective land to accommodate it. Mallaig has very difficult topography, flood risk issues, trunk road and side road capacity problems, and high ground conditions resolution costs. To not allocate a sizeable development site within the village would only serve to divert pressure to the surrounding crofting communities which have similar constraints and are less sustainable locations for those working in Mallaig. In this regard, Mallaig Harbour has significant expansion plans to serve both the growing tourism market and a fishing industry that may expand post Brexit.

It is accepted that road access to this site will be challenging and the associated engineering works are likely to be expensive to undertake. However, this has been true of all sites in Mallaig and has not proven an insurmountable constraint. The site's aspect and its exceptional outlook

make it particularly suitable for higher value private plots. The site size and capacity should aid viability. A proposed access solution involving the creation of a new access road next to the existing private access off Fank Brae (which serves nine existing houses and a Scottish Water facility) was previously considered as part of a planning application for 18 homes across the southern area of the allocation. This application received a minded to grant decision at the Council's relevant committee [CD40]. The applicant failed to resolve the issues required to sign a S75 legal agreement and therefore the permission was never issued. However, this previously proposed site access solution was acceptable to the Council's Roads Engineer and the proposed developer requirements for this allocation also highlight the need for improved road access.

Given the topography of the site and the local climate, surface water runoff and drainage concerns are valid and therefore the developer requirements require a Flood Risk and Drainage Impact Assessment to be undertaken. A public sewer connection is also being insisted upon and there is scope to connect to the existing network with pipework passing through the site. Other service connections such as water and electricity are not considered to result in any abnormal costs or significant detrimental effects on existing residential properties. The retention of the existing track/footpath will be an important design consideration for the site and the developer requirements set out the need for active travel connections within the site as well as open space provision. Wider public access rights for the site will also be considered by the Council's Access Officer at the planning application stage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Nevis Estates Ltd (998593) - Support noted – no modifications sought.

South of Glasnacardoch (MA05)

Colin MacNeill (1103355) - See commended amendment below regarding access from the A830 trunk road. Therefore access to this site must be from the B8008. Given the site's small size and immediate proximity to an existing trunk road junction, this site access solution will not have any discernible impact on the local road network. In terms of the existing footpath through the site, the developer requirements stipulate the retention of active travel connections to the settlement centre and a landscaping scheme which looks to retain and augment trees and woodland on site. Accordingly, the amenity value of this route should not be adversely affected and the Council believes that the Plan's content should otherwise remain unaltered.

Scottish Government (1101467) - The Council accepts that it would be useful for the Plan to clarify that no new access should be taken from the trunk road. If the Reporter is so minded then the developer requirements for site MA05 could be amended as follows: "~~Justification required for any~~ No new access onto the A830 trunk road, safeguard road access through to site MA06 and maintain and enhance active travel connections to settlement centre;"

East of Garage (MA06)

Scottish Government (1101467) - The Council accepts that it would be useful for the Plan to clarify that no new access should be taken from the trunk road. If the Reporter is so minded then the developer requirements for site MA05 could be amended as follows: "~~Justification required for any~~ No new access onto the A830 trunk road, safeguard road access through to site MA06 and maintain and enhance active travel connections to settlement centre;"

Reporter's conclusions:Placemaking Priorities

1. Mountaineering Scotland supports the 4th Placemaking Priority for Kyle of Lochalsh at page 61 of the proposed Plan. This priority seeks to safeguard areas protected or otherwise important for nature conservation or landscape qualities. Given that the representation supports this section of the proposed Plan, there is no need to consider it further.
2. Nevis Estates Ltd seeks the removal of the Green Network designation from land on the western side of Annies Brae. The designation covers a large swathe of land rising upwards from the A80 and the railway line towards Annies Brae. A small area to the north of Gordon Brown Place is proposed for removal from the designation. The planning authority supports the principle of removing a part of the designation. However, in response to Further Information Request 03, it suggested slightly different boundaries from those requested by Nevis Estates Ltd (who made no comment on the planning authority's submissions).
3. Planning permissions have been granted for 2 houses on the area concerned (planning application numbers 15/04723/FUL, 16/04838/FUL and 17/02156/FUL), and they are now both largely complete. In these circumstances, I agree that it would be appropriate to change the boundary of the Green Network designation to omit the 2 housing plots. I prefer the planning authority's suggested boundaries of the area to be omitted from the designation to those proposed by Nevis Estates Ltd because the planning authority's boundaries more accurately reflect the extent of the Green Network affected by the planning permissions.
4. Overall, an adjustment is required to the proposed Plan

MA01: Coteachan Hill

5. Nevis Estates Ltd supports MA01. Its representation raises no matters which require further consideration at this Examination.

MA02: North and West of Reservoir

6. MA02 is situated on the steep hillside on the eastern boundary of the remote settlement of Mallaig, towards the southern end, and to the east, of Annies Brae. The site wraps around an existing residential area on its western boundary. A small part of the site is affected by a planning application for one house (planning application number 18/0208/PIP), which has yet to be determined. The site is hilly moorland with a few trees, has burns running through it, is of an irregular shape, contains a path/track, and extends to around 5.8 hectares. The proposed Plan estimates the capacity of the site as 45 houses. Its allocation as a housing site is a continuation of a large part of the housing allocation identified at H3 (Frank Brae) in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this rural village. It is within a reasonable distance of the village centre and a range of facilities and services.
7. Nevis Estates Ltd supports the allocation, and raises no matters which require further consideration at this Examination. Another representor is concerned that there is a lack of demand for housing, and highlights possible problems with the access arrangements, the servicing of the site, and the impact on the landscape and the existing track/path. The planning authority points out that Mallaig is a long standing important rail, ferry and port arrival and departure point. It therefore supports a wider range of community and commercial facilities than would be expected in a settlement of this size. Tourism is also an important local economic

activity, and the Plan is now proposing a significant expansion of the harbour facilities. While Mallaig clearly already has a number of housing areas and the 2016 Monitoring Statement indicates only a modest number of house completions between 2000 and 2014, I consider that the settlement's important transportation function and the proposed increase in economic activity in the harbour should be supported by adequate housing land provision, including allocations such as MA02, which represents a natural extension of the built up area. Without adequate provision for housing land, the harbour expansion proposal may be more difficult to implement. I am also concerned that such expansion could lead to more pressure for housing development in the surrounding crofting communities, which would not represent a sustainable pattern of development and would be contrary to the broad thrust of the principles underpinning Scottish Planning Policy.

8. The planning authority highlights the physical constraints generally affecting development proposals in Mallaig, and these are also referred to at paragraphs 2.14 and 2.15 of the proposed Plan. I consider that many of the site specific concerns mentioned by the representor would be adequately addressed by the terms of the Developer Requirements set out for MA02 in the Plan. Requirements include a flood risk and drainage impact assessment, a public sewer connection, an improved site road access, and the avoidance of adverse impacts on the special qualities of the Moidart, Morar and Glen Shiel Special Landscape Area.

9. The access proposed in planning application number 12/04506/PIP shows one possible arrangement which could potentially provide an appropriate access to the proposed housing site and an improved access to the existing housing. Other arrangements may be possible. The allocation extends down to Annies Brae and, while the topography on site is undoubtedly steep and awkward, sufficient land has been allocated to allow access to both the site and the neighbouring houses. I note that the proposed Plan is predominantly concerned with the principle of achieving access to the site. The full details of any access would be assessed at the development management stage. I am satisfied that it has been demonstrated, in principle, that access to the site could probably be achieved.

10. The Revised Environmental Report indicates that water and waste water mains connections are available nearby, and the planning authority indicates that the existing network passes through the site. In light of this, I believe it likely that adequate and suitable provision could be made for drainage, including surface water drainage. This issue would also be more appropriately assessed at the development management stage in the context of detailed proposals. Regarding the visual impact of development on the Special Landscape Area, I note that any development on the allocated site would be seen alongside the existing adjacent housing and built up area. Moreover, the Revised Environmental Report concludes that high quality of architectural siting and design would avoid adverse impacts on the designated area's special qualities. Given these factors, and taking account of the low density development envisaged in the Plan and the extensive area covered by the landscape designation, I consider that a scheme could be devised which would be likely to adequately protect the Special Landscape Area. In all the circumstances, I consider the site to be a reasonable housing allocation.

11. The existing path/track on site provides an access to the countryside from the built up area. The Developer Requirements for MA02 promote active travel connections within the site towards schools and the settlement centre. In the interests of maximising active travel opportunities and maintaining access to the countryside from the site, I believe that the Developer Requirement for active travel should include a reference to the countryside in addition to the existing references to schools and the settlement centre.

12. Overall, an adjustment is required to the proposed Plan, as set out below.

MA05: South of Glasnacardoch

13. MA05 is situated between the railway line and the A830 at the southern tip of Mallaig and at the junction between the A830 and Annies Brae (B8008). MA06 (East of Garage) lies immediately to the south of the site. The 2 sites are in an important location at the entry to Mallaig. MA05 comprises a field, contains a watercourse, is irregular in shape, and extends to around 0.6 hectares. Its allocation for business and tourism is a continuation, in part, of its allocation for business in the adopted local plan. MA05 and MA06 are the only sites in the settlement specifically providing for business uses. Such provision is important in Mallaig given its important transportation function (rail, ferry and port) and the proposed significant expansion of the harbour facilities. The Scottish Government seeks to remove the possibility of taking access from MA05 to the A830. Another representor seeks to restrict access to the site to a point on the A830.

14. The A830 is a trunk road. The Developer Requirements for MA05 require a justification for any new access on to it. Scottish Planning Policy indicates that new junctions on trunk roads are not normally acceptable, and that they would only be considered if they are designed in accordance with the Design Manual for Roads and Bridges and where there would be no adverse impact on road safety or operational performance. At the site, while visibility along the A830 is good, the trunk road has a climbing lane (making it a 3 lane road), and it is within the 60 miles per hour speed limit, some distance away from the 30 miles per hour speed limit. Given these factors, I agree with the Scottish Government that there would likely be a significant adverse impact on road safety and operational performance if access was to be allowed direct from the allocation on to the A830. This adverse impact would be compounded if a further site access was formed on the A830 to serve MA06.

15. The Scottish Government indicates that the site could be accessed from the B8008. The planning authority suggests that the Developer Requirements be amended to prevent access from MA05 (and MA06) to the A830. For the above reasons, I believe that direct access on to the A830 would be inappropriate, and that the Developer Requirements should be changed to prevent such access. This would mean that access would have to be taken from the B8008. I note that the site is adjacent to the junction between the B8008 and the A830, that it is well contained by the railway and the main road, and that it is separated from the main residential areas on Annies Brae. It is also small, even when taken in combination with MA06, and any development would therefore be of a limited size and unlikely to generate inappropriately large amounts of traffic. Bearing all this in mind, I believe that an access from the site to the B8008 would be reasonable and would be unlikely to conflict with existing housing areas. Moreover, business uses fall within Class 4 of the 1997 Town and Country Planning (Use Classes Order)(Scotland) Order and should, by definition, not be detrimental to the amenity of an area.

16. In relation to the track/path to Loch an Nostarie, this runs along the northern boundary of the site towards the countryside, and it is also a core path. In order to ensure that it is adequately maintained and, if appropriate, enhanced, in any development of the allocation, I believe that it should be referred to in the Developer Requirement for MA05 dealing with active travel connections. As a consequence of this change, the core path on the A830 by the site's western boundary, should also be taken into account in formulating proposals for the site.

17. In light of my conclusions below on MA06, it would also be necessary to ensure in the Developer Requirements that access through MA05 to MA06 is safeguarded.

18. Overall, adjustments are required to the proposed Plan, as set out below.

MA06: East of Garage

19. MA06 is situated between the railway line and the A830 at the southern tip of Mallaig. MA05 (South of Glasnacardoch) lies immediately to the north of the site. The 2 sites are in an important location at the entry to Mallaig. MA06 is essentially triangular in shape, forms part of a woodland, contains a watercourse, and extends to around 0.2 hectares. Its allocation for business and tourism is a continuation, in part, of its allocation for business in the adopted local plan. MA05 and MA06 are the only sites in the settlement specifically providing for business uses. Such provision is important in Mallaig given its important transportation function (rail, ferry and port) and the proposed significant expansion of the harbour facilities. The Scottish Government seeks to remove the possibility of taking access from MA06 to the A830.

20. The A830 is a trunk road. The Developer Requirements for MA06 require a justification for any new access on to it. Scottish Planning Policy indicates that new junctions on trunk roads are not normally acceptable, and that they would only be considered if they are designed in accordance with the Design Manual for Roads and Bridges and where there would be no adverse impact on road safety or operational performance. At the site, while visibility along the A830 is good, the trunk road has a climbing lane (making it a 3 lane road), and it is within the 60 miles per hour speed limit, some distance away from the 30 miles per hour speed limit. Given these factors, I agree with the Scottish Government that there would likely be a significant adverse impact on road safety and operational performance if access was to be allowed direct from the allocation on to the A830. This adverse impact would be compounded if a further site access was formed on the A830 to serve MA05.

21. The Scottish Government indicates that the site could be accessed from the B8008 (through MA05). The planning authority suggests that the Developer Requirements be amended to prevent access from MA06 (and MA05) to the A830. For the above reasons, I believe that direct access on to the A830 would be inappropriate, and that the Developer Requirements should be changed to prevent such access. This would mean that access would have to be taken from the B8008 through MA05. I note that the Developer Requirements already recognise the possibility of taking access to the site from MA05. I have also concluded in relation to MA05 above that access to it from the B8008 would be acceptable. In the circumstances, I am satisfied that the revised access arrangements now proposed to access the site from the B8008 through MA05 would be reasonable.

22. Overall, an adjustment is required to the proposed Plan, as set out below.

Reporter's recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Mallaig section of the Lochaber Settlements, page 62, adjust the Mallaig Map by omitting from the Green Network designation the dark green hatched area shown on the plan attached to the planning authority's response to Further Information Request 03 (titled: Mallaig: Area to be removed from the Green Network proposed by Highland Council).

MA02: North and West of Reservoir

2. Under the Mallaig section of the Lochaber Settlements, page 63, adjust the 6th clause of the

Developer Requirements so that it reads as follows:

“...Improved site road access, active travel connections within the site and towards schools, the settlement centre, and the countryside;...”

MA05: South of Glasnacardoch

3. Under the Mallaig section of the Lochaber Settlements, page 64, adjust the 5th clause of the Developer Requirements so that it reads as follows:

“...No new access onto the A830 trunk road, safeguard road access through to site MA06, and maintain and enhance active travel connections to the settlement centre and to the countryside, particularly along the track/path on the northern boundary and the path on the western boundary;...”

MA06: East of Garage

4. Under the Mallaig section of the Lochaber Settlements, pages 64-65, adjust the 5th and 6th clauses of the Developer Requirements so that they read as follows:

“...No new access onto the A830 trunk road, safeguard road access through to site MA06 and maintain and enhance active travel connections to the settlement centre;...”

Issue 10	NORTH BALLACHULISH, GLENACHULISH & SOUTH BALLACHULISH	
Development plan reference:	North Ballachulish, Glenachulish & South Ballachulish Settlement Chapter, Pages 66 - 74	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ballchulish Community Company (930563) Charles Chisholm (967723) Cyril Bonnett (1029661) Gordon MacIntyre (992482) Hilda Bransby (1101085) John Roy (1099967) Linden Limited and Morrison Construction Ltd (1165807) Marjorie Thornton (1102013) Mountaineering Scotland (964649) Nigel Wombell (1102843) Paul McFtridge (994169) RSPB (1104965) Scottish Natural Heritage (909933)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Charles Chisholm (967723) - Believes site BH02 fits the settlement's Placemaking Priorities, the Plan's Vision and delivery of its outcomes. Also believes it will help meet Lochaber's Housing Land Requirement. Submits composite justification paper [RD16].</p> <p>Cyril Bonnett (1029661) - Suggests an additional development area between the end of Maccoll Terrace to the new housing association houses in West Laroch.</p> <p>Gordon MacIntyre (992482) - Seeks stronger presumption against non crofting related development on croft land. In particular wants in-bye croft land removed from Ballachulish SDA. Suggests that Glenachulish should be considered jointly with South Ballachulish not North Ballachulish. Believes North Ballachulish should be considered jointly with the rest of Nether Lochaber.</p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>RSPB (1104965) - Believes that important natural heritage designations should be given specific reference within the Plan because they should be taken into account when considering development proposals and because SPP Paragraph 196 requires such reference.</p>		

West Laroach (BH02)

Ballchulish Community Company (930563) - Objects to any development on this land because of the lack of appropriate discussion and consensus from the community.

Charles Chisholm (967723) - Conditionally supports the site BH02 as it will contribute towards the effective housing land supply required by SPP. Requests higher indicative site capacity and clarified arrangements for open space provision. In line with SPP, the indicative capacity of the site should be increased to make more efficient use of the land. The adjoining area of housing between Croft Road and West Laroach to the west provides a suitable reference point for assessing potential capacity. That area, including allowance for road access and the area of open space at its western extremity, comprises approximately 1.2ha/2.96 acres. There are 26 houses, which equates to approximately 8.78 houses to the acre or 0.11 acre per house. The developable area of BH02, excluding that portion identified in the Flood Risk Assessment as being at risk of flooding, is approximately 0.8 ha/2.08 acres. Taking the density of adjoining development as a reference point, this would translate into approximately 19 houses. As long as there is at least 6m between the boundary of gardens and the top of the river bank there is no reason why parts of the garden area of some houses cannot be within the flood risk area. SEPA has stated that it would not object to this as long as boundaries are permeable to allow water flow and consideration would be given at application stage on the possible removal of permitted development rights. Taking account of the density of adjoining development and the scope for parts of garden areas to be allowed within the flood risk area, it is proposed that the indicative capacity be raised to 20 units. Raising the indicative capacity will increase the contribution towards meeting the overall Lochaber housing land requirement. This would also raise the number of affordable housing requirement from 4 units to 5. It is understood that the Highlands Small Communities Housing Trust/Lochaber Housing Association are keen to look more closely at the site. The Ballachulish Community Action Plan 2016-2021 has a 2025 Vision which includes affordable housing and a good mix of tenure and type of housing. Theme 5 of the Action Plan has development of affordable housing as a priority. Respondent offers to the community a significant area of land for open space outwith site BH02 as defined on map supplied by respondent [RD17]. However, respondent wants the Plan to clarify that the development of the site is not dependent on the community's acceptance or otherwise of this offer.

Comments on other developer requirements as follows: the riparian woodland will be within the area given to community and therefore its retention and enhancement should be a matter for the community or the trees secured via a Tree Preservation Order; the developer should also not be required to carry out further landscaping outwith BH02; it is unreasonable for the developer to have to make on and off site provision of open space especially since there are adequate alternatives close by; site BH02 is not informal open space and therefore its loss does not need to be compensated for whereas the land being offered to the community is informal open space; the Plan does not show or take account of the full extent of the land offered as a gift to the community; and, the totality of the developer contributions should not make the site unviable.

Requests amendment to Proposed Action Programme in relation to the Ballachulish South Community Park to clarify the linkage between the development of BH02 and transfer of land to the community at nil cost, and to remove the requirement for developer contributions over and above the gift of the land. Queries Revised Environmental Report's Table of Sites with Significant Effects on p38 that indicates BH02 has significant positive effects before and after mitigation. The entry against 10a shows a single -ve under positive effects, it is assumed this should be a single +ve? Also questions: whether there will be a minor loss of non-designated interests; the statement that the site is identified as open space in the current local plan and

forms part of a wildlife and connectivity corridor because only part of BH02 is allocated as open space in the current local plan and the river corridor will remain intact and maintain connectivity; and, whether the overhead line is a constraint that can't be mitigated.

Hilda Bransby (1101085) - Objects: to loss of cherished and historic green space in the middle of the village which contributes greatly to the character of the village and the wellbeing of its residents; to impairment of sustainable walking options; because there are alternative, and, more suitable development sites in the Plan and suggested by the community council. If the principle of development is accepted then there must be some corresponding gain for residents to offset this. What is needed is affordable housing in Ballachulish. The development, if it is to take place, must be required to include significantly more than just the minimum 25% affordable housing and the rest of the development must only comprise small homes suitable for the mid-range demand of local families living and working in the area. There is no demand and no desire for the village to be dominated by large, higher-cost houses and second-homes. All the houses should be small and low profile and built in a consistent style and pattern to minimise the negative visual influence, thus maintaining the characteristics of this National Scenic Area. The community should be consulted with further details of the development when this is known - housing types, numbers, style etc. before it is at planning application stage.

John Roy (1099967) - Objects because: site is a cherished green space, and should remain so; the land to be donated to the community is prone to flooding and would be onerous for the community to maintain; and, the green spaces in Ballachulish contribute immensely to its desirability as a tourist destination.

Marjorie Thornton (1102013) - Objects to any housing being built on this site because: it should be classed as an amenity area for the benefit of the community of Ballachulish as it has always historically been used for this purpose; its subject to flood risk which will only increase with climate change; of loss of wildlife habitat; and, of loss of road safety whichever route is taken, be it via Croft Road or West Laroach.

Nigel Wombell (1102843) - Objects because of additional traffic on West Laroach road which has capacity issues (the bridge over the River Laroach is a narrow single lane and there is a blind/tight bend at the end of West Laroach road. Also concerned about the size and type of houses being proposed because they will not be suitable for the needs of the local community.

West of A82/A828 Junction (BH03)

Linden Limited and Morrison Construction Ltd (1165807) - Comments on behalf of the landowners of the site, Linden Ltd and Morrison Construction Ltd (Linden Homes Strategic Land is part of Galliford Try plc as is Morrison Construction Ltd). Supports this allocation and neighbouring allocations because: there is market demand for housing at this location; the land is central to network of Loch Leven communities; the land is accessible to the national trunk road network and prime long-distance visitor routes; development here could contribute to the Plan's housing and economic development priorities; together the sites are a viable development opportunity; and, the Plan's developer requirements can be met via the owners' commitment to undertake masterplanning and community consultation.

Paul McFatrige (994169) - Objects because: this land was excluded from the adopted version of the adopted WHILP by the Reporter on grounds of adverse visual and landscape, and excessive scale; the sites are too large to be allocated and would therefore totally transform and destroy the existing settlements; land is physically separate from any existing settlement; it would be impossible to control what was developed on the sites (because of national rather than local leadership and control); the sites would be handed over to national building

companies who would then destroy the sites because they have no interest in the local area or its economy and are only interested in maximizing the value of the sites; these companies would bring in their own workforce from the central belt with no local benefit; there is no local requirement for a hotel with tourism demand low; any national hotel chain proposal would put existing smaller hotels and B&B's at risk; there is no shortage of hotel jobs available locally and there is indeed a shortage of local workers; the sites are very sensitive and scenic; of the adverse visual impact of development on the views of the Pap of Glencoe; adverse impact on the designated NSA; this would be development between a trunk road and views over the loch; the land is unsuitable for affordable housing with no amenities (shops, schools, employment) within walking distance; Transport Scotland are likely to object because of an adverse impact on the trunk road network; there is no safe route to St Brides School in North Ballachulish and it is too close to allow free public transport to it; of the loss of agriculturally productive land; and, there are better sites (closer to facilities and outwith the NSA) owned by Lochaber Housing Association that should be developed.

Scottish Natural Heritage (909933) - Conditionally supports site but seeks a change to developer requirements to be clear that building heights should not exceed 1½ storeys to ensure that development is of an appropriate scale and height, which should help avoid adverse impacts on the special qualities of the NSA.

North of A82/A828 Junction (BH04)

Linden Limited and Morrison Construction Ltd (1165807) - Supports allocation for same reasons stated for site BH03. In circumstances where the open character of land BH04 contributes to the setting for development, its potential for related uses (whether business/tourism or community based) including possibly a strategic viewpoint, is acknowledged. Respondent supplies Landscape Statement [RD18] which endorses the need to set back development from the A82/A828 and enable views into and through the site.

Paul McFatrige (994169) - Objects to the allocation for the same reasons stated for site BH03.

Scottish Natural Heritage (909933) - Conditionally supports site but seeks a change to developer requirements to address that this allocation is in a particularly sensitive and prominent location within the Ben Nevis & Glen Coe NSA. Amending the text would clarify that only small scale development that does not adversely impact on views is suitable for this location would ensure that development is of an appropriate scale, density and height. This should help avoid adverse impacts on the special qualities of the NSA.

East of A82/A828 Junction (BH05)

Linden Limited and Morrison Construction Ltd (1165807) - Supports allocation for same reasons stated for site BH03. The land has a unique competitive advantage because of its location and outlook and this can reinforce and expand the local tourism economy and help meet the economic objectives of the Plan.

Paul McFatrige (994169) - Objects to the allocation for the same reasons stated for site BH03.

Scottish Natural Heritage (909933) - Conditionally supports site but seeks a change to developer requirements to address that this allocation is in a particularly sensitive and highly visible location, close to the shore within the Ben Nevis & Glen Coe NSA. The site is central to key views around Loch Leven. Development in this location would detract from these key views, in particular when looking from the east to the west (such as from Glencoe peninsula) where development would form a central focus as the loch narrows at the Ballachulish bridge. It would

also be prominent when looking down from the Ballachulish bridge into Loch Leven, and when seen from across the wider surrounding area, including from roads, settlements and by people on the loch (e.g. on boat trips). Amending the text to identify that views of the development from the wider area need particular consideration at the siting and design stage would ensure that development is sympathetically sited and designed from the outset. This should help avoid adverse impacts on the special qualities of the NSA.

Modifications sought by those submitting representations:

Placemaking Priorities

Charles Chisholm (967723) - No modifications sought.

Cyril Bonnett (1029661) - Inclusion for development of land between the end of Maccoll Terrace to the new housing association houses in West Laroch (assumed).

Gordon MacIntyre (992482) - Additional Placemaking Priority to say that planning applications for any development on agricultural and crofting land (other than a croft house and or byre) would normally be refused. Removal of North Ballachulish crofting land from the SDA. Plan format amended so that Glenachulish is associated with South not North Ballachulish and that the whole of Nether Lochaber is considered not just North Ballachulish.

Mountaineering Scotland (964649) - No modifications sought (assumed).

RSPB (1104965) - Insert after “the Ben Nevis and Glen Coe National Scenic Area” in the first placemaking priority, the “Glen Etive and Glen Fyne Special Protection Area and Onich to North Ballachulish Woods Special Area of Conservation”.

West Laroch (BH02)

Ballchulish Community Company (930563), Nigel Wombell (1102843) - Deletion of allocation (assumed).

Charles Chisholm (967723) - Increase in indicative site capacity to 20 units, change in extent of cherished open space shown on the Proposals Map, amended developer requirements relating to open space to clarify that the developer will not fund the laying out and maintenance of off-site public open space provision, and associated amendments to the Proposed Action Programme and the Revised Environmental Report to justify and explain these modifications.

Hilda Bransby (1101085) - Deletion of allocation and replacement with cherished greenspace notation. Failing this then a housing development with a high percentage of affordable units and small units for working, local families. Developer requirement to prevent higher-cost houses and second-homes. Also requirement for all houses to be single storey. (All assumed).

John Roy (1099967), Marjorie Thornton (1102013) - Deletion of allocation and replacement with cherished greenspace notation (assumed).

West of A82/A828 Junction (BH03)

Linden Limited and Morrison Construction Ltd (1165807) - No modifications sought.

Paul McFatrige (994169) - Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage (909933) - Developer Requirements wording to be amended to read: "...form of up to one and a half storey in height, ..."

North of A82/A828 Junction (BH04)

Linden Limited and Morrison Construction Ltd (1165807) - No modifications sought.

Paul McFatrige (994169) - Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage (909933) - Text added to the existing Developer Requirements "High quality of siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe NSA" to state:

" - development requires to be small in scale and number, so that it does not block views from the A82/A828 over Loch Leven and the surrounding scenery of the NSA, or impact on key views from around Loch Leven (such as from the Ballachulish bridge and the wider surrounding area, including roads, settlements and by people on the loch e.g. on boat trips)"

East of A82/A828 Junction (BH05)

Linden Limited and Morrison Construction Ltd (1165807) - No modifications sought.

Paul McFatrige (994169) - Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage(909933) - Text below to be added to the Developer Requirements after the existing "...benefit from an exceptional outlook over Loch Leven" text:

"..., the location and design must also consider key views of the development from the loch and surrounding area to ensure that the development does not become a focal point or otherwise detract from the special qualities of the NSA, ..."

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Charles Chisholm (967723) - Support noted – no modifications sought.

Cyril Bonnett (1029661) - The land between the end of Maccoll Terrace and West Laroch was considered through the Additional Sites Consultation [CD04], after being suggested by Ballachulish Community Council and others as a suitable alternative housing site to others allocated in Ballachulish. Part of the justification was that a new access road through the site would have provided a safer road access to the primary school and land for it to be revamped. The Additional Sites Consultation prompted responses for this site that expressed concern about increased traffic in the village, overshadowing from the hillside, a history of landslides on the hillside, and the risk of increased runoff causing flooding. This site suggestion was reported to the 18 January 2017 Lochaber Committee [CD41] and the site was not recommended to be allocated for development because: that with the exception of the southern small area of croft land, the majority of this land falls within the Glen Etive and Glen Fyne Special Protection Area (SPA) which is designated for ornithology interests; RSPB advised that the loss of this habitat is likely to have significant adverse effects on the qualifying interests of this designation (Golden Eagle); SNH advised that the loss of habitat would likely have a significant effect requiring

further assessment; a replacement school is not anticipated to be forthcoming within the lifetime of the Plan; the suggested site road access point is unsuitable with a 6m pinch point between gardens via West Laroach; the site has a steep gradient for new access road and works may result in loss of trees; and, the length and extent of road access works, site enabling works and watercourse crossings make this site unlikely to be viable for development. The Committee decided to undertake a site visit on 6 February 2017 to consider the suitability of the northern part of this site for development, as well as allocation BH02. The site visit was attended by all Ward 22 Committee Members and it was determined at the subsequent 6 February 2017 Lochaber Wards Business Meeting [CD42] to exclude the proposed allocation from the Proposed Plan due to the restricted access from MacColl Terrace, the difficult access from the rear of Leven Terrace and the challenging site conditions/topography. Members did however agree that the SDA boundary should remain unaltered and includes the northern area of the suggested site. In summary, the Council has fully considered the suitability of this land for allocation and have concluded that an allocation for development would not be inappropriate. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Gordon MacIntyre (992482) - The Council's general policy on development on croft land is set out at HwLDP Policy 47 Safeguarding In-bye/AppORTioned Croftland. This sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. In addition, HwLDP Policy 28 Sustainable Design and SPP look to offer a greater protection for Prime Agricultural Land, Class 3.1 or above – none of which is apparent across this area of Highland. The planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. An additional layer of local policy protection for important, good quality agricultural land is not considered to be required, especially given the local context, in an area where there are very few sites suitable for development. The extent of SDA boundaries, including the North Ballachulish SDA, are intended to reflect an envelope of established settlement where additional development may be supported, subject to addressing other development constraints, such as croft land which is assessed against HwLDP Policy 47. The SDA is drawn to allow some expansion without compromising the existing settlement pattern. This expansion is to be of a similar density and character to that adjoining and would therefore in North Ballachulish be of limited scale. Accordingly, the Council does not consider it necessary to amend the North Ballachulish SDA and the Plan should remain unaltered in respect of this issue.

In terms of the Plan's grouping of Loch Leven settlements, the Council has given more priority to physical proximity and land use connections than historic parish and community council affiliations. Highland's community council, school catchment, housing market area, healthcare, parliamentary and council ward boundaries don't align with each other and are subject to change. In any event, the Plan's grouping of settlements is not a matter of policy and doesn't affect the status of any given settlement in the hierarchy. North Ballachulish has been identified as a Main Settlement because it accommodates several community and commercial facilities including a primary school, Loch Leven's waste water treatment plant and an industrial estate. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular

issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

RSPB (1104965) - The Plan is written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the listing of every natural heritage designation would be disproportionate. Particular reference is given to the Ben Nevis and Glen Coe National Scenic Area, given its' sensitivity to built development, even within SDAs. However, the suggested additional reference is relatively short and relevant and so if the Reporter is so minded then the Council would accept the inclusion of the requested additional text.

West Laroach (BH02)

Ballchulish Community Company (930563), Hilda Bransby (1101085), John Roy (1099967), Marjorie Thornton (1102013) and Nigel Wombell (1102843) - This site is defined in the adopted WHILP as open space to the north and housing, allocation for 6 units across 0.3ha to the south. The Plan looks to increase the extent of this allocation to 1.2ha into land depicted as open space in the adopted WHILP. This is one of very few housing sites allocated in the Plan proposed within the four main settlements surrounding Loch Leven. Collectively, the Plan only makes provision for 60 homes across: North Ballachulish (0), Glenachulish (20), South Ballachulish (20), and Glencoe (20). Whilst there is demand for housing in this wider area, opportunities for development and suitable sites are scarce with the prospect of growth being heavily constraint by natural heritage designations, limited service infrastructure, drainage and flood risks, as well as topography. Flatter well drained areas of land are almost all under crofting tenure if not practice. Moreover many adopted WHILP sites have not come forward due to land ownership, crofting and high up-front site preparation and servicing costs. In order to maximise sustainability and minimise landscape and visual impacts, the Council's strategy has been to seek to allocate land close to the centre of each main village. Perhaps most importantly, the Council has had to better ensure that the new Plan allocations are effective and viable including at least an indication that the landowner/crofter will release the land for development. Allocation BH02, has the potential to delivery around 15 homes and in lieu of on-site open space provision, the landowner is intending to gift a considerable area of land [RD17] to the community. Whilst 15 units may not appear significant, deliverable housing sites in this area are few and far between and this area of ground is not subject to any crofting constraints. The Council's response to each of the principal grounds of objection follows.

Open Space Loss

The allocation extends to 1.2ha. The northern area of the site, circa 0.4ha is subject to flood risk and therefore the net developable area is circa 0.8ha, of which, 0.3ha is already allocated for housing development. As such, the proposal represents a loss of 0.5ha of land defined as open space within the adopted WHILP. The land itself has been used for grazing and does not have worn pathway across it. That said, this land does contribute towards local visual amenity and character and is adjacent to if not part of the green corridor along the River Laroach and its margins. Regardless of its status, should the community wish, the landowner is prepared to gift adjoining land of equivalent or higher quantity and quality as green space. As such, this relatively minor loss of open space is considered to be justifiable in this context and should not preclude the site from being developed.

Community Consensus

Whilst consensus from the local community may not have been reached, the initial proposals

were presented to the local community council by the landowner's agent and the site has been consulted upon through the various stages of the Plan process. The 18 January 2017 Lochaber Committee decided to undertake a site visit on 6 February 2017 to consider the suitability of this site for inclusion in the Proposed Plan. The site visit was attended by all Ward 22 Committee Members and it was determined at the subsequent 6 February 2017 Lochaber Wards Business Meeting to allocate the site for housing [CD42]. Given that the development will be of a local scale, there are no provisions within the Act to insist that a developer consult the local community in advance of submitting a planning application.

Alternative Sites

The suggestion that there are better sites for development is not accepted. A number of development sites were considered through the MIR and Additional Sites Consultation and only the most viable and effective sites which in the round, result in the least environmental impacts have been allocated in the Proposed Plan.

Flood Risk

A flood risk assessment has been undertaken and was submitted at the MIR stage to demonstrate that the majority of the site is free of unacceptable risk for the housing use proposed.

Wildlife

The developer requirements for the site include the requirement for Protected Species Survey to be undertaken.

Access/Traffic

Concerns relating to road safety and traffic are addressed through the developer requirement to prepare and submit a Transport Statement (including details of the most suitable site access point achieving appropriate junction sight-lines, active travel connections linking with the riverside open space and contribution to safer routes to school).

House Types

Concerns related to the house sizes and types not being suitable for the needs of the local community are unfounded. At least 25% of homes are to be affordable and the developer requirements specify that these affordable homes must be delivered on site due to the lack of alternative sites in the locality. Whilst a higher proportion of affordable housing could be developed on site, the HwLDP Policy 32 requires a minimum of 25% and this requirement will be met. Insisting on a higher percentage may render the development site unviable. There are no other allocations across Highland which require a higher percentage with a minimum of 25% being in line with SPP. High quality siting and design is also specified as a developer requirement to avoid impacts on the NSA. This, together with the developer requirement for a privacy/amenity setback from existing houses should be sufficient to inform suitable house sizes for this site without specifying a precise storey limit.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Charles Chisholm (967723) - The landowner's agent has suggested that based on a net developable area of 0.8ha. and the neighbouring settlement pattern that the site may be

capable of delivering up to 20 homes. Whilst the Council are supportive of the efficient use of land and ensuring development viability, the suggested increased indicative capacity is also based on permitting certain property gardens to fall within the 6m setback required from the top of the river bank and the removal of permitted development rights. Such a suggestion may be agreeable in principle to SEPA, however, the removal of permitted development rights would be challenging for the Council to monitor, placing an unnecessary burden on the Council to enforce and could result in future flooding issues if, for example, close boarded fences are introduced. In addition, in calculating a suitable indicative site capacity, an allowance requires to be made for achieving a suitable privacy/ amenity setback from existing neighbouring houses, setback to allow for mature tree root protection/site landscaping, new footpaths and active travel connections, SuDS, as well as on-site open space provision in the event that agreement with the Council/community cannot be reached in relation to the transfer of land and associated open space enhancements. Without sight of an indicative site layout plan, the Council are uncomfortable with agreeing to the suggested increased site capacity. The Council's indicative housing capacity for this site has been calculated based on developing around 80% of the 1.2ha site at 15 units per ha which is considered to be a realistic estimate and reflective of the larger rural settlement densities applied across other housing allocations in the Plan. In terms of open space provision and the area which could be gifted to the community, the entirety of this area is not shown on the settlement map because this map is only intended to show development sites and areas to be protected from development not land transfers that may occur in connection with a development site. In the event that the community does not accept the gift of the land then the Council agrees that this should not preclude the site from being developed. Therefore, if the Reporter is so minded then the open space developer requirement should be reworded as follows:

“Compensate for loss of existing ~~informal~~ open space through off-site open space provision. This will require land in the same ownership to the north of the site and alongside the River Laroch to be transferred to the community at nil cost. Alternatively, in the event that the community do not wish to take ownership of the land to be gifted, open space is required to be provided and maintained either on or off-site. In addition, as well as physical off-site works or financial developer contribution towards undertaking public access improvements/play space provision/riverside parkland habitat improvements.” ~~On the above basis, on-site open space provision will not be required.”~~

In respect of the requirement for the landscaping scheme that protects and enhances the trees and woodland surrounding the site boundary and enhances the green network, this is considered to be reasonable given that this land is within the landowner's control and would form a suitable and attractive boundary treatment. It is not envisaged that the off-site landscaping works would be extensive but should cover replacement planting/ condition improvements to neighbouring site boundary trees which are helping to screen the development and limit wider landscape and visual impacts within the NSA. With regard to the reference in the developer requirements to “compensate for loss of existing informal open space”, with the exception of the removal of the word “informal” the reference to open space is not proposed to be altered. The land in question contributes towards the local visual amenity and character of the area and is in direct connectivity with a green corridor comprising woodland to the north, and trees and the River Laroch to the east. It should therefore remain referred to as “open space” in the Plan and the associated Revised Environmental Report. The suggestion that the Plan does not take full account of the area to be transferred to the community is not accepted. The flood risk assessment makes clear that the area to be gifted is subject to flood risk and therefore has limited development potential. It is considered that there will be ongoing maintenance liabilities associated with this land and without an active community taking it forward, it may not be effectively managed. In this respect, it is considered entirely appropriate to require an element of enabling physical works or developer contributions to instigate the formation of a “community park”. When considering and negotiating the extent of physical works

or proportionate financial contributions, the adequacy of open space in the surrounding area will be considered alongside any known community aspirations for this area. Other developer contributions to enable this development site are expected to be limited (for example there are no education contributions anticipated to be required) and there are no foreseeable abnormal site enabling costs. Therefore, this requirement is not considered to be unreasonable and should not significantly adversely impact upon development viability.

With regard to the Proposed Action Programme, in the event that the community does not accept the gift of the land, this should not preclude the site from being developed and if the Reporter is so minded then the wording for the “Ballachulish South Community Park” could be revised in line with the suggested revised open space developer requirements wording outlined above.

With respect to the wording of the Revised Environmental Report, the Council are content that no amendments are required to:

p38 (entry 10a) In respect of this site, a minor negative score is justified given the potential impact on the quality and/or quantity of existing open space, especially if the village park element of the proposal does not come to fruition.

p626 5c. A minor negative pre-mitigation score is justified given that the site borders native woodland to the north and whilst this area is subject to flood risk, it could still be used for SuDS, the earthworks for which could impact upon tree root protection areas.

p627 5f. A minor negative pre-mitigation score is justified on the basis that the site provides connectivity between the river and the wider areas of open space/grassland habitat to the west. Development of the site is therefore likely to result in some fragmentation of this corridor. The fact that part of the site is already allocated, does not alter this position and it is justified that an element of compensatory habitat enhancement on land to be transferred to the community is provided.

p629 9a. A minor negative pre-mitigation score is justified to reflect the existence of the overhead line and that this requires to be addressed when considering the site’s layout and design.

p630 9d & p631 10a. References to the loss of open space and the requirement for contributions to enhance the land to be gifted to the community is justified as explained previously.

Accordingly, with the exception of minor wording amendments to the developer requirements text relating to open space provision (and the associated Action Programme text), the Council believes the Plan’s content should remain unaltered in respect of this issue.

West of A82/A828 Junction (BH03)

Linden Limited and Morrison Construction Ltd (1165807) - Support noted - No modifications sought.

Paul McFtridge (994169) - The Council carefully considered the previous Reporter’s conclusions but taking account of the evidence available to him and the circumstances prevalent at that time. That consideration led to discussions with Scottish Natural Heritage (SNH) as to how the scale, location and layout of development at Glenachulish can be controlled to mitigate any adverse visual and landscape impact. SNH’s current, expressed, conditional support for the allocations demonstrates that an acceptable way forward exists. The extent of the current Plan proposals for built development are now limited. Site allocations BH03 and collectively extend to only 4.4ha, with no scope for significant built development being identified for the intervening allocation BH04. Collectively, these sites look to deliver 20 homes and limited business/tourism and community uses. The extent of built development proposed is

therefore limited to approximately one third of the land previously allocated. In addition, the scale of development has been reduced to circa 20% of the number of homes previously proposed with limited areas identified for business/ tourism development. As such, the scale of the proposals is now commensurate with the size of Glenachulish, are sensitive to the site's location in the NSA and given the relative prominence of this site in views from the trunk road, the north side of Loch Leven and Ballachulish Bridge, areas of built development have been carefully considered and devised in consultation with SNH. Therefore, limited weight should be attributed to the previous Reporter's findings when assessing the appropriateness of site allocations BH03, BH04 and BH05.

The following responses are given to the other grounds of objection.

Extent of Land for Development

This allocation forms a natural extension of the housing areas immediately to the west, is not considered excessive and reflects the scale of future growth envisaged for Glenachulish. The site is allocated with an indicative housing capacity of 20 homes. Therefore, the objector's supposition that 'hundreds of houses' would be developed is erroneous.

Lack Development Control/National Builder

The developer requirements for the site are specific and it is not accepted that these are in anyway vague or would be insufficient to regulate development across this site. It is not considered appropriate to only allocate land which is under local/housing association ownership. Similarly it is not appropriate to dictate who the future developer of a site may be or the origin of the construction workforce.

Lack of Need for a Hotel

Whilst site BH03 is allocated for housing only, the adjacent site BH05 is being allocated for business/tourism use, which could include a hotel use given its advantageous setting and outlook for such a use. Existing hotel businesses do not receive preferential planning support unless they are situated within a defined Town Centre and only then in terms of collective support for that centre not an individual business. Tourist visitor numbers to Highland are increasing. From 2009 to 2016 Highland Council has experienced an increase of 16.6% [CD43 Page 24]. More recently reported visitor attraction numbers for 2017 were also up 8.4% from 2016 [CD44 Page 5]. Visit Scotland have also identified particular gaps in accommodation around "honey pot" locations including Fort William which is only 14 miles/circa 20 mins drive from Glenachulish [CD45 Para 2.49-2.58]. This report explains that these gaps include hotels/country house hotels and high quality self catering developments. Para 2.51 sets out that where possible, proposals for new accommodation should form part of a wider mixed use development, maximising the opportunity for enabling development to cross fund the tourism project. Paras 2.57-2.58 also explain that influencing factors for new resorts to attract investment include the high quality scenic value of the area, as well as the relative ease of access to transport infrastructure. Sites near NSAs are considered possible locations subject to further stakeholder involvement, especially with SNH, prior to considering allocations in the local development plan. It is noteworthy that SNH conditionally support this allocation.

Lack of Local Services/Amenities

It is accepted that there are limited services which are within easy walking distance of this site and that children arising from this development will require a bus service to access Ballachulish Primary and Kinlochleven High. This is the case for all school children in Glenachulish and no

children would be required to cross the bridge. Given that the site is however located circa 3km from the catchment primary school and circa 15km from the secondary school, the developer requirements for the site include a Transport Statement which requires the developer to investigate the possibility of bus stop provision and an A828 trunk road crossing. The site's developer requirements also require active travel connections to local facilities within Glenachulish and there is an existing core path along the A82 which links to the south of the village towards the golf course and if you remain on the A82, there is a footpath which leads towards the bridge and provides a route down towards the Ballachulish Hotel and other local businesses. It is also hoped that over time, other employment opportunities will emerge as part of the business/tourism allocation at BH05.

Road Access

No objections to the site allocation have been raised either by Transport Scotland or the Council's Transport Planning Team and the developer requirements for the site highlight the need for a Transport Statement, including an improved site access onto the A828 trunk road.

Loss of Agricultural Land

HwLDP Policy 28 Sustainable Design and SPP look to offer a greater protection for Prime Agricultural Land, Class 3.1 or above but none of this exists across the Plan area. The planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture.

Better Alternative Sites

As part of the Plan making process, a number of alternative sites were considered in neighbouring villages for development, however, only the most suitable sites for development remain allocated in the proposed Plan. For clarification, all of the objector's suggested alternative villages (Onich, North Ballachulish, South Ballachulish and Glencoe) fall within the Ben Nevis and Glencoe NSA.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Scottish Natural Heritage (909933) - If the Reporter is so minded then the Council would support the suggested rewording of the developer requirements as per SNH's representation as follows: "To avoid adverse effects, development to reflect a traditional form of *up to one and a half storey in height* and typically one and a half storey in height".

North of A82/A828 Junction (BH04)

Linden Limited and Morrison Construction Ltd (1165807) - Support noted - No modifications sought.

Paul McFtridge (994169) - Please refer to Council's response provided for site BH03 which is also applicable for site BH04.

Scottish Natural Heritage (909933) - If the Reporter is so minded then the Council would support the suggested rewording of the developer requirements as per SNH's representation as follows: after "High quality siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe NSA; *development requires to be small in scale and number*". The Council does not however consider that it is appropriate to include the remaining

SNH suggested developer requirements wording given that this level of detail can be agreed through the proposed developer requirements to “prepare a non-statutory development brief to be agreed by the Council and prepared in consultation with SNH” and through the provision of a “Landscape and Visual Impact Assessment with key views and receptors to be agreed with the Council and SNH before an assessment is carried out”.

East of A82/A828 Junction (BH05)

Linden Limited and Morrison Construction Ltd (1165807) - Support noted - No modifications sought.

Paul McFatrige (994169) - Please refer to Council’s response provided for site BH03 which is also applicable for site BH05.

Scottish Natural Heritage(909933) - The Council does not consider that SNH’s additional developer requirements text is appropriate or required. The Council considers that the proposed developer requirements to “prepare a non-statutory development brief to be agreed by the Council and prepared in consultation with SNH” and through the provision of a “Landscape and Visual Impact Assessment with key views and receptors to be agreed with the Council and SNH before an assessment is carried out” provides sufficient opportunity to consider this degree of site detail. The Council also consider that the presence of an attractive, well designed, high quality building in this location as a focal point, could be a beneficial addition to the landscape, rather than detract from it.

Reporter’s conclusions:

Placemaking Priorities

Charles Chisholm (967723), Cyril Bonnett (1029661), Gordon MacIntyre (992482), Mountaineering Scotland (964649), RSPB (1104965)

1. I observed during my site inspection that vehicular access to the site suggested by Cyril Bonnet is restricted, particularly along Leven Terrace to the rear of properties on West Laroach. At this location, a single lane road serves properties on both sides with no provision for on street parking. I also noted the steep gradient of the site which does not lend itself well to accommodating residential development. In light of the site’s poor vehicular access and its difficult topography, I am not recommending any changes to the proposed plan in respect of this site.
2. The council’s policy on safeguarding inbye/ apportioned croft land is set out in policy 47 of the Highland-wide Local Development Plan (CD12) with the aim of minimising the loss of inbye/ apportioned croft land. In this context, whilst I acknowledge concerns about the loss of crofting land within the Ballachulish settlement development area (SDA), I am also mindful that there is a balance to be struck, identifying sites for housing that are in sustainable locations, close to amenities, which are the least constrained, physically, and hence represent viable development site options. I therefore do not accept that in-bye croft land should be removed from the Ballachulish SDA or that a stronger presumption against non-crofting related development on croft land should be made. I am also satisfied that the third bullet point under Placemaking Priorities, which seeks to minimise the loss of in-bye croft land, is clear in its objective and that a further placemaking priority on in-bye croft land is not necessary or appropriate.
3. The settlements around Loch Leven have been grouped largely according to physical proximity to one another and due to land use connections. Whilst I appreciate the logic of this

approach, I am also mindful that this has no policy implications nor does it affect the status of respective settlements. I am therefore not recommending any change to the proposed plan in respect of the grouping of settlements.

4. Mountaineering Scotland supports the Placemaking Priorities for North Ballachulish, Glenachulish and South Ballachulish and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for North Ballachulish, Glenachulish and South Ballachulish, based on the representations made.

5. Scottish Planning Policy (SPP) (CD01) (paragraph 196) calls for international, national and locally designated areas and sites to be identified and afforded the appropriate level of protection in development plans. The first Placemaking Priority (page 67) is concerned with safeguarding areas protected or otherwise important for nature conservation or landscape qualities but only makes reference to the Ben Nevis and Glen Coe National Scenic Area. Given the requirements of SPP and also given that the Placemaking Priority makes reference to nature conservation, I consider that it is appropriate to also include reference to the Glen Etive and Glen Fyne Special Protection Area and the Onich to North Ballachulish Woods Special Area of Conservation. I am therefore recommending that these designations are also referenced in this Placemaking Priority.

West Laroach (BH02)

Ballchulish Community Company (930563), Charles Chisholm (967723), Hilda Bransby (1101085), John Roy (1099967), Marjorie Thornton (1102013), Nigel Wombell (1102843)

6. The site is centrally located within the established settlement boundary with housing to the south west and south with further housing immediately to the east of the River Laroach which forms the site's eastern boundary. Given its central location, the site is within comfortable walking distance of existing facilities including the village hall and the primary school thus contributing to sustainable development. I observed during my site inspection that the site is relatively flat, occupying lower lying land associated with the main settlement and that it would be possible to achieve vehicular access to the site via West Laroach to the south. The site is not covered by any statutory natural heritage designations and the site owner supports its allocation for housing. I understand that the majority of the site is free of unacceptable flood risk for its proposed use and that whilst there are concerns about the impact of development of the site for wildlife, there is a requirement for a protected species survey to be undertaken as part of any future development proposal. I am conscious that concerns have been raised about local road conditions and about increased traffic as a result of the development of this site. Given the indicative housing capacity, I am not persuaded that development of the site would result in significant road safety or traffic problems within the settlement. However, I would expect such matters to be addressed in a Transport Statement that would be required to accompany a future planning application for the site.

7. The developer requirements specify that at least 25% of homes on the site are to be affordable and given the lack of alternative sites within the settlement, these are required to be delivered on site. The Highland-wide Local Development Plan (policy 32) requires a minimum of 25% of housing to be affordable and this accords with Scottish Planning Policy in this regard. A higher level of provision may result in this site becoming unviable with the result that housing delivery (including the affordable homes element) is not achieved. I am therefore satisfied that the affordable housing requirement set out in the proposed plan is appropriate.

8. I am aware that several representors have expressed concern about the potential size and

types of housing that might ultimately be delivered on the site. Such detailed matters are for consideration during the planning application stage and not something that I can concern myself with. However, I note that the developer requirements in the proposed plan identify the need for a privacy/amenity setback from existing houses and refer to the need to achieve high quality of siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe National Scenic Area. Such requirements would help alleviate the concerns noted above.

9. Given there is no site layout before me, it is difficult to be precise about the capacity of this site. This is particularly so when one considers the numerous site issues that need to be taken into account. These include but are not limited to securing an appropriate privacy/ amenity setback from existing houses adjacent to the site, achieving necessary setbacks from mature tree roots, SuDS provision, footpaths and active travel connections as well as the potential for on-site open space provision should agreement not be reached with the planning authority and community in relation to land transfer. Given the degree of uncertainty as to what might be achievable on site, I consider that the planning authority's approach to site capacity is appropriate. Whilst I accept that the capacity might change, this is a matter most appropriately addressed at the detailed design stage as part of a planning application process.

10. Whilst the site is currently fenced off, given its central location within the settlement, it provides visual amenity and contributes to the character of the settlement. It is also connected to the green corridor to the north and the River Laroch, immediately to the east. Given this and its current status in the adopted local development plan, I am satisfied that it is identified as open space (in part). I am therefore recommending that the developer requirements are amended to ensure that if the land transfer does not proceed, then alternatively open space is provided either on or off-site.

11. Whilst the offer of land to the north of the site, as a gift to the community, is laudable, I understand that this land has limited development potential due to flood risk and is likely to have maintenance liabilities. I consider that without an effective local community driving things forward, this could result in poor management of this land. I therefore consider that it is not unreasonable, given the above, for the council to seek an element of enabling works or developer contributions in order to progress matters effectively. I am mindful that, in reaching this conclusion, no education contributions are likely to be required for this proposal and that no foreseeable abnormal site enabling costs have been brought to my attention. I therefore consider that this requirement is not unreasonable in the circumstances and should not significantly adversely impact upon development viability.

12. In light of the above, I am satisfied that the site is appropriate for its proposed residential allocation. Whilst I am not recommending any changes in respect of the site's proposed allocation, I am recommending changes in respect of the developer requirements for the site.

West of A82/A828 Junction (BH03)

Linden Limited and Morrison Construction Ltd (1165807), Paul McFatridge (994169), Scottish Natural Heritage (909933)

13. I consider that the proposed allocations for this area (BH03, BH04 and BH05) are sufficiently different from those previously considered by the reporter in respect of the examination of the West Highland and Islands Local Plan (CD14). The extent of built development now proposed is limited to approximately one third of the land previously proposed for allocation and the scale of proposed development has also been reduced. For Site BH03, there is a reduction in the number of houses previously proposed by some 80%. I therefore

consider it appropriate to draw different conclusions for the allocations in this area based on the information before me.

14. The BH03 allocation provides an extension to the housing area immediately to the west. This is the only housing allocation for the settlement during the lifespan of the local development plan and given the settlement's size, I am satisfied that the indicative housing capacity proposed is relatively modest. The proposed scale of development, relative to the size of the site, ensures that there is scope to accommodate development in a sensitive manner and to achieve a site layout that minimises landscape and visual impacts. Concerns have been raised about site ownership and about control over how the site would be developed. The developer requirements apply to the site, irrespective of site ownership. Future developers of the site would be required to accord with these requirements and the planning authority have the necessary powers to refuse planning permission should proposals be insufficient or inappropriate.

15. Whilst there are limited services within easy walking distance of the site, this is typical of the settlement which has a dispersed pattern and few services generally. I note that all children in the settlement require the use of a bus service in order to access the primary school which is at Ballachulish to the east and the high school at Kinlochleven also to the east. That said, I note the developer requirements for the site which require a Transport Statement to consider active travel connections to local facilities, public transport and adjacent development sites. With regards to school children, I note the requirement to explore a potential A828 trunk road crossing and bus stop provision for primary school connection which I consider logical and appropriate.

16. I noted during my site inspection that there is an existing access into the site, along its northern boundary, via the A828. I note the developer requirements require the preparation of a Transport Statement to include improved access onto the A828 trunk road. Given that Transport Scotland and the council's own transport planning team have not raised any objections to the allocation, I am satisfied that appropriate site access can be achieved.

17. Whilst I acknowledge concerns about the loss of land for agriculture, I am also aware that the planning authority in identifying site allocations is required to weigh up various development considerations. Policy 28 of the Highland-wide Local Development Plan and SPP seek to protect prime agricultural land (Class 3.1 or above). However, as the site does not involve the loss of Prime Agricultural Land, I am satisfied that its allocation is appropriate.

18. Whilst I am not recommending the removal of the allocation from the proposed plan, I do accept, given its location, that careful attention is required in order to avoid adverse impacts on the Ben Nevis and Glen Coe NSA. I am recommending a modification to the developer requirements to emphasise that the height of all built development on the site should be up to one and a half storeys in height as opposed to typically being one and a half storeys in height. This modification would make it clear that the building height of one and a half storeys is the upper limit and not something that should be exceeded. I am reassured in reaching my conclusion, given the conditional support of SNH for this allocation.

North of A82/A828 Junction (BH04)

Linden Limited and Morrison Construction Ltd (1165807), Paul McFatrige (994169), Scottish Natural Heritage (909933)

19. I consider that the proposed allocations for this area (BH03, BH04 and BH05) are sufficiently different from those previously considered by the reporter in respect of the

examination of the West Highland and Islands Local Plan (CD14). The extent of built development now proposed is limited to approximately one third of the land previously proposed for allocation and the scale of proposed development has also been reduced.

20. I acknowledge concerns regarding the potential landscape and visual impact of development of the BH04 allocation. However, I am conscious that there is an explicit acknowledgement in the proposed plan that there is no scope for significant built development. Whilst I consider this appropriate, given the site's sensitive and prominent location within the Ben Nevis and Glen Coe NSA, I consider that there is merit in further clarifying that development requires to be small scale and small in number. I therefore agree with the suggestion by SNH in this regard.

21. SNH suggest that further developer requirements could include reference to views from various points in the surrounding area. However, I am satisfied that such detailed matters could be sufficiently addressed through the developer requirements in the proposed plan including in the preparation of a development brief and a landscape and visual impact assessment, both of which would be the subject of dialogue between the planning authority and SNH.

22. Concerns have been raised about site ownership and about control over how the site would be developed. The developer requirements apply to the site, irrespective of site ownership. Future developers of the site would be required to accord with these requirements and the planning authority have the necessary powers to refuse planning permission should proposals be insufficient or inappropriate.

23. Whilst there are limited services within easy walking distance of the site, this is typical of the settlement which has a dispersed pattern and few services generally. That said, I note the developer requirements for the site which include active travel connections to the centre of the settlement, public transport and adjacent development sites, and a potential A828 trunk road crossing which I consider logical and appropriate.

24. I noted during my site inspection that there is an existing access into the site via an access road off the A828. I note the developer requirements include improved access onto the A828 trunk road. Given that Transport Scotland and the council's own transport planning team have not raised any objections to the allocation, I am satisfied that appropriate site access can be achieved.

25. Whilst I acknowledge concerns about the loss of land for agriculture, I am also aware that the planning authority in identifying site allocations is required to weigh up various development considerations. Policy 28 of the Highland-wide Local Development Plan and SPP seek to protect prime agricultural land (Class 3.1 or above). However, as the site does not involve the loss of Prime Agricultural Land, I am satisfied that its allocation is appropriate.

26. Whilst I am not recommending the removal of the allocation from the proposed plan, I am recommending a modification to the developer requirements to emphasis that any future development of the site requires to be of a small scale and number. I am reassured in reaching my conclusion, given the conditional support of SNH for this allocation.

East of A82/A828 Junction (BH05)

Linden Limited and Morrison Construction Ltd (1165807), Paul McFatridge (994169), Scottish Natural Heritage (909933)

27. I consider that the proposed allocations for this area (BH03, BH04 and BH05) are

sufficiently different from those previously considered by the reporter in respect of the examination of the West Highland and Islands Local Plan (CD14). The extent of built development now proposed is limited to approximately one third of the land previously proposed for allocation and the scale of proposed development has also been reduced.

28. I acknowledge concerns regarding the potential landscape and visual impact of the BH05 allocation, in particular, the impact on views from the wider area. However, developer requirements include the preparation of a development brief to be prepared in consultation with SNH and a landscape and visual impact assessment with key viewpoints and receptors to be agreed with SNH before an assessment commences. In addition to the requirement for high quality siting and design, the developer requirements also identify siting issues in order to take into account views in the surrounding area. In light of this, I am satisfied that the developer requirements provide sufficient safeguards to ensure that important views are properly considered and that, in turn, development is sympathetically sited and designed. I therefore consider that the level of detail suggested by SNH is not necessary or appropriate.

29. Concerns have been raised about site ownership and about control over how the site would be developed. The developer requirements apply to the site, irrespective of site ownership. Future developers of the site would be required to accord with these requirements and the planning authority have the necessary powers to refuse planning permission should proposals be insufficient or inappropriate.

30. It has been suggested that there is a lack of need for a hotel at this site. However, several data sets have been brought to my attention that demonstrate that there is strong growth in tourism in the area, coupled with identified gaps in certain types of accommodation, including hotels. Visit Scotland advises (CD45) that new tourist accommodation, which is part of a mixed use development, maximises the opportunity for enabling development to cross fund the tourism project. Visit Scotland considers that sites near to designations including NSAs are possible locations with stakeholder involvement with the likes of SNH supported prior to allocating sites in development plans. I note that SNH do not object to this allocation and in light of the above, I am satisfied that hotel/ tourism use within this site is not inappropriate.

31. Whilst there are limited services within easy walking distance of the site, this is typical of the settlement which has a dispersed pattern and few services generally. That said, I note the developer requirements for the site which include the preparation of a Transport Statement to consider active travel connections to local facilities, public transport and adjacent development sites, a potential A828 trunk road crossing and bus stop provision. I consider it logical and appropriate to address such matters in order to enhance the site's integration with the surrounding transport network and to make it more accessible.

32. I noted during my site inspection that there is an existing access into the site via an access road off the A828. Given that Transport Scotland and the council's own transport planning team have not raised any objections to the allocation, I am satisfied that appropriate site access can be achieved.

33. Whilst I acknowledge concerns about the loss of land for agriculture, I am also aware that the planning authority in identifying site allocations is required to weigh up various development considerations. Policy 28 of the Highland-wide Local Development Plan and SPP seek to protect prime agricultural land (Class 3.1 or above). However, as the site does not involve the loss of Prime Agricultural Land, I am satisfied that its allocation is appropriate.

34. In light of my conclusions above, I am not recommending any changes to the plan in regard to this allocation.

Reporter's recommendations:Placemaking Priorities

1. Under Placemaking Priorities (page 67), in the first bullet point, insert after the words “the Ben Nevis and Glen Coe National Scenic Area”, the following words: “Glen Etive and Glen Fyne Special Protection Area and Onich to North Ballachulish Woods Special Area of Conservation”.

West Laroach (BH02)

2. Under Developer Requirements on page 72, delete the words:

“Compensate for loss of existing informal open space through off-site open space provision. This will require land in the same ownership to the north of the site and alongside the River Laroach to be transferred to the community at nil cost, as well as physical off-site works or financial developer contribution towards undertaking public access improvements/play space provision/riverside parkland habitat improvements. On the above basis, on-site open space provision will not be required.”

3. Under Developer Requirements on page 72, after the words “protected species surveys;”, insert the following text:

“Compensate for loss of existing open space through off-site open space provision. This will require land in the same ownership to the north of the site and alongside the River Laroach to be transferred to the community at nil cost. Alternatively, in the event that the community do not wish to take ownership of the land to be gifted, open space is required to be provided and maintained either on or off-site. In addition, physical works or financial developer contribution towards undertaking public access improvements/play space provision/riverside parkland habitat improvements.”

West of A82/A828 Junction (BH03)

4. Under Developer Requirements on page 72, amend the wording: “,development to reflect a traditional form and typically one and a half storey in height;” to read as follows: “, development to reflect a traditional form of up to one and a half storey in height;”

North of A82/A828 Junction (BH04)

5. Under Developer Requirements on page 73, insert after the words: “Ben Nevis and Glen Coe NSA;” the following text: “Development requires to be small in scale and number;”

East of A82/A828 Junction (BH05)

6. No modifications.

Issue 11	SPEAN BRIDGE AND ROY BRIDGE	
Development plan reference:	Spean Bridge and Roy Bridge Settlement Chapter, Pages 75 - 81	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mountaineering Scotland (964649) Peter McIntosh (965167) Philip Dart (1105243) Rachel Matthews (988537) Ron MacLennan (1105256) Rose Turvey (1104195) Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) Tony Turvey (812756)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Suggests additional Placemaking Priority to state that there should be no more commuted payments in lieu of on-site affordable house provision. The village currently suffers from a lack of affordable housing and developers' monies have been used to provide affordable units elsewhere.</p> <p><u>Transport Workshops (SB01)</u></p> <p>Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Planning Permission reference 15/03220/FUL for 9 homes at this location has two A82 junctions. This allocation for 20 homes has three A82 junctions. Objects because this will create unnecessary ribbon development, extending the village boundary by half a mile. Despite former planning permissions, no homes have been built indicating a lack of demand for extending the site. The development plan should only provide sufficient land for housing for 5 years but the Council's 2017 Housing Land Audit suggests that the current approval will last until 2022/2026. An active off road travel link is a developer requirement for this site, connecting the development and neighbouring houses with the village centre, but the A82 between the western edge and the Bridge Café is particularly narrow, and a footway of the minimum width will not be practicable. As this stretch is also outwith the 30mph speed limit a crash barrier would be needed to separate road traffic from pedestrians further reducing the width available. No provision has been made for public transport. Plan does not include an extension of the speed limit, and as the extended site is on a straight and one of the few passing places on the A82 between Fort William and Inverness believes extra accesses will only increase the incidence of road traffic accidents. As the site is currently used as a log storage facility, and is a brownfield site, a much</p>		

better use of the land would be to zone it as mixed use with retail or business units augmenting planning permission reference 15/03220/FUL.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) - Supports allocation as co-owner of site because: it has been designated as a housing development site since the 1970's; it is currently rough scrub land; any future housing development would be sensitive to the existing natural local environment; and, the 10 unit capacity could be increased if desired. However, feels that an access path from the allocation site through the hotel grounds to access the school and station is problematic as there are two hotel ponds and a busy hotel car park en route. This would create a health and safety issue for pedestrians - especially young children. An alternative solution would be to provide access paths from SB06 to the already existing footpath which connects the village to the school and station. This existing path might require upgrading but has the advantage of existing street lighting.

Tony Turvey (812756) - Supports allocation as co-owner of site because: it is available for development and there is an intention to build; it is not agriculturally productive land; an outline planning permission for housing was approved in the 1980s; there would be no significant loss of natural wildlife habitat; it is a natural infill site; and the site could accommodate 14 plots. Concerned about active travel connection proposal because the proposed route would have to pass close to the hotel ponds (depth unknown) and a car park entrance both raising safety issues for primary school children using a path. Currently there is a good path separated from the main road by a grass bank street with street lighting so providing a well lit pathway all year round for walkers. Also this has with enough width to upgrade to a combined walking/cyclepath. A small path from houses in SB06 could connect to the existing path providing access to the school/station area etc.

North of Bridge Café (SB07)

Rachel Matthews (988537) - Objects as neighbour because: the site has surface water drainage, watercourse and topography constraints; the developer may not adhere to the Plan's requirements (for example planning application reference 16/01837/PIP uses 1.9ha of the available 4.4ha but proposed up to 24 of the 25 units set as the indicative housing capacity for the entire site); of loss of habitat and adverse impact on protected species and other wildlife; of the loss of woodland contrary to the Council's policy on this issue; local services are limited, schools are all at full capacity, there are no medical i.e. doctors, dentist and optician facilities, insufficient public transport and only one small supermarket and post office; of the lack of local need for housing (some properties have been on the market for over 3 years, so obviously there is no demand for more); the development does not promote a high standard of siting that fronts the village's tourist route; of adverse visual impact which will harm tourism and its related employment; of loss of village identity; and, of the lack of new employment or a tourist attractor within the proposal. Suggests alternative zoning for community/tourist use including much needed tourist seating, habitat for the wildlife, parking facilities and toilet facilities because the village needs somewhere for the visitors to sit and relax and eat a spot of lunch instead to just staying around the Mill Car Park. Believes that affordable homes would better be placed within Fort William where services, infrastructure and employment is available.

Burn Bank (SB08)

Peter McIntosh (965167) - Objects because: this would represent ribbon development whilst existing brownfield sites within village have remained undeveloped; Spean Bridge is dependent upon tourism and it is essential to maintain an attractive compact village feel; ribbon

development dilutes buyer demand for the remaining brownfield sites; there is local opposition to the planning application on the site; the site's capacity has been increased from 8 to 10 units; and, the development will result in the loss of woodland.

Philip Dart (1105243) - Objects because: the indicative site capacity has been increased from 8 to 10 homes; the site was non-preferred at MIR stage; there is local opposition to the planning application on the site; the related application includes a wholly inappropriate semi-industrial unit of gigantic proportions; and, the principle of the allocation should await the planning application decision.

Ron MacLennan (1105256) - Objects because: site was non-preferred at MIR stage; there is local opposition to the planning application on the site; the indicative site capacity has been increased from 8 to 10 homes; and, the principle of the allocation should await the planning application decision.

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Objects because: concerned that the non housing element will not be delivered; concerned that the development will not contribute to the enhancement of the village at this "gateway" location which is pivotal to creating a favourable visitor impression of the village; the WHILP Reporter shared the community council's concern that the level of housing proposed did not relate to locally generated demand (suggest that if the site is developed then a Section 75 agreement secures on-site not commuted payment provision of affordable housing); the MIR non-preferred the site citing "Creates unnecessary ribbon development, and extension of the settlement" but that this position was reversed following receipt of a planning application; the site capacity has been increased from 8 to 10 units without justification; of a lack of demand for housing (only one site of 5 units out of 70 units allocated in WHILP has been developed); and, neither current nor anticipated future demand would suggest the need for a 29% increase overall.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649) - No modifications sought (assumed).

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Additional place making priority to state that there should be no more commuted payments in lieu of on-site affordable housing provision.

Transport Workshops (SB01)

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Rezoning as mixed use site for retail or business units and housing but with that housing capacity and area limited to the terms of planning application reference 15/03220/FUL.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) & Tony Turvey (812756) - Increased capacity to 14 units and developer requirements amended to clarify that the best footway connection is to existing roadside footway not through the hotel (assumed).

North of Bridge Café (SB07)

Rachel Matthews (988537) - Deletion of allocation. Possible replacement with allocation for

community and tourism (wildlife habitat/parking/toilets) (assumed).

Burn Bank (SB08)

Peter McIntosh (965167), Philip Dart (1105243), Ron MacLennan (1105256) - Deletion of allocation and removal from Settlement Development Area or in worst case revert to original capacity of 8 units (assumed).

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - Current Highland Council practice is to ring-fence the use of commuted affordable housing developer contributions to the relevant Housing Market Area – in this case the Lochaber district. However, the Council does recognise that more targeted provision would be appropriate in certain circumstances and therefore it is reviewing its Highland-wide policy on this issue. The Council's draft Developer Contributions Supplementary Guidance [CD19 paragraph 4.19] proposes to introduce the following requirement: *"Where 16 or more units are proposed the affordable housing provision must be delivered within that settlement provided that it is an area of need. Where no suitable sites can be found within that settlement the provision must be provided as close as possible to the settlement and ideally within a five mile radius. For developments of less than 16 units the commuted sum may be spent within the local housing market area."* This provision is subject to further consultation ahead of the replacement draft guidance being adopted in due course. However, this will not require a change at area local development plan level and accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Transport Workshops (SB01)

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - The extension to this adopted WHILP allocation (reference H4) is justifiable because it infills a gap between the former railyard area and an existing housing group to the west. The land is in part previously developed and has no productive existing use being constrained between the A82 to the north and the railway line to the south. Development of the site could deliver an off road active travel connection along the western and southern boundaries of the site connecting the adjacent houses with the village centre. Part of this gap site already benefits from a planning permission [CD46]. For the avoidance of doubt, this off road connection would not be along the frontage to the A82, but to the rear of the proposed houses. This configuration would therefore not require a 30mph speed limit restriction or crash barrier pedestrian measures. It would also provide an adequate connection to bus stops located along the A82 further east, within 375m from the proposed allocation boundary which is within SPP Paragraph 287 defined walking distance to

public transport networks. In terms of the number of access junctions, Transport Scotland [CD47] has agreed in principle to the provision of three junctions onto the A82 providing that suitable visibility splays can be achieved which is a developer requirement for this site. No extra accesses are being proposed as this land is already served by four existing junctions which are used by timber lorries. In terms of the suggested alternative mix of land uses, retail or business units are likely to generate a higher trip rate than housing use and could raise more of a transport safety concern. Adequate land for such mix use opportunities has also been made within the adjacent WHILDLP Proposed Plan allocation SB07. In terms of the claimed lack of housing demand, past within village house completion numbers have been low because of landowner attitudes to the release of land. However, house completion rates within the wider area (combined Spean Bridge and Roy Bridge settlement zones) have been reasonably buoyant averaging 11 units per annum over the period 1999/2000 to 2017/2018. The Council's approach, in line with national guidance on directing new development to the most sustainable locations, is to provide an adequate choice of larger sites within the larger villages as a means of redirecting pressure from the surrounding countryside. The Fort William schedule provides details of the proposed employment expansion at the smelter and its likely knock-on implications in terms of increased housing demand. With this context, maintaining a choice of main village sites is entirely appropriate and therefore the Council believes the Plan's content should remain unaltered in respect of this issue.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) & Tony Turvey (812756) - Historically planning permission may have been granted for up to 14 plots, however the capacity of this 1.2ha site has been based the prevailing settlement density of 10 units per hectare with an allowance made for protecting existing trees and minimising impacts on peat and wetland areas which are likely to limit the area that can be developed. Therefore, an indicative site capacity of 10 units is considered to be more realistic and achievable. With regard to active travel connections, the developer requirement wording notes "potential" for an off-road connection to the neighbouring Stronlossit Inn. Equally, this may neither be deliverable due to land ownership issues nor desirable for the hotel operator. Alternatives could be explored at the planning application stage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

North of Bridge Café (SB07)

Rachel Matthews (988537) - The objector raises concerns with a previous planning application, which has subsequently been withdrawn. It is the Council's understanding that a revised proposal is being prepared for this site. This will be in excess of 2ha and will therefore be classified as a major application and require pre-application consultation. Concerns relating to the loss of wildlife have been addressed as the developer requirements for this site include the requirement to undertake a protected species survey which will inform the proposed design and layout for this site. Similarly, the developer requirements for the site include the protection/enhancement of existing trees, woodland and the green network (wherever possible). It is accepted that there will be a degree of tree loss at the site access to achieve suitable visibility splays, however losses would be kept to an absolute minimum. It is acknowledged that Spean Bridge benefits from a high level of tourist trade and that there is an opportunity for part of this site to be used for business/tourism and to create local employment opportunities. The allocation is for a wider mix of development rather than just housing, however, early phases of development may be housing providing that this is accompanied with sport pitch provision and land with commercial frontage to the A82 is reserved for business/tourism. With a suitable setback from the trunk road and the developer adhering to the requirement for high quality siting and design, developing this land for a mix of uses will not have an adverse impact on local tourism. The suggestions for what mix of business/tourist uses could be acceptable are

welcome, however, the Council maintains that a mix of uses are appropriate and the site is suitable to help meet local housing needs. In terms of affordable housing provision, it is the Council's preference for larger sites such as this to secure on-site provision wherever possible and affordable housing needs are apparent in many small settlements and well as the larger towns such as Fort William. It is not accepted that all affordable housing provision should be in Fort William and it is important that local communities have a mix of housing types and tenures. Whilst local services in Spean Bridge are of a limited scale, the allocations proposed are proportionate to the size of the village and will help to improve the viability of introducing additional services/local shops and other facilities. Other concerns relating to topography and drainage can be addressed and the site is subject to a number of developer requirements, one of which requires a privacy/amenity setback from existing houses. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Burn Bank (SB08)

Peter McIntosh (965167), Philip Dart (1105243), Ron MacLennan (1105256) and Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) - The representations suggest that the lodging of planning application 16/05283/FUL prompted a change in the WHILDP between its MIR and Proposed Plan versions. This change was however triggered by reviewing the Cammac Developments Ltd [CD48] representation made at the MIR stage with the landowner and prospective developer requesting that the adopted WHILP site be re-included in the Proposed Plan. The site forms extant WHILP allocation MU1 for mixed use (business and 8 houses) development. The site had been allocated for many years and had not come forward for development. The decision at the MIR to identify the site as non-preferred was largely based on the Council's mistaken belief that the landowner had no intention of releasing the land for development. The Cammac Developments Ltd representation confirmed that the landowner was prepared to release the land which was evidenced through progressing a detailed planning application for the site, reference 16/05283/FUL, which was presented to the 30 January 2018 South Planning Applications Committee and received a minded to grant decision subject to the conclusion of a Section 75 legal agreement. This allocation therefore should not be ruled out on availability grounds. The Council do however accept that the site still has other challenges in terms of its edge of settlement location, woodland, trunk road crossing and access. However, the Council believes that these challenges are addressed via the Proposed Plan developer requirements, which have informed the conditions set out within the minded to grant decision committee report [CD49]. To support the implementation of this pending planning permission (or any future amended scheme), the Council considers that this allocation should be retained.

In terms of the claimed lack of housing demand, past within village house completion numbers have been low because of landowner attitudes to the release of land. However, house completion rates within the wider area (combined Spean Bridge and Roy Bridge settlement zones) have been reasonably buoyant averaging 11 units per annum over the period 1999/2000 to 2017/2018. The Council's approach, in line with national guidance on directing new development to the most sustainable locations, is to provide an adequate choice of larger sites within the larger villages as a means of redirecting pressure from the surrounding countryside. The Fort William schedule provides details of the proposed employment expansion at the smelter and its likely knock-on implications in terms of increased housing demand. With this context, maintaining a choice of main village sites is entirely appropriate. In terms of the site's capacity, this is not considered to have significantly changed from WHILP allocation as all of the indicative housing figures in the Lochaber section of the Proposed Plan have been rounded to the nearest 5 units. Whilst the WHILP Reporter agreed with the Council that the indicative housing capacity for the site would need to be adjusted downwards from 16 to 8 units to allow for sufficient space for business/tourism uses, rounding this to 10 units is not considered to be detrimental to the delivery of a mixed use development.

The Council also does not consider that developing this site would adversely impact the attractiveness of the village, destroy its character or overwhelm its facilities and services. The Council consider that the development of a mix of uses at this site would help to reinforcing Spean Bridge as a local service centre. Both the Plan's Placemaking Priorities and the developer requirements for this site demand high quality siting and design and sympathetic boundary treatments are sought through retaining boundary woodland where it will provide direct amenity benefit.

In terms of affordable housing provision, HwLDP Policy 31 and the adopted Developer Contributions Supplementary Guidance (DCSG) states that all developments of 4 or more dwellings will be required to contribute 25% equivalent of affordable housing in areas of need. The development of 10 homes would therefore generate a need for 2.5 (3) affordable homes. As per Para 3.12 of the DCSG, this figure is always rounded up to the nearest whole number of units. The Council applies a sequential approach to affordable housing provision, with the first preference being for delivery on site. Due to the practical difficulties of managing the delivery of very small numbers of affordable units, options remain available for alternative provision as set out in the DCSG. This includes the Council's last resort of commuted affordable housing payments. In terms of planning application 16/05283/FUL, affordable housing provision will be secured through a Section 75 legal agreement and the applicant has indicated a willingness for this to be delivered on site.

In terms of securing the phasing of development to ensure that an appropriate mix of uses is achieved, this minded to grant decision includes a condition requiring no more than 5 homes to be constructed before the farm shop/café is constructed on site. If the Reporter is so minded then the Council would not object to the requirement for the developer requirements for the site to state *"Development in accordance with minded to grant decision/planning permission 16/05283/FUL. Alternative proposals must address..."*

In summary, with the exception of the reference to the recent minded to grant decision for planning application 16/05283/FUL, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Placemaking Priorities

Mountaineering Scotland (964649), Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

1. Mountaineering Scotland supports the Placemaking Priorities for Spean Bridge and Roy Bridge and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for Spean Bridge and Roy Bridge, based on the representations made.
2. The council adopts a sequential approach to the provision of affordable housing with the use of commuted payments being the final option after those for on-site and off-site provision have been exhausted. I note that in order to deliver a more targeted approach in respect of commuted payments, the draft Developer Contributions Supplementary Guidance (CD19) requires that where 16 or more new houses are proposed, the affordable housing element must be delivered within the respective settlement, provided that it is an area of need. Given this issue is being addressed within supplementary guidance, which ultimately will form part of the adopted plan, I am satisfied that a specific Placemaking Priority on this matter is not required in respect of Spean Bridge and Roy Bridge.

Transport Workshops (SB01)

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

3. The principle of residential development has previously been established on part of this proposed allocation with the grant of planning permission in May 2016 for nine serviced house plots (reference: 15/03220/FUL) (CD46). The proposed allocation incorporates an additional area of land to the west. This additional land effectively fills the gap between the site with planning permission and residential development to the west. Given that there is existing housing immediately to the east and west and given the largely brownfield nature of the site, I consider the allocation to be a logical one and the proposed use appropriate.

4. Concern has been expressed about the number of proposed junctions onto the A82, the level of potential traffic generation and the implications for pedestrians in accessing the village centre. I observed during my site inspection that there are currently four junctions from this site onto the A82 although I note that Transport Scotland (CD47) agrees in principle to three junctions. I consider this reduction, a positive means of managing traffic in this part of the village and based on the site plan included in CD47, I am satisfied that a workable design solution is achievable on this site. I understand that off road connections for pedestrians would be to the western and southern boundaries of the site, avoiding the need to install a footway along the northern edge of the site next to the A82. I noted the location of the nearest bus stops, east of the site, and am satisfied that these would be within an acceptable walking distance of the site in accordance with Scottish Planning Policy (SPP) (CD01). I am therefore satisfied that accessibility issues, in respect of this proposed allocation, are adequately addressed.

5. It has been suggested that the proposed residential allocation should be replaced by an alternative mixed use allocation including retail, business and residential. I am not convinced that such a mix of uses would generate less traffic than one might expect from a residential only development of the scale proposed. This alternative mixed use allocation would also be in direct competition with the mixed use allocation SB07, which I deal with below.

6. Whilst concerns have been expressed about the lack of demand for new housing in the village, I am mindful that the planning authority is required to provide for a range and choice of housing sites in the most sustainable locations. It is logical to direct larger sites to the larger villages in order to reduce pressure on countryside locations which are remote from amenities and community facilities. As referred to above, the site is within walking distance of bus stops and the provision of an off road active travel connection with the village centre would help to support amenities and businesses in the village. In light of the above, I am not recommending any changes in respect of this proposed allocation.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) & Tony Turvey (812756)

7. I noted during my site inspection that there are mature trees, areas of peat and wetland within the site which may have implications for the area that can be developed for housing. Taking this into account and based on my observations of the density of development in the surrounding settlement, I am satisfied that the indicative capacity of the site is appropriate. I accept, given this is an indicative capacity, that this might change. However, this is a matter most appropriately addressed at the detailed design stage as part of a planning application.

8. Concern has been expressed about the reference under 'Developer Requirements' to active

travel connections through the site with a potential off road connection to the Stronlossit Inn, immediately to the south east edge of the site. I do not interpret this 'potential off road connection' as being a definitive requirement for the development of the site and as acknowledged by the planning authority, this may not ultimately be deliverable or desirable. I am satisfied that this and other alternative options could be explored at the planning application stage. Despite this, my observation is that an existing footpath between the site and the A86 road provides a logical pedestrian route between the site and other parts of the settlement, including the station and primary school to the south west. In light of the above, I am not recommending any modifications to the proposed plan in respect of this allocation.

North of Bridge Café (SB07)

Rachel Matthews (988537)

9. This site is included in the West Highland and Islands Local Plan as a mixed use allocation. This is a relatively large site at the western approach to the village on the A82 which is a key tourist route. Concerns have been raised about various physical constraints and about the impact of development on habitats, woodland and protected species.

10. I accept that there would be challenges to overcome in developing this site, as with any greenfield site of this size. However, I do not consider that these would be insurmountable. Having visited the site, I consider that there is logic to its allocation. It is on the lower lying, flatter ground associated with the main settlement. The site can be accessed via the A82, there are bus stops immediately to the southern boundary of the site and it is within comfortable walking distance of the centre of the village and its associated amenities. Whilst there is a tree belt crossing the western part of the site, mature trees are largely located along the site's boundaries with the majority of the site given over to rough grassland. I am satisfied that the extensive developer requirements in the proposed plan, including a drainage impact assessment, protection and enhancement of existing trees and woodland, where possible, and the requirement for protected species surveys would ensure that the concerns referred to above would be satisfactorily addressed.

11. The eastern part of the site is adjacent the existing settlement edge and there is logic to the phased approach to development, from east to west, as identified under the developer requirements. I also consider that the requirement for a developer phasing masterplan is appropriate, given the size of the site.

12. Given the requirement for high quality siting and design and the planning authority's commitment to ensure setbacks from the A82 and neighbouring properties as well as the protection and enhancement of existing trees and woodland where possible, I am not persuaded that the allocation would necessarily have an adverse visual impact.

13. There is nothing before me to demonstrate that the allocation would be harmful to tourism or to related tourism employment. On the contrary, the inclusion of tourism uses within the site offers the potential to bolster the tourism offer in the village and with potential for enhanced tourist employment. The inclusion of business uses within the site also has the potential to generate employment opportunities at the local level. The inclusion of community facilities could augment existing facilities in the village to the benefit of local residents.

14. Whilst concerns have been expressed about the lack of demand for new housing in the village, I am mindful that the planning authority is required to provide for a range and choice of housing sites in the most sustainable locations. It is logical to direct larger sites to the larger villages in order to reduce pressure on countryside locations which are remote from amenities

and community facilities. I am also mindful, in light of the above, that it is not appropriate to simply focus affordable housing provision within Fort William, whilst accepting this is the main service centre for the area.

15. In light of the above, I am not recommending any changes in respect of the proposed allocation.

Burn Bank (SB08)

Peter McIntosh (965167), Philip Dart (1105243), Ron MacLennan (1105256) and Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

16. Given the minded to grant decision in respect of planning application 16/05283/ FUL (CD49), I consider that there is logic to retaining this allocation in order to support the implementation of the proposed mixed use scheme or any subsequent amended scheme. I note that 23 conditions were attached to the minded to grant decision, covering a range of site issues and that these are reflected in the proposed plan developer requirements.

17. In light of the above, I am recommending that the developer requirements for the site confirm that development is to be in accordance with the minded to grant decision/ planning permission 16/05283/FUL and that should an alternative proposal be promoted, instead, then this would need to accord with the development requirements as set out in the proposed plan.

Reporter's recommendations:

Placemaking Priorities

1. No modifications.

Transport Workshops (SB01)

2. No modifications.

West of Stronlossit Inn, Roy Bridge (SB06)

3. No modifications.

North of Bridge Café (SB07)

4. No modifications.

Burn Bank (SB08)

5. After the words '**Developer Requirements:**' under site SB08: Burn Bank on page 81 of the proposed plan, insert the following words:

'Development in accordance with minded to grant decision/ planning permission 16/05283/FUL. Alternative proposals must address...'

Issue 12	STRONTIAN	
Development plan reference:	Strontian Settlement Chapter, Pages 82-86	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Michael Foxley (1103411) Mountaineering Scotland (964649) RSPB (1104965) SEPA (906306)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority’s summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>RSPB (1104965) - Highlights a typographical error in paragraph 2.24 in the Strontian section – “Moidart Ardgour Special Protection Area” should be “Moidart and Ardgour Special Protection Area”.</p> <p><u>Drimnatorran (South of High School) (SR03)</u></p> <p>Michael Foxley (1103411) - Supports the statement on high quality siting and design but concerned that this did not apply in the granting of planning permission for the wood clad houses adjacent to the High School access road. Community put a huge amount of effort into the layout and design of Ardnamurchan High School and its setting is being harmed by these recent houses that “look like poultry sheds”.</p> <p><u>Drimnatorran (South East) (SR04)</u></p> <p>SEPA (906306) - Objects unless developer requirements are amended to better address flooding and drainage issues because: people and property should be protected from flood risk in line with SPP and the Flood Risk Management Act; mitigation measures identified in the Environmental Report should be implemented; and, of the need for consistency with other similar developer requirements within the Plan.</p> <p><u>East of Otterburn (SR06)</u></p> <p>Michael Foxley (1103411) - Objects because: there has been long standing local opposition to all development east of the War Memorial (with the exception of an additional house adjacent to Carnoch Farmhouse and buildings); Glen Tarbert is the entrance to Ardnamurchan and Morvern and should be safeguarded; and, the Sitka Spruce plantations, when felled, should be replaced with native broad leaved planting.</p>		

Modifications sought by those submitting representations:Placemaking Priorities

Mountaineering Scotland (964649) - No modifications sought (assumed).

RSPB (1104965) - Correction of typographical error in paragraph 2.24 in the Strontian section – “Moidart Ardgour Special Protection Area” should be “Moidart and Ardgour Special Protection Area”.

Drimnatorran (South of High School) (SR03)

Michael Foxley (1103411) - No modifications sought (assumed).

Drimnatorran (South East) (SR04)

SEPA (906306) - Amended developer requirements to state: “...Drainage Impact Assessment (no development in areas shown to be at risk of flooding)”

East of Otterburn (SR06)

Michael Foxley (1103411) - Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

RSPB (1104965) - The Council agrees that the typographic error should be corrected at Para 2.24: “Moidart *and* Ardgour Special Protection Area”.

Drimnatorran (South of High School) (SR03)

Michael Foxley (1103411) - The permission has been granted and the Plan has no locus.

Drimnatorran (South East) (SR04)

SEPA (906306) - The suggested wording would offer clarification and consistency and therefore if the Reporter is so minded then the Council would support the requested rewording.

East of Otterburn (SR06)

Michael Foxley (1103411) - Through consultation on this site at the MIR stage, it was agreed that this site was not suitable for housing, however some support was expressed for tourism and recreational uses associated with the slipway. The proposed business/tourism allocation is subject to a significant number of developer requirements, including high quality siting and design and advanced structural tree planting (particularly on the eastern site boundary). This

will assist in preserving the visual attractiveness of this gateway location. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Placemaking Priorities

1. Mountaineering Scotland supports the 5th Placemaking Priority for Strontian at page 83 of the proposed Plan. In essence, this priority seeks to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities. Given that the representation supports this section of the proposed Plan, there is no need to consider it further.
2. Additionally, in the interests of clarity, I agree with the Royal Society for the Protection of Birds and the planning authority that the typographical error at paragraph 2.24, page 82 of the proposed Plan, should be corrected by replacing the reference to Moidart Ardgour Special Protection Area with a reference to the Moidart and Ardgour Special Protection Area.
3. Overall, an adjustment is required to the proposed Plan.

SR03: Drimnatorran (South of High School)

4. SR03 is situated on the eastern side of Strontian River and the village, immediately to the south of Ardnamurchan High School. The site is flat, rectangular in shape and extends to around 0.3 hectares. It is allocated for Community purposes in the proposed Plan, and is occupied by a new primary school which opened in 2018. The representor supports the Developer Requirement in the proposed Plan for "high quality siting and design" on site, but is critical of the wood clad housing sitting on an adjacent site. I note that the school has been finished in similar wood cladding, and have therefore assumed that the representor intended the representation to apply to this building as well.
5. I believe that the Developer Requirement in the proposed Plan for "high quality siting and design" sets a reasonable level of guidance for the planning authority and developer to follow when considering proposals at the development management stage. The finish of buildings on allocated sites is a matter best determined as a part of the planning application process when detailed proposals for a site have been prepared. I also note that, in this particular case, the school has now been built, and the representation has therefore been overtaken by events.
6. Overall, no adjustment is required to the proposed Plan.

SR04: Drimnatorran (South East)

7. SR04 is situated on the eastern side of Strontian River and the village, to the south of Ardnamurchan High School and Strontian Primary School, and north of Dal Nan Each and Dalmhor. It is of an irregular shape, extends to around 0.7 hectares, and is a grassed flat paddock used for grazing. Its allocation for Community purposes is a continuation, in part, of a larger Community allocation identified at C (Drimnatorran South East) in the adopted local plan.
8. The site has a small watercourse running through it. The Scottish Environment Protection Agency seeks a change to the Developer Requirements to ensure that there is no development in areas shown to be at risk of flooding. The planning authority supports the request. The Developer Requirements already include a requirement for a "Possible updated Flood Risk and Drainage Impact Assessment." Given the potential for flooding at this location, and to achieve

full consistency with the policy principles in Scottish Planning Policy which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that it would be appropriate to change the Developer Requirement in the manner sought. Modifying the Developer Requirement along these lines would also be consistent with the intention of Policy 64 (Flood Risk) in the Highland-wide Local Development Plan, which seeks to avoid development in areas susceptible to flooding, with the terms of the Revised Environmental Report, and with the wording of similar Developer Requirements for other allocations in the proposed Plan.

9. Overall, an adjustment is required to the proposed Plan, as set out below.

SR06: East of Otterburn

10. SR06 is situated at the eastern extremity of the built up area of Strontian, immediately to the east of the War Memorial, and on the northern side of the A861. It is of an irregular shape, extends to around 3.5 hectares, comprises 2 flattish areas of ground with the site rising upwards toward the north, is part open and part woodland, and contains a small workshop type building and some sheds. The site is a new Business/Tourism allocation in the proposed Plan.

11. In essence, one representor seeks the removal of the allocation from the proposed Plan. I acknowledge that this is a sensitive site at a gateway to Strontian, and the remote Ardnamurchan peninsular. However, there is already development on site. There is also a slipway (open for public use) and a small building opposite the site on the bank of Loch Sunart. The allocation would give an opportunity to build on this existing tourism and recreational facility. Additionally, a Tourism and Business allocation could potentially create local employment opportunities in tourism, in line with the first Placemaking Priority for Strontian. While the site is well separated from the Settlement Development Area defined in the proposed Plan and the village facilities, there is development between the defined boundary and the western edge of the allocation, at Seaview Grazings and Monument Park. The allocation does not therefore appear isolated, but relates reasonably well to the built up area taken as a whole. Moreover, I agree with the planning authority that the Developer Requirements in the proposed Plan would help to maintain the visual character of this gateway location, including the Requirements for tree planting and retention, open space provision, Green Network enhancements, careful siting and high quality design, and the restriction on the development of permanent residences. Drawing all these matters together, I am satisfied that the Tourism and Business allocation should be retained.

12. Overall, no adjustment is required to the proposed Plan.

Reporter’s recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Strontian section of the Lochaber Settlements, page 82, adjust the last sentence of paragraph 2.24 so that it reads as follows:

“...To the east and south of the settlement lie a plethora of other heritage designations – the Sunart Special Area of Conservation, the Moidart and Ardgour Special Protection Area...”

SR04: Drimnatorran (South East)

2. Under the Strontian section of the Lochaber Settlements, page 86, adjust the second clause of the Developer Requirements for SR04 so that it reads as follows:

“...Possible updated Flood Risk and Drainage Impact Assessment (no development in areas shown to be at risk of flooding);...”

Issue 13	LOCHABER GROWING & COMMUNITY PLAN SETTLEMENTS	
Development plan reference:	Lochaber Growing & Community Plan Settlements, Pages 87 - 101	Reporter: Trevor Croft
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ardgour Community Council (1103772) Camille Dressler (1104467) Michael Foxley (1103411) Nevis Estates Ltd (998593) RSPB (1104965) Scottish Natural Heritage (909933) Sustrans Scotland (1103343)</p>		
Provision of the development plan to which the issue relates:	Issues and Placemaking Priorities for Acharacle, Arisaig, Ardgour and Clovullin, Duror, Invergarry, Kilchoan, Lochaline, Morar, Rum, Eigg, Canna, Inverie (Knoydart), Achnacarry Bunarkaig and Clunes	
Planning authority's summary of the representation(s):		
<p><u>Acharacle</u></p> <p>Scottish Natural Heritage (909933) - Seeks factual correction to second Placemaking Priority. The natural heritage interests in this location are land based and therefore the reference to offshore is erroneous.</p> <p><u>Ardgour and Clovullin</u></p> <p>Ardgour Community Council (1103772) - Supports further housing development as long as good crofting ground is not destroyed. Believes there is ample poorer agricultural land quality ground such as forestry land. Requests that the aspiration to have a fixed link across Corran Narrows be added.</p> <p>Michael Foxley (1103411) - Requests Plan reference to the need for a low level bridge, with an opening middle section, across the Corran Narrows because the current ferry is often beyond capacity, the spare ferry is very old and inadequate, and a bridge proposal was included in previous Local Plans. Seeks additional/augmented Placemaking Priorities to safeguard locally important vernacular buildings, archaeology and locally important croft arable land. Poorer land can now be used for development because modern machinery makes this possible.</p> <p><u>Duror</u></p> <p>Scottish Natural Heritage (909933) - Seeks that the final Placemaking Priority be amended to identify the specific natural (and built) heritage interests in the area because the protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.</p> <p>Sustrans Scotland (1103343) - Seeks an enhanced reference to the National Cycle Network Route 78 and its connection to Duror because this would highlight the potential for further</p>		

improvement (such as connections from the trunk road) and highlight the opportunity for new or enhanced tourist facilities taking advantage of the trunk road and national cycle network tourist routes.

Kilchoan

RSPB (1104965) - Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in both the "Issues" section and the Placemaking Priorities section for Kilchoan because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.

Scottish Natural Heritage (909933) - Seeks amendment to fourth Placemaking Priority to identify the specific Special Area of Conservation (SAC) because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.

Lochaline

RSPB (1104965) - Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in both the "Issues" section and the Placemaking Priorities section for Lochaline because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans. Also seeks factual correction in the last Placemaking Priority.

Scottish Natural Heritage (909933) - Seeks amendment to fourth Placemaking Priority to identify the specific Special Area of Conservation (SAC) because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.

Morar

Nevis Estates Ltd (998593) - Requests that Morar is listed as a Growing Settlement in the Plan because it benefits from a train station, school, community facilities and businesses and is therefore likely to fulfil a rural centre role and is likely to be subject to development pressure that would not be possible under the "Housing in the Countryside" Policy.

Rum

RSPB (1104965) - Requests that the Small Isles Marine Protected Area (MPA), Rum Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) are all specifically mentioned by name and that the MPA, SPA, SAC and SSSI are also mentioned by name in the third Placemaking Priority because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.

Scottish Natural Heritage (909933) - Seeks additional Placemaking Priority to add a generalised safeguard for all natural heritage interests on and around Rum because the island of Rum and surrounding sea is covered by a number of areas protected for or otherwise important for nature conservation and landscapes, which are sensitive to pollution, habitat damage, increased

human activity causing disturbance and/or landscape impacts from built development. Recognises this makes it impractical to list them all in the proposed LDP. By identifying that protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.

Eigg

Camille Dressler (1104467) - Supports most Placemaking Priorities but seeks amendments to reflect the following issues. Believes that “securing a collective, master planned crofting community development of any township expansion area” would be best done through a specific Eigg community plan facilitated by Highland Council, which would take into account development opportunities and economic sustainability of the island by ensuring a balance between the number of holiday homes and permanent residences as well as registering issues to do with electricity and water supply. Crofting activity is limited to the north end of the island and therefore other residents rather than just crofters need to participate in decision making on the island's development prospects. Eigg’s electricity supply, which is based on renewable energy, is currently close to capacity and therefore the prospects for new development is constrained. Similarly the local water supply has limited capacity which will constrain future development.

RSPB (1104965) - Requests that the Small Isles Marine Protected Area (MPA) is specifically mentioned by name in the Eigg text because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.

Canna

RSPB (1104965) - Requests that the Canna and Sanday Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and the Small Isles MPA are specifically mentioned by name in the Canna text because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.

Modifications sought by those submitting representations:

Acharacle

Scottish Natural Heritage (909933) - Removal of the word “offshore” from the second Placemaking Priority.

Ardgour and Clovullin

Ardgour Community Council (1103772) - Stronger priority to protect good croft land (assumed). Additional priority to have a fixed link across Corran Narrows.

Michael Foxley (1103411) - Additional priority to provide a low level bridge, with an opening middle section, across the Corran Narrows. Also additional priorities to safeguard: locally important vernacular buildings; archaeology and locally important croft arable land.

Duror

Scottish Natural Heritage (909933) - Final Placemaking Priority to be amended as follows: “Safeguard natural and built heritage interests including the Glen Etive & Glen Fyne Special

Protection Area (SPA), Ardsheal Hill & Peninsula Geological Conservation Review (GCR) site, native/ancient woodland, listed buildings and scheduled monuments.”

Sustrans Scotland (1103343) - Additional textual references to the National Cycle Network Route 78 and its connection to Duror through amended Issues and Placemaking text, as follows:

“the very limited capacity of the A828 trunk road junctions through the settlement, the cost of improving or rationalising these junctions and the need to improve cycle access through the village”

“the tourism potential of the Caledonia Way national cycle network route which passes through the village at the school and has recently been improved”

“create a more cohesive village centre close to the principal village junction, subject to rationalisation and improvement of road and cycle track access from the trunk road”

“new developments will be required to improve the connectivity of the village through improved active travel and green network links”

Kilchoan

RSPB (1104965) - Specific reference to the Inner Hebrides and the Minches Special Area of Conservation (SAC) in both the ‘Issues’ section and the Placemaking Priorities section for Kilchoan.

Scottish Natural Heritage (909933) - Amend the fourth Placemaking Priority as follows: “To protect the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local natural conservation designations.”

Lochaline

RSPB (1104965) - Specific reference to the Inner Hebrides and the Minches Special Area of Conservation (SAC) in both the ‘Issues’ section and the Placemaking Priorities section for Lochaline. Correction of typographical error in the last Placemaking Priority for Lochaline – “natural conservation designations” changed to “nature conservation designations”.

Scottish Natural Heritage (909933) - Amendment to the fourth Placemaking Priority as follows: “To safeguard the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local natural conservation designations.”

Morar

Nevis Estates Ltd (998593) - Morar listed as a Growing Settlement in all relevant parts of the Proposed Plan.

Rum

RSPB (1104965) - That the Small Isles Marine Protected Area (MPA), Rum Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) are all specifically mentioned by name after the text “natural and built heritage constraints that surround and overlap the village including Kinloch Castle” in the Issues section. Also that the MPA, SPA, SAC and SSSI are also mentioned by name in the third Placemaking Priority.

Scottish Natural Heritage (909933) - Additional Placemaking Priority to state: “Safeguard natural heritage and landscape interests found on Rum and the surrounding marine environment.”

Eigg

Camille Dressler (1104467) - Clarification that the identification of future expansion areas would best be done through a specific Eigg community plan facilitated by Highland Council. Amended priorities as follows:

“to secure a collective, master planned, community development of any township expansion area, including the crofting area; to require developers to engage with the island's local electricity provider at the earliest stages of any development; to identify and act on a master plan for water supply to enable future development to occur without compromising existing ones.”

RSPB (1104965) - That the Small Isles Marine Protected Area (MPA) is specifically mentioned by name in the text for Eigg.

Canna

RSPB (1104965) - That Canna and Sanday Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) and the Small Isles MPA are specifically mentioned by name after the text “natural and built heritage constraints that surround and overlap the island” in the Issues section for Canna.

Summary of responses (including reasons) by planning authority:Acharacle

Scottish Natural Heritage (909933) - The requested modification is a sensible factual correction. If the Reporter is minded to agree then the Council would support the removal of the word “offshore” from the second Placemaking Priority.

Ardgour and Clovullin

Ardgour Community Council (1103772) - The Council's Highland wide Local Development Plan contains a general policy on the protection of croft land. Policy 47 Safeguarding In-bye/ Apportioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations and Placemaking Priorities in the Plan has also sought to direct development to land not in crofting tenure or croft land of poorer agricultural quality wherever possible. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. The first Placemaking Priority references the need to protect croft land at Clovullin. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered. Table 4 of the Plan, Transport Improvements lists the Corran Narrows Crossing and references the need to consider a land safeguard so as not to stymie future crossing options. It is difficult to translate this general consideration into a more specific land safeguard priority within the settlement text given that no recent feasibility work has been undertaken into bridge or tunnel designs and their likely land take. If the Reporter is minded to agree then the Council would support a similar generalised reference to the crossing as in Table 4, inserted as an additional Placemaking Priority.

Michael Foxley (1103411) - The Corran Narrows crossing issue is reflected within Table 4 of the Plan, Transport Improvements. The restrictions of the current ferry service are recognised but could be addressed via a new ferry and better timetabling. There is also no evidence to suggest that a low level opening bridge is the preferred and a practicable financial and engineering

solution to the crossing. However, if the Reporter is minded to agree then the Council would support a similar generalised reference to the crossing as in Table 4, inserted as an additional Placemaking Priority. The Placemaking Priorities reference locally significant croft land and built heritage interests. An unspecific reference to archaeology would not add value to the Plan. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered.

Duror

Scottish Natural Heritage (909933) - The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Sustrans Scotland (1103343) - The suggested, enhanced references to the National Cycle Network Route 78 would be appropriate given its importance to the settlement and would therefore be appropriate subject to the agreement of the Reporter.

Kilchoan

RSPB (1104965), Scottish Natural Heritage (909933) - The change suggested by Scottish Natural Heritage would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Lochaline

RSPB (1104965), Scottish Natural Heritage (909933) - The change suggested by Scottish Natural Heritage would provide a more specific reference without adding unduly to the length of the Plan and the modification requested by RSPB is a sensible factual correction. Both would be appropriate subject to the agreement of the Reporter. Similarly, the settlement's list of development factors omits a factual reference to the existence of the local sand mine and its underground workings which pose a risk of subsidence. If the Reporter is minded to agree then a short, factual reference to the mine workings and their associated risk could be added to the first bullet of the Issues section.

Morar

Nevis Estates Ltd (998593) - Morar is listed as a Growing Settlement in all relevant parts of the Plan. The Council's policy is to apply this settlement hierarchy status in making all relevant planning application decisions. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Rum

RSPB (1104965), Scottish Natural Heritage (909933) - The change suggested by Scottish Natural Heritage would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Eigg

Camille Dressler (1104467) - The Plan highlights that Eigg is a potential community plan settlement and supports preparation of such a document. The stated Placemaking Priorities provide a framework and the guiding principles for that community plan and would allow it to be adopted as statutory supplementary guidance or under the new system proposed by the

Planning Bill as a compatible Local Place Plan. The suggested modifications to the Placemaking Priorities are useful in better reflecting local issues and would with minor amendment be appropriate subject to the agreement of the Reporter. The three relevant priorities should be amended as follows: “to secure a collective, master planned, community development of any expansion area, including the crofting area; to require developers to engage with the island's local electricity provider at the earliest stages of any development to ensure spare capacity exists or can be created; to improve water supply capacity to enable future development to occur without compromising the supply to existing properties.”

RSPB (1104965) - The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Canna

RSPB (1104965) - The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Reporter’s conclusions:

Acharacle

Scottish Natural Heritage (909933)

1. The council agrees that the proposed modification is a sensible factual correction. I propose therefore that the modification should be made.

Ardgour and Clovullin

Ardgour Community Council (1103772)

2. As the council points out the Highland-wide Local Development Plan safeguards in-bye/ Apportioned Croft land and sets out the council’s approach in minimising the loss of more agriculturally productive croft land. The Highland-wide plan covers the whole of the council’s area and provides the over-arching framework for the area local development plans. The policy for the protection of croft land is therefore already in place. In addition, in the proposed plan the first placemaking priority for Ardgour and Clovullin includes the protection of significant areas of croft land at the latter. I do not consider any modification is necessary.

3. Regarding the Corran Narrows crossing this is dealt with in Table 4 Transport Improvements. This provides for a transport appraisal including land to be safeguarded from development to leave open future crossing options. The council is open to a similar reference being included in the Placemaking Priorities for Ardgour and Clovullin. I accept that this would be a sensible addition, emphasising there is an issue within the specific priorities for these settlements. A modification should be made accordingly.

Michael Foxley (1103411)

4. This representation asks for a specific reference to a new low level bridge with opening centre section at the Corran Narrows. I have no evidence that this would be a preferred solution and it would be inappropriate to include it in the proposed plan. In paragraph 3 above I have proposed a modification regarding the need to safeguard land for potential crossing

options and I consider this is the best way to deal with this issue. No further modification is necessary.

5. The issue of protecting croft land is dealt with in paragraph 2 above. Local heritage interests are already referenced in bullet point 2 of the Placemaking Priorities for Ardour and Clovullin. I consider that the heritage reference would include archaeology and no further modification is required.

Duror

Scottish Natural Heritage (909933)

6. The council accepts that the proposed modification would provide a more specific reference without adding unduly to the length of the proposed plan and would therefore be appropriate. The proposed modification provides greater clarity and is more comprehensive than the original proposed bullet and I propose that the modification should be made accordingly.

Sustrans Scotland (1103343)

7. The representation proposes adding general connectivity within and through the village, with general improvements to cycle access. These suggestions have been accepted by the council. I consider that these would enhance the issues and placemaking priorities as already proposed and that the modifications should be made accordingly.

Kilchoan

RSPB (1104965), Scottish Natural Heritage (909933)

8. The council has accepted that the proposed modification suggested would provide a more specific reference without adding unduly to the length of the proposed plan and would therefore be appropriate. I accept this view and note that it would cover the issues raised by both representations, although I do not consider it necessary to modify the issues in addition to the placemaking priorities. The modification should be made accordingly.

Lochaline

RSPB (1104965), Scottish Natural Heritage (909933)

9. The proposed modifications reflect those made for other settlements and provide additional clarity and factual accuracy. The council accepts that these should be made. I consider this to be appropriate and that the proposed plan be modified accordingly. As above a modification is required only to the placemaking priorities.

10. The council has also referred to the omission of a reference to local sand mine workings. Whilst not technically arising from representations this would be a sensible modification and I accept that it should be made.

Morar

Nevis Estates Ltd (998593)

11. Morar is already listed as a Growing Settlement and comes under that section within the Lochaber Settlements. The Vision and Spatial Strategy map on page 9 also designates it as a

Growing Settlement. I note that the council’s policy is to apply this settlement hierarchy status in making all relevant planning application decisions.

Accordingly I do not consider any modification is necessary with regard to this representation.

Rum

RSPB (1104965), Scottish Natural Heritage (909933)

12. These representations relate to the same issue but the council’s preferred solution is to modify the plan with a more specific reference that would not add unduly to the length of text. I consider this is a common sense solution and that the plan should be modified accordingly.

Eigg

Camille Dressler (1104467)

13. The council acknowledges that Eigg is already designated as a potential community plan settlement. It has accepted that the proposed modifications would better reflect local issues, subject to minor amendments, which it has proposed. I consider that these reflect the representors concerns and that the plan should be modified accordingly.

RSPB (1104965)

14. The council accepts the proposed change would provide a more specific reference without adding unduly to the length of the proposed plan and would therefore be an appropriate modification. I accept this view and consider the proposed modification should be made accordingly.

Canna

RSPB (1104965)

15. The council accepts the proposed changes would provide a more specific reference without adding unduly to the length of the proposed plan and would therefore be an appropriate modification. I accept this view and consider the proposed modifications should be made accordingly.

Reporter’s recommendations:

I recommend the following modifications:

1. On page 88, Placemaking Priorities – Acharacle, on the second bullet, delete: “offshore”.

2. On page 91, Placemaking Priorities – Ardgour and Clovullin, add a fifth bullet point:

“Safeguard land from development on either side of the narrows to leave open future crossing options.”

3. On page 92, Placemaking Priorities – Duror, delete the fourth bullet point and insert in its place: - “Safeguard natural and built heritage interests including the Glen Etive & Glen Fyne Special Protection Area (SPA), Ardsheal Hill & Peninsula Geological Conservation Review (GCR) site, native/ancient woodland, listed buildings and scheduled monuments.”

4. On page 92, Duror, under Issues, insert two new bullet points between the first and second as already proposed to read as follows:
- “the very limited capacity of the A828 trunk road junctions through the settlement, the cost of improving or rationalising these junctions and the need to improve cycle access through the village”
 - “the tourism potential of the Caledonia Way national cycle network route which passes through the village at the school and has recently been improved”
5. On page 92, Placemaking Priorities – Duror, after the fourth bullet point add two new points as follows:
- “create a more cohesive village centre close to the principal village junction, subject to rationalisation and improvement of road and cycle track access from the trunk road”
 - “new developments will be required to improve the connectivity of the village through improved active travel and green network links”
6. On page 93, Placemaking priorities, Kilchoan, delete the fourth bullet point and replace with:
- “To protect the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local natural conservation designations.”
7. On page 96, Issues, Lochaline, at the end of the first bullet point, after ‘settlement’ insert: “; existence of the local sand mine and its underground workings which pose a risk of subsidence”.
8. On page 96, Placemaking Priorities, Lochaline, delete the fifth bullet point and replace with:
- “To safeguard the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local nature conservation designations.”
9. On page 99, Placemaking Priorities – Rum, add an additional bullet at the end as follows:
- “Safeguard natural heritage and landscape interests found on Rum and the surrounding marine environment.”
10. On page 100, Placemaking Priorities – Eigg, delete the last bullet point and replace it with three new ones as follows:
- “to secure a collective, master planned, community development of any expansion area, including the crofting area;
 - to require developers to engage with the island's local electricity provider at the earliest stages of any development to ensure spare capacity exists or can be created;
 - to improve water supply capacity to enable future development to occur without compromising the supply to existing properties.”
11. On page 99, Eigg, Issues, delete ‘and’ after ‘island’ and add at the end after ‘settlement’ the following: “: and recognition of the Small Isles Marine Protected Area (MPA) that covers the surrounding waters.”
12. On page 100, Canna, Issues, after ‘overlap the island’ insert: including the Canna and Sanday Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) and the Small Isles Marine Protection Area (MPA).

Issue 14	BROADFORD	
Development plan reference:	Broadford Settlement Chapter, Pages 102 - 111	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
Barbara Williams (1105513) Broadford and Strath Community Company (1105071) Fearann Eilean Iarmain (995590) Fiona Wood (1105135) Gordon Macphie (1104982) Highlands and Islands Enterprise (968745)	Jeanne-Marie Gescher (1104904) Martyn Ayre (1102133) Robert Stradling (1105017) RSPB (1104965) SEPA (906306) Sportscotland (1069318) The Co-op (1103683)	
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Barbara Williams (1105513) - Believes Plan provisions should be included for continuous and dedicated cycle routes, extra pedestrian crossings, reinstatement of its tourist office/Visit Scotland office because Broadford is the second largest settlement on Skye. Points out factual inaccuracy because Broadford no longer hosts a bank but is served by a mobile unit.</p> <p>RSPB (1104965) - Requests better, fuller more specific references to natural heritage and crofting interests because they are important constraints to development that developers should be made aware of. Believes the integrity of crofting land with agricultural potential is important for future generations. Asserts that the Broadford coastline is an internationally significant and crucial stop-over point for a range of long distance migrant birds breeding in the high Arctic and wintering in the sub-tropics. Concerned that any further land reclamation would increase flooding risk for low lying coastal properties and destroy intertidal habitat that provides a valuable food resource for wildlife.</p> <p>The Co-op (1103683) - Seeks Plan changes to reaffirm the pre-eminence of its store in Broadford so that it has certainty in proceeding with further investment either by refurbishment and extension or full redevelopment because the Co-op store: serves a vital role in Broadford, providing a modern high quality shopping facility and petrol sales; is a significant local employer and community facility; Policy 40 of the HwLDP establishes that retail development proposals will be favourably considered where they are within identified city/town/village centres in preference to edge of city/town/village centre locations and out of centre locations; Policy 16 (Commerce) of the adopted WHILP goes on to further establish that the Council will encourage retail, office and leisure development (Use Classes 1-3, 7, 10 & 11) within the various identified centres, with Broadford identified therein as Sub-Area/Local Centre; the WHILP specifically identifies the Co-op store in Broadford within a 'Commerce Centre' allocation; the WHILP Examination Reporter's conclusions referenced Broadford as having 'advantages of trunk road visibility and central location', and that if proposed retail developments in Portree are not implemented 'Broadford would be a possible alternative location for further retail development'</p>		

(the referenced proposals in Portree have not come forward); and, expansion of the existing store would meet the stated Placemaking Priority of 'consolidating the centre of Broadford at its western end' and a requirement for 'high quality siting and design for development along the A87'. Requests a reintroduced and contracted commerce/town centre boundary as per map supplied [RD22] with the existing Co-op within it, for Broadford because: the lack of a boundary is at odds with the position established through the WHILP Examination; it should only enclose the core commercial area at and around the Co-op as this is the functional centre of Broadford, with the immediate environs of the Co-op accommodating public car parks, tourist information centre, hotels, churches and other shops; this would be in line with the stated Placemaking Priority of consolidating the centre of Broadford as its western end; and, the eastern end includes an established residential area and the western extremity, which includes a Council Roads Depot, a Jewsons and housing at Riverbank, which are not uses that would be expected or required within a 'centre'.

Glen Road (West) (BF03)

Martyn Ayre (1102133) - Objects because: it is unnecessary to extend the existing footprint of the village while there is so much brownfield land available for houses within the existing footprint; infill development is not problematic; and, the site has poor ground conditions, underlying geological issues, is steep and has no safe access from the single track Elgol road.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904) - Seeks stronger developer requirements to better control the impact of the development of the site including: a high quality of siting and design to respect the Red Hills and other features of natural beauty; uses and a design that is closely integrated with the natural peace and environmental security of Broadford Bay including its bird interests; and, protection and enhancement of the tourist value of the site and surrounding area.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071) - Request change to allocation boundary to align with its ownership and the edge of Broadford Community Woodland as per map supplied [RD21].

Jeanne-Marie Gescher (1104904) - Believes there should be a buffer between areas of economic activity and areas of nature, including either retention of existing trees or replanting carefully considering number, location, species and sequencing. The buffer and/or any tree felling should be agreed in consultation with neighbours, the community and community organisations responsible for the environment and wildlife. Development should have regard to maintaining the peace, tranquillity and environmental security of the area, including the impact on neighbouring areas of natural beauty and heritage importance, including Corry Estate.

Existing Hospital Site (BF07)

Fiona Wood (1105135) - Seeks reduction in site area to exclude existing woodland and additional requirement that housing should be reserved for hospital workers and/or local people because: this will protect the peace and quiet and wildlife of the locality; the amenity value of the lane as a dog walking route; and, the ancient woodland.

Jeanne-Marie Gescher (1104904) - Seeks expansion of site as per map supplied [RD20] and amended developer requirements because: greater heritage safeguards are needed particularly of the wooded lane between the hospital and the new pier; the land has potential to provide

physical, servicing and design ethos integration between employment, tourism and community uses; the listed buildings at Corry and their setting should be protected; existing trees should be protected and any replacement or new planting should be of native species; housing should be prioritised for local need and/or key workers; a live-work scheme including shared work spaces would be compatible with the adjoining business park; the existing hospital building could be used as a care home whilst also introducing housing opportunities for younger people, creating a mixed community; greater detail on local drainage is required as the stream feeding the old mill up the lane and around the hospital should be protected as it is an important feature of local water management; and, the allocation boundary should be expanded but not including the native woodland as this would optimise the viability of the mixed use area, give potential for collaboration with development on site BF06, strengthen employment and livelihood opportunities, support the protection of the natural environment, and the listed building status at Corry Lodge estate.

Robert Stradling (1105017) - Seeks amendments to developer requirements to safeguard respondent's interests as neighbouring property owner. Requests that existing legal right of access is safeguarded because NHS Highland is obliged to retain vehicular and pedestrian access through to Corry Lodge, and the respondent has no other servitude right of access from the property to the public highway. Also seeks requirements to address: any water environment contamination from the incinerator at the hospital; the protection of local heritage because of its nature conservation value; the archaeological heritage of the wider area which is of significance; and, the need for housing and community developments to fully address the needs of all sections of our community.

South of Library (BF08)

Gordon Macphie (1104982) - Supports site but requests its southward extension as per map supplied [RD19] and its use mix broadened to include Use Classes 5 and 6 because; it already adjoins industrial uses, the alternative employment land at Broadford Industrial Estate has ground conditions and other feasibility challenges, there is an unmet demand for space from local businesses, and the extension land is not subject to unacceptable flood risk.

Jeanne-Marie Gescher (1104904) - Supports high quality, heritage based, tourism development on this site subject to good siting and design. Cites adjoining Café Sia as an exemplar that should be followed.

The Co-op (1103683) - Seeks amendment to Plan wording to clarify that a single retail use of the site will not be acceptable. Also believes that the allocation should not be included within any defined commence centre.

North of Village Hall (BF10)

Fearann Eilean Iarmain (995590) - The landowner (FEI) supports the Mixed Use allocation. FEI has recently invested in various technical reports which prove the deliverability of development at this location. Proposals are being developed for a mixed use development and continued allocation of the site is important.

The Co-op (1103683) - Seeks amendment to Plan wording to clarify that a single retail use of the site will not be acceptable. Also believes that the allocation should not be included within any defined commence centre.

Glen Road West of School (BF11)

Sportscotland (1069318) - Concerned that the allocation includes both the school and the playing field. The grass pitch was extended and redeveloped in 2015 with a financial contribution from Sportscotland. Unclear what the balance of the mix of uses will be. Seeks a safeguard for the playing field because this would be in line with Policy 76 of the Highland-wide Local Development Plan.

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904) - Seeks high quality of design and siting so there is no adverse impact on the heritage and natural environment of Shore Road and the beauty of Broadford Bay. Housing for medical staff also needs to be considered.

Robert Stradling (1105017) - Seeks amendments to developer requirements to safeguard respondent's interests as neighbouring property owner. Requests that existing legal right of access is safeguarded because NHS Highland is obliged to retain vehicular and pedestrian access through to Corry Lodge, and the respondent has no other servitude right of access from the property to the public highway. Also seeks requirements to address: any water environment contamination from the incinerator at the hospital; the protection of local heritage because of its nature conservation value; the archaeological heritage of the wider area which is of significance; and, the need for housing and community developments to fully address the needs of all sections of our community.

Ashaig Cemetery (BF13)

SEPA (906306) - Concerned that the cemetery proposal may have a detrimental impact on groundwater and this needs to be assessed via intrusive ground investigation. Seeks an additional developer requirement to address this issue including the consideration of alternative locations.

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745) - Requests that south eastern corner of allocation be separated off as a mixed use allocation with access from either High Road or through the existing industrial estate because this land has the commercial advantage of visibility from the A87 and is close to the village centre.

Jeanne-Marie Gescher (1104904) - Requests additional developer requirements to ensure that the industrial expansion area is adequately buffered from existing and proposed adjoining uses because of the need to protect local natural and built heritage. This minimum buffer area should be established in consultation with neighbours and should include immediate and long term screening. Felling of trees needs to be carefully scrutinised, accompanied with compensatory replanting which includes traditional native species and bushes, taking account of the time lag between planting and growing.

Modifications sought by those submitting representations:Placemaking Priorities

Barbara Williams (1105513) - Additional priorities for continuous and dedicated cycle routes, additional pedestrian crossings and reinstatement of Tourist Office/Visit Scotland centre. Amendment of preamble text to clarify that Broadford no longer hosts a bank just a mobile unit.

RSPB (1104965) - That the second sentence of paragraph 3.3 is replaced with "The Cuillin Hills SPA including the Red Hills to the west as well as nature conservation interests in the bay to the north, Ob Lusa to Ardnish SSSI to the east and the Mointeach nan Lochan Dubha SAC and SSSI to the south, all limit suitable directions for growth". Addition of the following text to paragraph 3.2: "The coastal fringe around Broadford Bay provides some of the best and most extensive in-bye land in south Skye. Care should be taken to ensure that any housing and other developments do not compromise the integrity of land with agricultural potential for future generations." Addition of the following text to paragraph 3.3: "Although undesignated, the shoreline and intertidal zone within Broadford Bay provide an internationally significant staging area for migrant wading birds and wildfowl to rest and feed before continuing their onward long distance migration. This is a crucial stop-over point for a range of long distance migrant birds breeding in the high Arctic and wintering in the sub-tropics." Ninth Placemaking Priority amended to "Retain the traditional crofting pattern of development and protect croft land essential to safeguard crofting activity". Additional Placemaking Priorities: "Ensure that the natural heritage interests that surround the settlement are not compromised." and "Avoid any further land reclamation that would increase flooding risk for low lying coastal properties and destroy intertidal habitat that provides a valuable food resource for wildlife."

The Co-op (1103683) - Addition of a 'commerce centre' allocation to include only the core commercial area at and around the Co-op (map submitted by respondent).

Glen Road (West) (BF03)

Martyn Ayre (1102133) - Deletion of allocation.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904) - More specific reference(s) in Plan about the importance of both respecting the peace and security of the area and of the long term careful management of the relationship between human beings and the natural world.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071) - Allocation boundary changed to align with respondent's ownership and edge of Broadford Community Woodland (map submitted by respondent).

Jeanne-Marie Gescher (1104904) - Additional developer requirement to ensure a buffer between areas of economic activity and areas of nature, including either retention of existing trees or adequate replanting not only in the form of the number of trees planted but also location, species and sequencing. Additional developer requirement to maintain the peace, tranquility and environmental security of the area, including the impact on neighbouring areas of natural beauty and heritage importance, including the Corry Estate.

Existing Hospital Site (BF07)

Fiona Wood (1105135) - Additional developer requirement to prevent any impact on woodland and preference that new housing should go to locals, doctors, nurses working at new hospital.

Jeanne-Marie Gescher (1104904) - Amended site provisions and developer requirements (all assumed) as follows: appropriate design principles; protection of the peaceful enjoyment and natural features (trees and wildlife, including birds) of the wooded lane between the hospital and the new pier and no significant increase in traffic on this lane; development sympathetic to, and

supportive of, the heritage of the area, including the listed buildings at and around Corry; environmental design of any housing, both in terms of architectural aesthetic and environmental soundness; protection of existing trees and a commitment to maintaining the high quality of traditional species of woodland; protection of the drainage system that runs from the stream feeding the old mill up the lane and around the hospital; expansion of the allocation to the north (as far as the northern boundary of Laoghras), west (as far as the boundary with the industrial/business park), and east, around the hospital and down to, but not including, the native woodland; any rezoning should not include the wooded land adjacent to the lane leading from the hospital to the new pier whose natural environment should be preserved (see map supplied of suggested boundary change); existing hospital site zoned for a care home and housing for local, younger people and key public sector workers; land safeguard for a live-work scheme including shared work spaces; and, employment and livelihood opportunities in environmental services and skills.

Robert Stradling (1105017) - Additional developer requirements to: safeguard existing right of road and pedestrian access to their property at Corry Farm Road; ensure that when existing buildings are demolished any contamination which may have occurred in the past due to the absence of an incinerator at the hospital will not leach into adjacent water courses; protect the valuable natural habitat and ecology of the lands surrounding the development; and, ensure services to this part of Broadford are suitably upgraded to meet the increased demand caused by a larger hospital, the additional planned buildings and the increased housing capacity.

South of Library (BF08)

Gordon Macphie (1104982) - Expansion of allocation boundary (map supplied by respondent) and more diverse mix of uses to include Classes 5 and 6.

Jeanne-Marie Gescher (1104904) - Additional developer requirement to ensure development balances economy and natural and heritage environment.

The Co-op (1103683) - Deletion of option of wholly retail use from allocation BF08 and exclusion from commerce centre boundary.

North of Village Hall (BF10)

The Co-op (1103683) - Deletion of option of wholly retail use from allocation BF10 and exclusion from commerce centre boundary.

Glen Road West of School (BF11)

Sportscotland (1069318) - Additional developer requirement to safeguard the playing field.

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904) - Additional developer requirement to ensure that the heritage and natural environment of the Shore Road is not impacted.

Robert Stradling (1105017) - Additional developer requirements to: safeguard existing right of road and pedestrian access to their property at Corry Farm Road; ensure that when existing buildings are demolished any contamination which may have occurred in the past due to the absence of an incinerator at the hospital will not leach into adjacent water courses; protect the valuable natural habitat and ecology of the lands surrounding the development; safeguard the rich archaeological heritage in BF-12 and surrounding areas; and, ensure services to this part of

Broadford are suitably upgraded to meet the increased demand caused by a larger hospital, the additional planned buildings and the increased housing capacity.

Ashaig Cemetery (BF13)

SEPA (906306) - That wording "Intrusive Ground condition investigations which may necessitate consideration of alternative land close by" be deleted and replaced with: "Intrusive ground investigations to be undertaken in line with SEPA guidance on assessing the impacts of cemeteries on groundwater. Findings of the investigation may indicate that the site, or parts of it, is not suitable for a cemetery due to an unavoidable impact on groundwater. This may necessitate consideration of alternative land close by."

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745) - Reallocation of southern portion of site for village centre, mixed compatible uses. Road access would be envisaged to be from High Road or from the existing estate.

Jeanne-Marie Gescher (1104904) - Amended developer requirements to create buffers for watercourses and sensitive parts of the natural environment. Tree/woodland retention wherever possible and if tree loss essential then compensatory replanting using traditional native species including quick growing shrubs to provide short term screening. New mixed use allocation to the east of BF14 beginning from the boundary with the industrial estate/business park as far as the northern boundary of Laoghras, and east, around the hospital and down to, but not including, the native woodland. Site to exclude woodland adjacent to the lane leading from the hospital to the new pier whose natural environment should be preserved. (see map submitted by the respondent).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Barbara Williams (1105513) - For Broadford the Plan already includes a Placemaking Priority which promotes the improvement of active travel links to the village centre. Several allocations also include developer requirements to provide active travel connections or create permeable layouts.

In addition, Policies 29 Sustainable Design and 56 Travel of the HwLDP aim to ensure that active travel links are formed wherever possible. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. Tourist information centres are administered by Visit Scotland and it is not within the power of the Council to determine where these centres will be. The Council appreciates the importance of tourism for Broadford and within the Placemaking Priorities expansion of recreational tourism activity to the west of the village is promoted as well as including the airstrip at Ashaig as an Economic Development Area. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. The Council acknowledges that the statement about there being a bank in Broadford is no longer correct and is content to make the textual, factual update should the Reporter agree.

RSPB (1104965) - The Council's approach to Plan content has been to make specific references to development factors and constraints where they are particularly relevant to a community, can be written in a concise way, and are not overly representative of any particular agenda, issue or sectoral interest. RSPB's requested changes have merit but could be made in

a more general and concise way. For example, the reference to “nature conservation interest to the east” is not just to the Ob Lusa to Ardnish SSSI but also to designations such as the Loch Ashaig SSSI, Kinloch and Kyleakin Hills SAC. If the Reporter agree then the settlement text could be expanded to read “...nature conservation interest to the *north and east*...” Similarly, there is already a Placemaking Priority which recognises the importance of the crofting landscape. However, if the Reporter is so minded then the ninth Placemaking Priority could be amended to: “Protect inbye croftland and retain traditional crofting pattern of development and land use, particularly in the eastern part of the settlement”. Again, the existing Plan text at paragraph 3.3 already recognises the importance of Broadford Bay for wildlife, particularly along the shoreline. However, if the Reporter agree then an additional, specific Placemaking Priority could be added: “Ensure that the natural heritage interests that surround the settlement, particularly those around the shoreline, are not compromised”. The suggested additional Placemaking Priority relating to avoidance of land reclamation that would impact on flood risk or wildlife is not considered necessary. Safeguards are in place through HwLDP policies relating to flood risk and impact on the natural environment and proposals can be assessed if and when a planning application is submitted. Furthermore the potential amendments suggested by the Council listed above (including amendments to the settlement text and the additional Placemaking Priority) would help to highlight the importance of the shoreline area.

The Co-op (1103683) - The Council accepts that the Co-op is an important community facility, local employer and that a company requires a degree of certainty in making investment decisions. Whilst the Co-op store is not within an allocated site, it sits within the Broadford Settlement Development Area where there is a presumption in favour of the principle of development. Policy 40 Retail of the HwLDP directs retail developments to city, town or village centre locations which means that the principle of further investment in the current store/site would likely be supported given its central location, good transport links and being close to other facilities. The ‘commerce centre’ notation was not carried forward from the WHILP because of the dispersed nature of the settlement and commercial development within it. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Glen Road (West) (BF03)

Martyn Ayre (1102133) - The site is identified for long term housing which provides only an indication of the likely preferred direction for growth beyond the Plan period. The site forms part of a larger area of land allocated within the adopted WHILP [CD14] for housing development (reference H1). The site has been included because it benefits from significant investment in the formation of the Glen Road access, not being inbye croftland, and being centrally located and close to amenities. Should the allocated sites within Broadford be built out and/or there is a need to allocate further housing land during a future review of the Plan, then a full assessment of the site’s suitability will be carried out prior to the decision to include it as an allocation. This will include the identification of necessary developer requirements to mitigate any adverse impacts. The respondent’s concerns are overstated. It is technically feasible to achieve a road connection to the Elgol Road, to overcome ground conditions not expected to be any different to other development sites across the West Highland area, and to design around the moderate slope that affects part of the site. The Council supports the principle of redeveloping brownfield land and promotes, where possible, suitable brownfield development opportunities. However, wider Broadford is a collection of crofting townships with few if any larger brownfield redevelopment opportunities. Accordingly, the Council believes the Plan content should remain

unaltered in respect of this issue.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904) - Whilst the Council recognise the concerns over the sensitive nature of the site for both wildlife and as a recreational area, it is considered that the existing developer requirements will ensure that any development proposals address the main issues raised by the respondent, including access, peat and wetland management, protection and enhancement of watercourses and natural features, protected species surveys and high quality siting and design. In terms of tree felling, the developer will be required to do this in accordance with The Scottish Government's Policy on Control of Woodland Removal [CD20]. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071) - The boundary was amended (extended northwards) following the Main Issues Report to better reflect the community buyout ownership. The additional suggested change by Broadford and Strath Community Company is a further refinement of the boundary but is not considered to have any other consequential impacts. If the Reporter is so minded the Council is content for the boundary of BF05 to be amended (and the subsequent changes to the boundaries of BF06 and BF14 which adjoin the site) to reflect the ownership of Broadford and Strath Community Company.

Jeanne-Marie Gescher (1104904) - The Council recognises that there may be compatibility issues between the adjoining allocations BF06 (Mixed Use – Community Business/Tourism) and BF14 (Industry). The listed developer requirements already include the sewage works setback (cordon sanitaire) and this could be broadened, if the Reporter agree, to add “and other setbacks between incompatible adjoining uses” after “sanitaire”. The precise location and width of setbacks is best considered at the planning application stage when more is known about the arrangement of different uses within the sites. Flexibility is also required in the absence of detailed information that will influence precise layouts such as flood risk, ground conditions and topography.

Existing Hospital Site (BF07)

Fiona Wood (1105135), Jeanne-Marie Gescher (1104904) - The Council and registered social landlords must allocate residential accommodation on the basis of need. A connection with the local area by residency, relationship or employment can be taken into account but not as an overriding factor. Many of the other issues raised by the respondent are already adequately addressed by the Plan's developer requirements. However, the suggested enlargement of the allocation has merit because it opens up joint site servicing improvement opportunities. The proposed industrial estate extension (BF14) and the existing hospital potential redevelopment opportunity (BF07) are both constrained in terms of requiring improved road access. A larger allocation including land owned by Corry Estate opens up other road access routes and the possibility of cost sharing. If the Reporter agree then the Council would be content that the allocation be expanded as suggested by one of the respondents. A more specific safeguard for the trees bordering the hospital to Corry Lodge road would also be appropriate given their heritage and amenity value. If the Reporter agree then the Council would support the addition after “green network” of “and safeguards the trees bordering the hospital to Corry Lodge road”. It is not necessary to add in a developer requirement relating to a specific drainage channel as a Drainage Impact Assessment will accompany any future application and more properly assess this issue across a wider area. The allocation even if expanded as requested is

sufficiently distant from the listed structures not to impact on their setting.

Robert Stradling (1105017) - Most issues raised by the respondent are adequately addressed within the existing developer requirements for the site. However, the safeguarding of existing legal rights of access could be added for reassurance and clarity. If the Reporter is so minded then the following developer requirement could be added: "Layout should preserve or provide acceptable alternative rights of access to the public road network".

South of Library (BF08)

Gordon Macphie (1104982) - There is a shortfall in employment land/building supply within Skye's second largest settlement. The respondent's proposal could create use compatibility issues within the site and affect the amenity of the adjoining housing at Riverbank. Moreover, the 1 in 200 year flood event risk area encroaches into the southern corner of the existing allocation. However, with a setback to the existing houses at Riverbank, the site's extension to the south west, and the deletion of housing as an option within the use mix then an amendment may be desirable. If the Reporter agrees then the Council would support an extension of the site boundary [CD50], the deletion of housing as an acceptable use within the allocation's mix, the addition of industry as an acceptable use but with an additional developer requirement requiring that any such use be limited to the south west portion of the site with a landscaped setback to existing and proposed other uses.

Jeanne-Marie Gescher (1104904) - Comments highlighting the sensitive nature of this site are noted. There is already a Placemaking Priority which seeks high quality siting and design for any new development along the A87. However, to strengthen this position, if the Reporter agrees then an additional developer requirement could be added "High quality of architectural design and siting in respect of development fronting the A87".

The Co-op (1103683) - The site lies at the heart of the concentrated part of the crofting townships that make up the wider Broadford settlement and is therefore an appropriate location for town/village centre uses such as a supermarket. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

North of Village Hall (BF10)

Fearann Eilean Iarmain (995590) - The support for the continued allocation of the site from the landowner and its intention to progress a development is noted.

The Co-op (1103683) - The site lies close to the heart of the concentrated part of the crofting townships that make up the wider Broadford settlement and is therefore an appropriate location for town/village centre uses although in practice the site's size, access limitations and visual sensitivity make it unsuitable for a large format foodstore. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Glen Road West of School (BF11)

Sportscotland (1069318) - Whilst the allocation includes the sports field it is not anticipated that it would be affected by development. However, if the redevelopment of the school and hall area does require the use of this land then equivalent playing field provision within the allocation boundary would be required. Accordingly, if the Reporter agree then the Council would support the following additional developer requirement: "Sports field to be retained or relocated within allocation boundary to an equivalent or better standard".

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904) - There is already a developer requirement highlighting the need for a high quality of siting and design. Similarly, the wider issue of the heritage value of the shoreline is addressed in respect of RSPB's representations within this schedule.

Robert Stradling (1105017) - Most issues raised by the respondent are adequately addressed within the existing developer requirements for the site. However, the safeguarding of existing legal rights of access could be added for reassurance and clarity. If the Reporter is so minded then the following developer requirement could be added: "Layout should preserve or provide acceptable alternative rights of access to the public road network".

Ashaig Cemetery (BF13)

SEPA (906306) - The Council accepts that the additional developer requirement suggested by SEPA would be appropriate given the potential groundwater pollution risk. Accordingly if the Reporter agrees then the Council would be content with the existing Developer Requirement "Intrusive Ground condition investigations which may necessitate consideration of alternative land closeby" being deleted and replaced with: "Intrusive ground investigations to be undertaken in line with SEPA guidance on assessing the impacts of cemeteries on groundwater. Findings of the investigation may indicate that the site, or parts of it, is not suitable for a cemetery due to an unavoidable impact on groundwater. This may necessitate consideration of alternative land close by."

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745) - The requested change is in accord with a change of use planning permission granted by the Council [CD51]. Accordingly if the Reporter agrees then the Council would be content with the requested change to separate that part of BF14 that lies south and east of Pairc Nan Craobh to create a new mixed uses allocation which would mirror the terms of this planning permission in terms of the range of acceptable uses and the developer requirements taken from its principal conditions notably the need for replacement native species planting.

Jeanne-Marie Gescher (1104904) - Whilst there is already a developer requirement for compensatory planting, the provision of a woodland buffer on the eastern side of the allocation would help to screen and reduce noise from any industrial development and safeguard green network connectivity. Therefore if the Reporter agree then the following addition could be made, after "Compensatory Planting may be required" add "including a native species woodland buffer along the eastern boundary of the site."

Reporter's conclusions:Placemaking Priorities

1. One representor seeks references within the Placemaking Priorities, page 103, to the provision of more cycle routes and pedestrian crossings, and the reinstatement of a tourist office, in Broadford. The correction of a minor error in the Plan's text is also sought. I note that the 6th Placemaking Priority promotes active travel links to the village centre and that some allocations require active travel connections. Active travel covers cycling and walking. Taken in combination with policies in the Highland-wide Local Development Plan (Policies 28 [Sustainable Design] and 56 [Travel]) that promote active travel, I am satisfied that the development plan as a whole appropriately covers the needs of cyclists and pedestrians, and that there is no need for more detailed references to different types of facility for them, such as cycle routes and pedestrian crossings. Development Plans should not be overly detailed, but should focus on explaining the spatial strategy and the policies and proposals for an area. The reinstatement of a tourist office in Broadford, while potentially desirable bearing in mind the importance of tourism in the area, falls outwith the scope of the Plan.
2. I agree with the representor and the planning authority that the minor error in the 2nd sentence of paragraph 3.1, page 102, should be corrected by deleting the reference to a bank, because a permanent banking facility no longer exists in Broadford.
3. The Royal Society for the Protection of Birds seeks more specific and detailed references in paragraphs 3.2 and 3.3, page 102, and in the Placemaking Priorities, page 103, to the natural heritage constraints affecting development proposals in the village, including the identification of designated sites and additional references to the protection of crofting. The planning authority recognises that some changes to the text of the proposed Plan would be desirable but does not accept all the changes put forward in the representation. Paragraphs 3.2 and 3.3 set out a broad range of constraints affecting development proposals in Broadford, and they are complemented by 11 Placemaking Priorities. Paragraph 3.2 refers to inbye land, and paragraph 3.3 covers nature conservation interests around Broadford. The 9th Placemaking Priority seeks to retain a traditional crofting pattern of development in the eastern part of Broadford. The 10th Placemaking Priority is concerned with securing sufficient land for an airstrip at Ashaig, and this proposal is dealt with in detail in the Economic Development Areas section of the proposed Plan, page 20 (under EDA01 [Ashaig Airstrip]).
4. There is a range of internationally, nationally, and locally significant nature conservation interests around Broadford, including the Cuillins Special Protection Area, Mointeach nan Lochan Special Area of Conservation and Site of Special Scientific Interest, Kinloch and Kyleakin Hills Special Area of Conservation, Ob Lusa to Ardnish Site of Special Scientific Interest, and Loch Ashaig Site of Special Scientific Interest. The Habitats Regulations Appraisal concludes that the allocations in Broadford would have no effects on the internationally designated Special Areas of Conservation and Special Protection Areas. I therefore consider it unnecessary to refer to these designations individually by name in the Broadford section of the proposed Plan.
5. The Revised Environmental Report indicates no impact on nationally designated nature conservation sites, except the allocation at BF13 (Ashaig Cemetery) where no development would be permitted within the Ob Lusa to Ardnish Site of Special Scientific Interest and Geological Conservation Review Site. As this constraint on development is adequately covered in the Developer Requirements for BF13 (Ashaig Cemetery), I consider it unnecessary to highlight this designation, or any other nationally important designation at paragraphs 3.2 or 3.3. There would be impacts on internationally and nationally important nature conservation interests

at EDA01 (Ashaig Airstrip), but these are dealt with under the Developer Requirements for the allocation in the Economic Development Areas section of the proposed Plan and, as such, they do not require to be cross referenced in the Broadford section of the proposed Plan.

6. Given the above conclusions, and bearing in mind that Scottish Natural Heritage has not requested that a reference be made to any specific international or national nature conservation designation, I am satisfied that Paragraph 3.3 already appropriately recognises, in general terms, the nature conservation interests and constraints on growth to the east of Broadford. I consider that including a similarly general reference to the nature conservation interests to both the north (as proposed by the planning authority) and south of the village would mean that such constraints on growth in these directions would also be properly recognised in Paragraph 3.3. Moreover, the additional Placemaking Priority proposed by the planning authority would serve to further highlight the need to protect nature conservation interests around Broadford, particularly at the shoreline, which is an important area for migrant birds. I therefore agree that it should be included in the proposed Plan. This change would broadly reflect the terms of the additional Placemaking Priority on natural heritage interests sought by the Royal Society for the Protection of Birds. In light of the reference in this new Placemaking Priority to the importance of the shoreline, I believe that it is unnecessary to add any text to paragraph 3.3 regarding the use of the shoreline by migrant birds.

7. I consider that crofting interests in the area can be adequately safeguarded by changing the 9th Placemaking Priority in the manner proposed by the planning authority. The revised Priority would recognise the importance to the village of both the inbye land and the crofting landscape. Development of such land would also be protected under Policy 47 (Safeguarding Inbye/AppORTioned Croftland) of the Highland-wide Local Development Plan. The policy seeks to safeguard and promote this resource and heritage by minimising the loss of inbye/appORTioned croftland. I therefore do not consider it necessary to change the text of the proposed Plan (neither paragraph 3.2 nor the Placemaking Priorities) along the lines suggested by the Royal Society for the Protection of Birds.

8. I agree with the planning authority that the additional Placemaking Priority on land reclamation is unnecessary because the Highland-wide Local Development Plan contains a sound policy framework (Policy 28 [Sustainable Design], Policy 57 [Natural, Built and Cultural Heritage], Policy 58 [Protected Species], Policy 59 [Other Important Species], Policy 60 [Other Important Habitats and Article 10 Features], Policy 62 [Geodiversity], and Policy 64 [Flood Risk]) for assessing any such proposals that may come forward.

9. The Co-op seeks the reinstatement of a village Town Centre boundary in Broadford to reflect (but not replicate) the Commerce Centre designation identified in the adopted 2012 West Highland and Islands Local Plan. The new Town Centre proposed would be a significant reduction on the size of the established Commerce Centre. Broadford is identified as a Main Settlement in the Settlement Hierarchy set out in the proposed Plan. Under Policy 16 (Commerce) of the adopted local plan, Broadford is identified as a Sub-Area/Local Centre. In the adopted 2012 Highland-wide Local Development Plan, it is shown as a local centre, but not as a larger life line village (in the Spatial Strategy).

10. Scottish Planning Policy, which was published after the adoption of both plans, states planning for town centres should be flexible and proactive. It also indicates that plans should identify as town centres those centres which, amongst other things, display a diverse mix of uses, and qualities of character and identity which create a sense of place and further the well-being of communities. Scottish Planning Policy does not require all the settlements identified in a plan to have a defined town centre. It is a matter of judgment for a planning authority, taking into account the above factors, and other factors set out at paragraph 62 of Scottish Planning

Policy.

11. Broadford is a linear, coastal settlement which stretches for a considerable distance along either side of the A87. The designated Commerce Centre area is towards the western end of the village, and it is similarly linear. While the western end is the more developed part of the settlement, I agree with the planning authority that the settlement as a whole, including the Commerce Centre, can be regarded as dispersed in nature. I noted on my site inspection that the mix of uses in the designated Commerce Centre was not particularly diverse, and that the centre lacked character and identity and, as a result, an appropriate sense of place. Taking these factors together, I am not persuaded that a defined Town Centre would be a suitable or useful designation in Broadford.

12. This remains the case even with the Co-op's proposed new boundaries for a Town Centre designation. Its proposal would significantly reduce the size of the existing designation, which would mean that the store would become an even more dominant feature in the centre, the range of uses would become less diverse, and the centre would still lack an appropriate sense of place.

13. The Co-op indicates that it is seeking a planning policy which is supportive of the principle of retail development. This is because it is considering a significant investment to improve its existing store. The Co-op currently occupies a large industrial style building on the northern side of the A87 and it has a large car park and a petrol filling station. I acknowledge that the store is a key community facility and a source of local employment, and that improvements to it could benefit the village. However, I agree with the planning authority that the likely main effect of the Co-op's proposal to limit the size of the designated centre and prevent 2 mixed use allocations (BF08 [South of Library] and BF10 [North of Village Hall]) being developed solely for retail purposes, would be to inappropriately restrict potential competition amongst retailers. With food stores in Skye and Lochalsh overtrading during the summer high tourist spend months, such a restriction on competition would be particularly inappropriate. It is a well established principle that the town planning system does not function to preserve existing individual commercial interests or to inhibit competition between retailers.

14. In these circumstances, I do not consider that the representation contains a sound justification for designating a Town Centre at Broadford. Any proposals brought forward by the Co-op to improve its store in the village should be assessed on their own planning merits against the policy framework in the proposed Plan and the Highland-wide Local Development Plan. Any retail proposals coming forward on BF08 (South of Library) and BF10 (North of Village Hall) would also be subject to the same policy framework, and this may include a requirement for a retail impact assessment (depending on the scale of development) to consider the effects that such proposals would have on the vitality and viability of existing centres. No change is therefore required to the proposed Plan in relation to this representation.

15. However, overall, adjustments are required to the proposed Plan, as set out below.

BF03: Glen Road (West)

16. BF03 is situated on the southern edge of Broadford, to the south of the A87, Glen Road and Strath Suardal Way, and to the east of the B8083 (the Elgol road) and Broadford River. It extends to around 9.8 hectares, is of an irregular shape, is gently sloping up towards the south, and comprises scrubby moorland. The site is identified as a Long Term Housing opportunity in the proposed Plan. It forms part of a larger area (17 hectares), which was allocated for housing in the adopted local plan (H1) with a total indicative capacity of 170 houses. The site is not expected to contribute to the housing land requirement set out in the proposed Plan because it

is not a housing allocation.

17. As a long term site, the proposed Plan explains that BF03 is showing no more than the likely preferred direction of growth for Broadford beyond the Plan period. It also indicates that the site is not being invited for development within the first 5 years following the adoption of the Plan. Moreover, the planning authority expects allocated “short term” sites to be developed before any long term sites are considered. It will further assess the suitability of long term sites when considering if they should be brought forward at future reviews of the Plan.

18. In essence, the representor seeks the removal of BF03 from the proposed plan. Broadford is the 2nd largest settlement on Skye, is a major centre for the south of Skye, and is identified as a Main Settlement within the Settlement Hierarchy in the proposed Plan. As such, it is an important strategic village on the island, and I consider that it is appropriate for it to be a focus and location for future growth. This would provide continued support to local services and facilities, and it reflects the planning authority’s strategy of encouraging growth in the Plan area.

19. I believe that BF03 could be a suitable housing allocation in the future because it has the potential to be a natural extension of the existing residential built-up area of Broadford, and it would be close to existing facilities and services. It is also proportionate in size to the scale of the village. There are possible accesses to the site from the new Glen Road and Strath Suardal new access roads, which would likely be the principal access to the site, and from the B8083. While further investigation would be required, I note that the adopted local plan already highlights possible access to the site from these roads under the housing allocation identified at H1.

20. Both national and local planning policies promote the development of brownfield land. However, there is no prohibition on developing greenfield land. No brownfield land in the village suitable for designation as a Long Term Housing opportunity has been drawn to my attention. I agree with the planning authority that there would be likely to be few, if any, brownfield opportunities similar in scale to BF03 in a rural village such as Broadford, which comprises a collection of crofting townships. While I accept that the site may be constrained to an extent by ground conditions, there is no evidence before the examination demonstrating that such a constraint would be insurmountable if the site is allocated for housing in the future. I noted at my site inspection that there is already recent and ongoing house building adjacent to BF03, and that the slope on the site is not steep. Drawing these various elements together, I believe that BF03 should be retained as a Long Term Housing opportunity.

21. Overall, no adjustment is required to the proposed Plan.

BF05: Cnoc na Cachaille

22. BF05 is situated on the north side of the A87 at the westernmost edge of Broadford. It is one of a cluster of allocations in this part of the village, including BF06 (South of Cnoc na Cachaille), BF07 (Existing Hospital Site), BF12 (Land Adjoining Health Centre) and BF14 (North of Industrial Estate), which are all to the east of BF05. The site extends to around 177 hectares, is of an irregular shape, generally slopes up to the north from the A87, and contains forestry, woodland, cleared areas, a cemetery at its western end, and parts of a core footpath which runs alongside the A87 before turning northwards into the site and BF04 (North of Cnoc na Cachaille). Its allocation for Mixed Use purposes in the proposed Plan is a continuation of the Mixed Use allocation in the adopted local plan, albeit that the range of uses proposed in the former plan (Community and Tourism) is more restricted than that permitted in the latter (Community, Tourism and Business), and the boundaries of the allocation are different.

23. In essence, the representor seeks to protect the site's natural and environmental qualities, and to promote the long term careful management of it. BF05 is a very large site and is in an environmentally sensitive area. Given this, I agree that any development of it should recognise its natural and environmental qualities. I note that the proposed uses for the allocation in the Plan are restricted to Community and Tourism, and that the Developer Requirements set out a number of measures to control the impact of development on the site's environment. The Requirements cover: preparation of a peat management plan, a vegetation survey and a protected species survey, protection of deep peat, wetlands and watercourses, retention of woodland and undertaking compensatory planting, retention and enhancement of the core path network, and the need for high quality siting and design.

24. Taken together, I believe that the Developer Requirements provide a sound framework for guiding development and sensitively managing its effects. I note that neither Scottish Natural Heritage nor the Scottish Environment Protection Agency have raised concerns about the principle of Community and Tourism development on this allocation or the adequacy of the Development Requirements. Moreover, the revised Environmental Report finds that the environmental impact of the types of development proposed would be acceptable, once account is taken of the Developer Requirements. It does not identify a need for any further Requirements to ensure that the site's environmental and natural qualities are appropriately safeguarded. In all these circumstances, I am satisfied that there is no need to add to, or modify, the terms of the Developer Requirements proposed, or to change any other part of the proposed Plan as a result of this representation.

25. Overall, no adjustment is required to the proposed Plan.

26. I recommend below a change to the boundary of BF05. However, this change arises from representations made to BF06 (South of Cnoc na Cachaille). I therefore deal with the change when considering that site.

BF06: South of Cnoc na Cachaille

27. BF06 is situated on the north side of the A87 towards the western end of Broadford. It is one of a cluster of allocations in this part of the village, including BF05 (Cnoc na Cachaille), which is to the west and north of BF06, and BF07 (Existing Hospital Site), BF12 (Land Adjoining Health Centre) and BF14 (North of Industrial Estate), which are all to the east. The site extends to around 17 hectares, is of an irregular shape, slopes up towards the north, and contains a camping site (planning application number 14/04434/FUL), community allotments, woodland, and a part of a core footpath which runs alongside the A87 before turning northwards into BF05 (Cnoc na Cachaille) and BF04 (North of Cnoc na Cachaille). It is allocated for Mixed Use (Community, Business and Tourism) purposes in the proposed Plan, and as part Mixed Use (Community, Business and Tourism) and part Industry in the adopted local plan.

28. Broadford and Strath Community Company seeks to extend the allocation. The planning authority accepts this change. It submitted a plan of the proposed extension in its response to Further Information Request 04. This reflected the area of the extension (RD21) sought by the Company (who made no comment on the planning authority's submission). I agree with the proposal because it would mean that the extent of the allocation would match the extent of the land owned by the Community Company. This would allow the Company to more easily prepare a set of coherent proposals across its whole land holding at this location. The extension would expand BF06 northwards. While this would mean that the size of the allocation at BF05 (Cnoc na Cachaille) would be reduced, it would only be by a small amount (at its eastern edge) and would leave by far the greater part of that allocation unchanged. The reduction would also mean that BF05 (South of Cnoc na Cachaille) more accurately represents

the land ownership of Forestry Commission Scotland. The extension to BF06 would require a consequential change to the settlement boundary. I am satisfied that this could likely be accommodated without significant adverse effects.

29. Additionally, the change to the boundaries would have implications for BF14 (North of Industrial Estate), and I deal with these when considering that site.

30. Another representor seeks to protect the site's natural and environmental qualities, and to provide adequate buffers between areas of economic activity and natural areas. The allocation is adjacent to BF05 (Cnoc na Cachaille). Both BF06 and BF05 (Cnoc na Cachaille) are in an environmentally sensitive area. As BF06 has been developed in part as a camp site and for other purposes, and as it falls within the Settlement Development Area, I do not find it to be as environmentally sensitive as BF05 (Cnoc na Cachaille). The Developer Requirements are similar to those for BF05 (Cnoc na Cachaille), covering such matters as preparation of a peat management plan, protection of deep peat, wetlands and watercourses, retention and enhancement of the core path network, and the need for high quality siting and design. I find that almost all the matters raised in the representation are addressed by these Requirements.

31. I note that neither Scottish Natural Heritage nor the Scottish Environment Protection Agency have raised concerns about the principle of Community, Business and Tourism development on this allocation or the adequacy of the Developer Requirements. Moreover, the revised Environmental Report finds that the environmental impact of the types of development proposed would be acceptable, once account is taken of the Requirements. It does not identify a need for any further Requirements to ensure that the site's environmental and natural qualities are appropriately safeguarded.

32. Nonetheless, I accept that the industrial and business uses to the east and the further development of the adjacent industrial allocation at BF14 (North of Industrial Estate) could be incompatible with the types of use and the quality of environment promoted on BF06. In order to minimise the likelihood of significant adverse effects, I consider that it would be appropriate to add to the existing Developer Requirement for a Sewage Works Cordon Sanitaire that there should be set backs between potentially incompatible adjoining uses. I am satisfied that a Requirement along these lines would reasonably address the concerns raised in the representation. I agree with the planning authority that the full details of any set back should be dealt with at the planning application stage when more information would be available about uses and site constraints.

33. I believe that this change to the Developer Requirements combined with the existing Requirements in the proposed Plan, would provide a sound framework for guiding further development of the allocation and appropriately managing the effects of potentially incompatible uses in close proximity.

34. Overall, adjustments are required to the proposed Plan, as set out below.

BF07: Existing Hospital Site

35. BF07 is situated on the north side of the A87 towards the western end of Broadford. It is one of a cluster of allocations in this part of the village, including BF05 (Cnoc na Cachaille), BF06 (South of Cnoc na Cachaille), and BF14 (North of Industrial Estate) to the west, and BF12 (Land Adjoining Health Centre) to the south. The site extends to around one hectare, is of an irregular shape, and contains the local hospital, a cottage, car parking, an access path, High Road and some scrubland. It is identified for Mixed Use (Housing and Community) purposes in the proposed Plan. It forms part of a larger area (4 hectares) which was allocated for Mixed

Use purposes (Housing and Community) in the adopted local plan, with a total indicative capacity of 20 houses. The proposed Plan estimates the capacity of BF07 as 10 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote rural village.

36. In essence, the representors request that any development takes account of the site's natural and environmental qualities, other uses in the area, listed buildings, local archaeological heritage, drainage issues and possible contamination, and that it provides housing for employees of local public services and addresses the needs of all parts of the community. One of the representors requests that the allocation be extended to the north, and another seeks recognition of the servitude right of access over the lane crossing the site. The planning authority accepts the proposal to extend the allocation, and the need to recognise existing rights of access. It also proposes that development should safeguard the trees bordering the road from the hospital to Corry Lodge.

37. The planning authority submitted a plan of the proposed extension to the allocation in its response to Further Information Request 04. This reflected the area of the extension (RD20) sought by the representor (who made no comment on the planning authority's submission). This extension would expand BF07 northwards on to land owned by the Corry Estate. It would materially increase the length of the joint boundary between BF07 and BF14 (North of Industrial Estate). The planning authority points out that both allocations are constrained as they require improved road access, and that enlarging BF06 in the manner proposed would create other potential road access routes and the possibility of cost sharing. I believe that this could potentially have benefits for any development proposals coming forward on both allocations, and may also help the access arrangements for the adjacent allocation at BF12 (Land Adjoining Health Centre) and for other properties around about. I therefore consider the proposed extension to BF07 to be appropriate. The extension would mean that there would be a consequential change to the settlement boundary. I am satisfied that this could likely be accommodated without significant adverse effects.

38. The representations indicate that there are properties in the area around BF07 which use and have a right of access over BF07 to the public road network. I agree with parties that this should be recognised in the proposed Plan. This can best be achieved through adding a further Developer Requirement which requires the development to preserve or provide acceptable alternative rights of access to the public road.

39. BF07 is in an environmentally sensitive area. As it has been developed in part for hospital use, and as it falls within the Settlement Development Area, I do not find it to be as environmentally sensitive as the area to the north outwith the Settlement Development Area, and allocations further to the west, such as BF05 (Cnoc na Cachaille). The Developer Requirements for BF07 set out a number of measures to control the impact of development on the area's environment. The Requirements cover such matters as the preparation of a Flood Risk Assessment, a protected species survey and a landscaping scheme, retention and enhancement of the core path network, investigations relating to land contamination and archaeology, the upgrading of the access road, and the need for high quality siting and design. I find that a number of the matters raised in the representations are addressed by these Requirements.

40. I note that neither Scottish Natural Heritage nor the Scottish Environment Protection Agency has raised concerns about the adequacy of the Developer Requirements. Moreover, the revised Environmental Report finds that the environmental impact of the types of development proposed would be acceptable, once account is taken of the Requirements. It does not identify a need to for any further Requirements to safeguard the site and its

surroundings, including their environmental and natural qualities.

41. Nonetheless, the trees alongside the lane from the hospital to Corry Lodge are important features of the area, contributing to its natural and environmental qualities. As such, I believe that they should be safeguarded through adding a reference to them in the Developer Requirement relating to the Green Network. Although I accept that there is no need to refer to the protection of a specific drainage route in the Developer Requirements, I note that the planning authority highlights the need for a Drainage Impact Assessment to accompany any planning application for the site, and I consider that it would be appropriate to refer to this in the Developer Requirement relating to a Flood Risk Assessment. This would ensure that users of the Plan were fully informed of all the relevant requirements for the allocation. Such an assessment would consider the effects of proposals for the allocation on the local drainage system.

42. I am satisfied that there is no need to refer to the safeguarding of the listed building at Corry Lodge in the Developer Requirements because development of the allocation, as extended, would be unlikely to affect this listed building interest or its setting. While the provision of affordable houses is a relevant consideration and would be dealt with through Policy 32 (Affordable Housing) of the Highland-wide Local Development Plan, the allocation of such houses to specific groups of workers falls outwith the scope of the development plan. The criteria for allocating such accommodation are a matter for the council, as housing authority, and registered social landlords. I am also satisfied that the principle of housing and community uses on BF07 is acceptable. The extent to which a scheme could be devised on BF07 that would take into account the nature of neighbouring allocations, such as BF14 (North of Industrial Estate), is a matter which is better dealt with at the planning application stage, when more detailed proposals would be available. The proposed Plan reasonably establishes the broad principle of the types of development that would be acceptable on BF07, and I am not persuaded that a more detailed specification on what should be built would be necessary or appropriate.

43. I believe that the changes to the Developer Requirements outlined above, combined with the existing Requirements in the proposed Plan, would provide a sound framework for guiding further development of the allocation and appropriately managing its effects.

44. Overall, adjustments are required to the proposed Plan, as set out below.

BF08: South of Library

45. BF08 is situated on the south side of the A87 at the western end of Broadford. It is adjacent to industrial uses, commercial/retail uses, community services such as the library and police station, and housing. The site extends to around 1.7 hectares, is more or less square, comprises scrubland, and slopes down towards the south. Its allocation for Mixed Use purposes in the proposed Plan is a continuation of its Mixed Use allocation in the adopted local plan, and the range of uses proposed in both plans is largely the same and includes Housing, Business and Retail. The proposed Plan estimates the housing capacity of the site as 5 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote rural village.

46. One representation seeks an extension to the range of uses promoted on site to include Class 5 (General Industrial) and Class 6 (Storage and Distribution) of the 1997 Town and Country Planning (Use Classes)(Scotland) Order, and an enlargement of the site towards the south. The planning authority accepts these changes, but suggests slightly different boundaries, resulting in a smaller extension. There is no dispute between the representor and

the planning authority that there is a shortage of employment land and buildings in Broadford. Given that the general area is one of mixed uses, including some industry and commerce, I am satisfied that industrial, and storage and distribution uses could, in principle, reasonably be accommodated at this location. While I note the proposal to extend the existing industrial estate (planning application number 12/02781/FUL) on the opposite, northern side of the A87, introducing Industry (which the Glossary of the proposed Plan indicates would cover both general industrial, and storage and distribution uses) into the mix of uses allowed on BF08 would increase the range and choice of such sites available in the area.

47. I agree with the planning authority that any industry would need to be properly separated from the adjacent housing, and that the Housing element of the mixed use allocation would have to be deleted because of the potentially adverse effects of the proposed uses on residential amenity. Given that the existing housing is to the east of the allocation, the proposed extension would be the most appropriate location for any industry. I accept that landscaping would also help separate industry from not only housing but other existing and proposed uses (such as retail and community services). The deletion of Housing from the mix of uses would not have a material effect on the housing land supply in the proposed Plan.

48. While the representor contends that the boundary of the extension stops short of the 1 in 200 year flood risk event area, the planning authority indicates that the southern corner of the existing allocation falls within it. However, the planning authority has not made clear whether it considers that the extension itself would be at risk of flooding. I note that the Developer Requirements for the allocation already include a requirement for a flood risk assessment with no development in areas at risk of flooding, and I am satisfied that this would reasonably address any flooding issue on the site of the extension.

49. In the circumstances, I agree that the allocation should be extended, that Industry should be added to the mix of uses, that Housing should be deleted from the mix of uses, and that an additional Developer Requirement should be added limiting the Industry use to the south west portion of the extended allocation with a landscaped setback to existing and proposed uses. Bearing in mind the constraints affecting the site, I prefer the boundaries proposed for the extension by the planning authority to those of the representor.

50. Another representor requests that any development of the allocation takes into account the heritage of Broadford, including its natural heritage. The proposed Plan at paragraph 3.3, page 102, highlights some of the heritage features affecting the village, and I note the importance of tourism to the area. Given these heritage features and other more localised heritage interests, and taking account of the prominent location of the northern frontage of the site, facing the A87, I consider that there would be significant benefit in having a high standard of design on the northern part of the site. I am satisfied that the planning authority's response to the representation reasonably addresses this matter by suggesting an additional Developer Requirement for a high quality of architectural design and siting for development fronting the A87.

51. The Co-op seeks, in essence, to prevent BF08 being developed solely for retail purposes and to exclude it from any town centre designation that may be inserted into the proposed Plan. I have considered these matters above, and have concluded that the Retail element of this mixed use allocation should not be restricted in the manner sought, and that a town centre designation should not be made at Broadford. In light of my conclusion on the town centre designation, it is unnecessary for me to further consider whether or not BF08 should be excluded from it.

52. Overall, adjustments are required to the proposed Plan, as set out below.

BF10: North of Village Hall

53. BF10 is situated on the north side of the A87 towards the western end of Broadford. It is in an area of mixed uses, opposite the Village/Community Hall and Broadford Primary School. The site extends to around 1.1 hectares, is irregular in shape, comprises an overgrown field, and sits below the level of the main road. Its allocation for Mixed Use purposes in the proposed Plan is a continuation of its Mixed Use allocation in the adopted local plan, albeit that the range of uses proposed in the former plan (Housing, Business/Tourism, and Retail) is larger than that permitted in the latter (Tourism and Business).

54. The Co-op seeks, in essence, to prevent BF10 being developed solely for retail purposes and to exclude it from any town centre designation that may be inserted into the proposed Plan. I have considered these matters above, and have concluded that the Retail element of this mixed use allocation should not be restricted in the manner sought, and that a town centre designation should not be made at Broadford. In light of my conclusion on the town centre designation, it is unnecessary for me to further consider whether or not BF10 should be excluded from it.

55. Fearann Eilean Iarmain supports BF10. Its representation raises no matters which require consideration at this Examination.

56. Overall, no adjustment is required to the proposed Plan.

BF11: Glen Road West of School

57. BF11 is situated on the south side of the A87 to the west of Lime Park and Cul A'Chuirn, and towards the western end of Broadford. It is in an area of mixed uses, to the rear of the Village/Community Hall. The site extends to around 4 hectares, sits above the A87, is irregular in shape, and contains a primary school and an adjacent playing field. Its allocation for Mixed Use (Housing, Community School, Business/Tourism) purposes in the proposed Plan replaces a Community allocation on a part of the site in the adopted local plan. The proposed Plan estimates the housing capacity of the site as 20 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote rural village.

58. Sportscotland seeks an additional Developer Requirement for the allocation, which would safeguard the existing playing field. It points out that the playing field was extended and redeveloped in 2015 with a financial contribution from Sportscotland. The planning authority believes that any additional Developer Requirement should allow for the playing field to be retained or relocated within the allocation boundary. I am satisfied that the planning authority's proposed Developer Requirement would be broadly in line with the aims of Policy 76 (Playing Fields and Sports Pitches) of the Highland-wide Local Development Plan, and Scottish Planning Policy, to safeguard and protect outdoor sport facilities, including playing field such as that found on the site. In my view, such a new Developer Requirement would also reasonably address the concerns expressed in the representation.

59. Overall, an adjustment is required to the proposed Plan, as set out below.

BF12: Land Adjoining Health Centre

60. BF12 is situated on the north side of the A87 towards the western end of Broadford. It is

one of a cluster of allocations in this part of the village, including BF05 (Cnoc na Cachaille), BF06 (South of Cnoc na Cachaille) and BF14 (North of Industrial Estate) to the west, and BF07 (Existing Hospital Site) to the north. The site is to the east of High Road, extends to around 2.9 hectares, is essentially rectangular in shape, and contains the local medical centre and scrubland. It slopes down to the east towards Broadford Bay. The site is allocated for Community (Hospital) purposes in the proposed Plan. It forms part of a larger area (4 hectares) which was allocated for Mixed Use purposes (Housing and Community) in the adopted local plan, with a total indicative capacity of 20 houses.

61. In essence, the representors seek high quality siting and design of any development, and request that account be taken of the natural environment, the local archaeological heritage, possible contamination, and providing housing for employees of local public services and addressing the needs of all parts of the community. One of the representors seeks recognition of the servitude right of access from Corry Lodge to the public highway, which affects the allocation. The planning authority accepts the need to recognise existing rights of access. I note that the representations from this representor cover both BF12 and BF07 (Existing Hospital Site).

62. BF12 is in a generally environmentally sensitive area. As it falls within the Settlement Development Area, I do not find it to be as environmentally sensitive as the area further to the north outwith the Settlement Development Area, and allocations further to the west, such as BF05 (Cnoc na Cachaille). A planning application for the development of a hospital on the western part of the allocation was submitted in 2018 (planning application number 18/04539/FUL). The Developer Requirements for BF12 set out a number of measures to control the impact of development on the area's environment. The Requirements cover such matters as the preparation of a Flood Risk Assessment, a protected species survey and a landscaping scheme, an investigation of the site's archaeological heritage, the upgrading of the access road, and the need for high quality siting and design. I find that many of the matters raised in the representations are addressed by these Requirements. Some are covered more appropriately by the Developer Requirements for BF07 (Existing Hospital Site), such as investigations for land contamination.

63. I note that neither Scottish Natural Heritage nor the Scottish Environment Protection Agency has raised concerns about the adequacy of the Developer Requirements for BF12. Moreover, the revised Environmental Report finds that the environmental impact of the types of development proposed would be acceptable, once account is taken of the Requirements. It does not identify a need for any further Requirements to safeguard the site and its surroundings, including their environmental and natural qualities.

64. Nonetheless, the representations indicate that there are properties in the area around BF12 which use and have a right of access to the public road network, which affects the allocation. I agree with parties that this should be recognised in the proposed Plan. This can best be achieved through adding a further Developer Requirement which requires the development to preserve or provide acceptable alternative rights of access to the public road. I am not persuaded that any specific reference has to be made to Broadford Bay in the Developer Requirements for the allocation. I am satisfied that the bay's natural environmental interests are adequately protected through the additional Placemaking Priority recommended for Broadford below. This new Priority seeks to ensure that the natural heritage interests surrounding the settlement, particularly those around the shoreline, are not compromised by development. While concerns have also been expressed about where car parking or other features of the proposed hospital development may be sited, I believe that these are detailed matters which are best dealt with during the processing of the planning application.

65. I believe that the change to the Developer Requirements outlined above, combined with the existing Requirements in the proposed Plan, would provide a sound framework for guiding development of the allocation and appropriately managing its effects.

66. Overall, an adjustment is required to the proposed Plan, as set out below.

BF13: Ashaig Cemetery

67. BF13 is situated on the north side of the A87, towards the eastern end of Broadford, and close to Ashaig Airstrip. The site extends to around 0.9 hectares, is low lying, is irregular in shape, and is close to the shoreline. Its allocation for Community (Cemetery Extension Only) purposes in the proposed Plan is a continuation of a Community allocation on a part of the site in the adopted local plan.

68. The Scottish Environment Protection Agency seeks the deletion of the existing Developer Requirement relating to ground condition investigations, and the insertion of a more detailed one setting out further guidance. The planning authority accepts this proposed change. In order to ensure that the proposed cemetery extension does not pose a significant risk to groundwater and the water environment, I believe that the Developer Requirement should be revised in the manner proposed. This revision would also mean that the Developer Requirements would clearly set out all the requirements relevant to the proposed extension. Moreover, it would result in greater consistency with the wording of the Developer Requirements for the proposed cemetery extension at Portree (PT18 [South of Portree Cemetery]).

69. Overall, an adjustment is required to the proposed Plan, as set out below.

BF14: North of Industrial Estate

70. BF14 is situated on the north side of the A87 towards the western end of Broadford. It is one of a cluster of allocations in this part of the village, including BF05 (Cnoc na Cachaille) and BF06 (South of Cnoc na Cachaille) to the west, and BF07 (Existing Hospital Site) and BF12 (Land Adjoining Health Centre) to the east. The site is to the west of High Road, extends to around 17.9 hectares, is of an irregular shape, slopes gently upwards towards the north, and contains scrubland and some woodland. It surrounds an existing industrial/business estate, which is set back from the A87 and accessed from Pairc Nan Graobh. Along the site's eastern boundary, there is the Broadford Backpackers Hostel and a Funeral Directors premises. The site is allocated for Industry purposes in the proposed Plan. Only the northern part of the site is included in a larger area (23 hectares) which is allocated for Industry purposes in the adopted local plan.

71. Highlands and Islands Enterprise seek a separate Mixed Use allocation at the south eastern corner of BF14. The planning authority accepts this proposed change. It submitted a plan of the proposed new separate allocation in its response to Further Information Request 04. The Enterprise Agency had no comment to make on this submission. I agree with the proposal to establish a new Mixed Use allocation in this part of BF14 because it would broadly reflect the terms of a planning permission granted on 21 January 2013 (planning application number 12/02781/FUL) for Retail uses (Class 1 of the 1997 Town and Country Planning [Use Classes][Scotland] Order), Financial, Professional and Other Service uses (Class 2), and Business uses (Class 4).

72. Moreover, while this planning permission is now 6 years old, the uses proposed on the new allocation are also found in the surrounding area, including the existing business (and

industrial) uses to the west and north, and the retail, commerce, business, and service (and industrial) uses to the south, on the opposite side of the A87. Although the introduction of a new allocation would reduce the size of the Industrial allocation proposed at BF14, I am satisfied that the mix of uses proposed on it would be better suited than industry to an area of land which is in a prominent gateway location.

73. I believe that it would be reasonable for the Developer Requirements to specify that development should accord with the previous planning permission, and to set out the Requirements that any alternative proposals should address. However, given the sensitive residential uses to the east, I believe that a woodland buffer should be required along the eastern (High Road) boundary of the new allocation. This need only be specified in relation to the alternative proposals because drawing B.10.430k associated with planning permission 12/02781/FUL already shows a native broadleaf woodland buffer along this boundary. This would match the woodland buffer the planning authority proposes for the balance of BF14. I believe that this change to the proposed Developer Requirements for the new allocation combined with the Requirements proposed for it by the planning authority in its response to Further Information Request 04, would provide a sound framework for guiding development and appropriately managing the effects of potentially incompatible uses in close proximity.

74. I conclude above that a change is required to the northern boundary of BF06 (South of Cnoc na Cachaille). As a consequence of this conclusion, it is necessary to amend the boundary of BF14 by moving it northwards, along with the boundary of BF06 (South of Cnoc na Cachaille), all as shown in the planning authority's response to Further Information Request 04. This would mean that there would be no inappropriate gap between the 2 allocations, and it would allow BF14 to cover all of Highlands and Islands Enterprise's land ownership at this location. Combining an extension such as this with my conclusion that BF07 (Existing Hospital Site) should be extended would increase the length of joint boundary between them, allowing more scope for consideration of alternative access routes and cost sharing.

75. Another representor seeks to protect the area's natural and environmental qualities, and to provide adequate buffers between areas of economic activity and natural areas, taking into account neighbouring uses. BF14 is in an environmentally sensitive area, along with the allocations around about BF05 (Cnoc na Cachaille) and BF06 (South of Cnoc na Cachaille). As BF14 surrounds existing industrial and business uses, and as it falls within the Settlement Development Area, I do not find it to be as environmentally sensitive as allocations further out to the west such as BF05 (Cnoc na Cachaille). The Developer Requirements cover such matters as preparation of a peat management plan, protection of deep peat, wetlands and watercourses, and integration of watercourses as recreational and natural features. I find that almost all the matters raised in the representation are addressed by these Requirements.

76. I note that neither Scottish Natural Heritage nor the Scottish Environment Protection Agency have raised concerns about the principle of Industrial development on this allocation or the adequacy of the Developer Requirements. Moreover, the revised Environmental Report finds that the environmental impact of the type of development proposed would be acceptable, once account is taken of the Requirements. It does not identify a need for any further Requirements to ensure that the site's environmental and natural qualities are appropriately safeguarded.

77. Nonetheless, I believe that there would be merit in providing a woodland buffer along the eastern edge of the amended BF14. Not only would this separate potential industrial and business uses from the sensitive residential uses to the east, it would help safeguard the natural and environmental qualities of the area by improving the connectivity of the green network. I believe that this should be a standalone requirement rather than being added to one which may,

or may not, require compensatory planting to take place (as suggested by the planning authority). Such a provision would also match the requirement for a woodland buffer along the eastern boundary of the new allocation.

78. I believe that this change to the Developer Requirements for the amended BF14 combined with the existing Requirements in the proposed Plan, would provide a sound framework for guiding development of the allocation and appropriately managing the effects of potentially incompatible uses in close proximity.

79. Overall, adjustments are required to the proposed Plan, as set out below.

Reporter’s recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Broadford section of the Skye and Raasay Settlements, page 102, adjust the 2nd sentence of Paragraph 3.3 so that it reads as follows:

“...The Red Hills to the west, the Bay to the north and nature conservation interests to the south, north and east, all limit suitable directions for growth.”

2. Under the Broadford section of the Skye and Raasay Settlements, page 103, add the following new Placemaking Priority:

“...Ensure that the natural heritage interests that surround the settlement, particularly those around the shoreline, are not compromised.”

3. Under the Broadford section of the Skye and Raasay Settlements, page 103, adjust the 9th Placemaking Priority so that it reads as follows:

“...Protect inbye croftland and retain traditional crofting pattern of development and land use, particularly in the eastern part of the settlement...”

BF06: South of Cnoc na Cachaille

4. Under the Broadford section of the Skye and Raasay Settlements, page 105, adjust the Broadford West Map by extending BF06 and the Settlement Development Area northwards as shown on the map setting out the planning authority’s proposed changes to BF06 (untitled), attached to the planning authority’s response to part 1 of Further Information Request 04.

5. Under the Broadford section of the Skye and Raasay Settlements, page 108, adjust the eighth clause of the Developer Requirements for BF06 so that it reads as follows:

“...Sewage works cordon sanitaire, and set backs between potentially incompatible adjoining uses;...”

BF07: Existing Hospital Site

6. Under the Broadford section of the Skye and Raasay Settlements, page 105, adjust the Broadford West Map by extending BF07 and the Settlement Development Area northwards as shown on the map setting out the planning authority’s proposed changes to BF07 (untitled),

attached to the planning authority's response to part 1 of Further Information Request 04.

7. Under the Broadford section of the Skye and Raasay Settlements, page 109, adjust the first clause of the Developer Requirements for BF07 so that it reads as follows:

"Flood Risk Assessment and Drainage Impact Assessment (no development in areas shown to be at risk of flooding);..."

8. Under the Broadford section of the Skye and Raasay Settlements, page 109, adjust the third clause of the Developer Requirements for BF07 so that it reads as follows:

"...Landscaping scheme which integrates with the green network and safeguards the trees bordering the hospital to Corry Lodge road;..."

9. Under the Broadford section of the Skye and Raasay Settlements, page 109, add a new clause to the Developer Requirements for BF07 so that it reads as follows:

"...Layout should preserve or provide acceptable alternative rights of access to the public road network."

BF08: South of Library

10. Under the Broadford section of the Skye and Raasay Settlements, page 105, adjust the Broadford West Map by extending BF08 southwards as shown on the map submitted by the planning authority at CD50 (titled: Map of Suggested Changes to BF08).

11. Under the Broadford section of the Skye and Raasay Settlements, page 109, adjust the Mix of Uses to include Industry.

12. Under the Broadford section of the Skye and Raasay Settlements, page 109, adjust the Mix of Uses by deleting Housing.

13. Under the Broadford section of the Skye and Raasay Settlements, page 109, add 2 new clauses to the Developer Requirements for BF08 so that they read as follows:

"...Limit any Industry use to the south west portion of the site with a landscaped setback to existing and proposed other uses; High quality of architectural design and siting in respect of development fronting the A87."

BF11: Glen Road West of School

14. Under the Broadford section of the Skye and Raasay Settlements, page 110, add a new clause to the Developer Requirements for BF11 so that it reads as follows:

"...Sports field to be retained or relocated within the allocation boundary to an equivalent or better standard."

BF12: Land Adjoining Health Centre

15. Under the Broadford section of the Skye and Raasay Settlements, page 110, add a new clause to the Developer Requirements for BF12 so that it reads as follows:

"...Layout should preserve or provide acceptable alternative rights of access to the public road

network.”

BF13: Ashaig Cemetery

16. Under the Broadford section of the Skye and Raasay Settlements, page 110, adjust the second clause of the Developer Requirements for BF13 so that it reads as follows:

“...Intrusive ground investigations to be undertaken in line with SEPA guidance on assessing the impacts of cemeteries on groundwater. Findings of the investigation may indicate that the site, or parts of it, is not suitable for a cemetery due to an unavoidable impact on groundwater. This may necessitate consideration of alternative land close by;...”

BF14: North of Industrial Estate

17. Under the Broadford section of the Skye and Raasay Settlements, page 105, adjust the Broadford West Map by identifying a new Mixed Use allocation in the south eastern corner of BF14 as shown on the maps setting out the planning authority’s proposed changes to BF14 (untitled), attached to the planning authority’s response to parts 1 and 2 of Further Information Request 04.

18. Under the Broadford section of the Skye and Raasay Settlements, pages 107-111, identify a new allocation – South East of Industrial Estate – in the south eastern corner of BF14, to read as follows:

“Site Ref: South East of Industrial Estate

Use: Mixed Use (Retail, Business/Tourism)

Area (ha): 2.2

Indicative Housing Capacity: N/A

Developer Requirements: Development in accordance with planning permission 12/02781/FUL.

Alternative proposals must address: High standard of architectural siting and design with consideration given to the site’s prominent gateway location and proximity to the existing commercial core on the southern side of the A87; Minimum 6 metre buffer between watercourses and development; Integrate watercourses as recreational and natural features within the development; Flood Risk Assessment (no development in areas shown to be at risk of flooding); Compensatory tree planting strategy; A native species woodland buffer to be provided along the eastern boundary of the site; Archaeological Investigation; Protected species survey may be required; Active travel connections through the site and to the village; Transport Statement; Peat management plan to demonstrate how impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed.”

19. Under the Broadford section of the Skye and Raasay Settlements, page 105, adjust the Broadford West Map by extending BF14 northwards as shown on the maps setting out the planning authority’s proposed changes to BF14 (untitled), attached to the planning authority’s response to parts 1 and 2 of Further Information Request 04.

20. Under the Broadford section of the Skye and Raasay Settlements, page 111, add a new clause to the Developer Requirements for BF14 so that it reads as follows:

“...A native species woodland buffer to be provided along the eastern boundary of the site.”

Issue 15	DUNVEGAN	
Development plan reference:	Dunvegan Settlement Chapter, Pages 112 - 118	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
MacLeod Estate (1105407) RSPB (1104965)		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>MacLeod Estate (1105407) - Requests, as owners of 'Old Dunvegan Campsite', that this area is allocated for mixed use development as per map supplied [RD23] because it is allocated for this purpose in the adopted WHILP (assumed).</p> <p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Requests amendment to fourth Placemaking Priority because the existing wording implies that the protection and expansion of green networks is the only way in which the natural and built heritage of the wider area is to be safeguarded, promoted and enhanced. It is also important to recognise that the wider area (beyond the immediate confines of the settlement boundary) is important for its natural heritage which needs to be safeguarded and enhanced – Loch Dunvegan for example.</p>		
Modifications sought by those submitting representations:		
<p><u>General</u></p> <p>MacLeod Estate (1105407) - Inclusion of mixed use allocation at the site of the former Dunvegan caravan and camping site with same boundary, capacity and requirements as adopted local plan allocation reference MU6 (assumed).</p> <p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Fourth Placemaking Priority amended with the addition of two words so that it reads "Safeguard, enhance and promote the natural and built heritage of the <i>wider</i> area, <i>including</i> through the protection and expansion of green networks through and around the village."</p>		
Summary of responses (including reasons) by planning authority:		
<u>General</u>		

MacLeod Estate (1105407) - The site was not taken forward as an allocation in the Plan because: it had not been progressed since its allocation in the 2010 adopted local plan; it is relatively distant from the settlement's facilities; a clustered development form in this location would not be wholly compatible with the adjoining settlement pattern; and, the site has poor active travel connections to the rest of the village. The site remains within the SDA for Dunvegan and is previously developed in part so would still therefore carry a positive planning policy presumption if an application were lodged for a small scale development within the site. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Placemaking Priorities

RSPB (1104965) - The fourth Placemaking Priority has been included to reflect the sensitivity of the local environment to certain types of development, particularly those areas covered by natural heritage designations. It is recognised that the wording could be improved to help clarify that the Placemaking Priority refers to areas beyond those depicted as green networks. However, the Council do not agree with the reference to the 'wider' area because this text only applies to the Dunvegan SDA and its immediate surroundings. If the Reporter is minded to agree then the following amendment to the Placemaking Priority could be made: "Safeguard, enhance and promote the natural and built heritage of the area, *including* through the protection and expansion of green networks through and around the village."

Reporter's conclusions:

General (MU6: Former Caravan Site, Dunvegan)

1. The site is towards the eastern edge of the village of Dunvegan, on the southern side of the A850. The village is in a remote rural area, has a dispersed settlement pattern based on crofting, is spread out along the A850 and A863, and contains a range of services and facilities. The site is of an irregular shape, has a slight slope, extends to around 2 hectares, and is currently brownfield, having previously been used as a camping and caravan site. There is one small building on site, a watercourse (Allt Beag), and some trees by the western and eastern boundaries. The site is allocated (MU6) for Mixed Use purposes (Community and Housing) in the adopted local plan, and the indicative housing capacity is given as 8 units. It is identified as a non preferred development site in the Main Issues Report for the proposed Plan. MacLeod Estate seeks the reallocation of the site for Mixed Use purposes in the proposed Plan.
2. I am sympathetic to the terms of this representation because the site is already allocated for Mixed Use purposes, it can take long periods of time for allocations to come forward for development in remote rural areas, and the site is brownfield and within the Settlement Development Area. Dunvegan is also a key service and employment centre in North West Skye, where allocations such as that sought would be expected.
3. However, I consider that it is reasonable for a planning authority to review the suitability of allocations in an adopted local development plan when it commences preparation of a new plan. In this case, the site has not been developed, and no relevant pending planning applications nor extant planning permissions have been drawn to my attention. A good range of development opportunities, including 2 housing sites and 6 mixed use sites (3 of which include housing), have been identified in the proposed Plan for the village, which only has a population of 250 people. I am therefore satisfied that the scale of the proposed development opportunities set out in the proposed Plan for the village is proportionate to its size, and that there is no pressing requirement to identify further opportunities.

4. Additionally, I note that the majority of village facilities are situated well to the west of the site at the junction of the A850 and A863, and southwards along the A863. The site itself is towards the village's periphery, and is not close to these facilities. The active travel connection between the site and the facilities is also poor, in particular, the nearest footpath to the main facilities in the village is about one kilometre west of the site. Given its peripheral location separated from local facilities, I am not persuaded that an allocation here would be consistent with the 2nd Placemaking Priority for Dunvegan, which seeks the village's consolidation with development opportunities being focussed on sites close to existing facilities. I am also not satisfied that an allocation along the lines outlined in the adopted local plan would be consistent with the dispersed settlement pattern in the area around the site. It seems to me that a more clustered development form would be likely to result from such an allocation. I therefore do not consider that an allocation along these lines would sufficiently reflect local, distinctive characteristics and features, and it therefore would not promote good placemaking principles.

5. In these circumstances, and on balance, I do not believe that the Mixed Use allocation of the site should be continued from the adopted local plan into the proposed Plan. Any planning application coming forward for the site can be considered on its merits against the policy framework of the proposed Plan. The lack of an allocation would not necessarily preclude an appropriate small scale development on site because the settlement hierarchy is based on directing most development to existing settlements, and development on brownfield sites is preferred to development on other sites.

6. Overall, no adjustment is required to the proposed Plan.

Placemaking Priorities

7. The Royal Society for the Protection of Birds seeks to amend the 4th Placemaking Priority for Dunvegan to ensure that the protection and expansion of Green Networks is identified as only one of the ways of safeguarding the natural and built heritage. It also seeks recognition of the importance of the natural heritage in the wider area. The planning authority accepts that the wording of the Placemaking Priority could be improved, but does not consider it necessary to refer to the wider area. Clearly, there are more ways to safeguard the natural and built heritage than through the protection and expansion of Green Networks alone, and I believe that the clarity of the 4th Placemaking Priority would be improved if this was reflected in its terms through the minor change to its wording suggested by the planning authority. There is no need to explicitly acknowledge in the 4th Placemaking Priority the wider area beyond the settlement because the Placemaking Priorities are all focussed on the Settlement Development Area itself and do not cover the wider surrounding area.

8. Overall, an adjustment is required to the proposed Plan, as set out below.

Reporter's recommendations:

I recommend that the following modification be made:

Placemaking Priority

1. Under the Dunvegan section of the Skye and Raasay Settlements, page 113, adjust the 4th Placemaking Priority so that it reads as follows:

"...Safeguard, enhance and promote the natural and built heritage of the area, including through the protection and expansion of Green Networks through and around the village..."

Issue 16	KYLEAKIN	
Development plan reference:	Kyleakin Settlement Chapter, Pages 119 - 123	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Catherine Grant (1105197) RSPB (1104965)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority’s summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Seeks Plan amendments to offer more specific, exact and legally correct protection to natural heritage interests because: paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans; the word “Reefs” has been omitted from the name of the SAC heritage designation; and, that in the relevant legislation there is no significance test for an adverse effect on the integrity of an SAC designation.</p> <p><u>Land Adjoining Playing Field (KA02)</u></p> <p>Catherine Grant (1105197) - Supports the allocation but objects to flats being built. Respondent’s main water supply and underground power cables come through this land.</p>		
Modifications sought by those submitting representations:		
<p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Addition of following text to Paragraph 3.12: "South of Loch nam Beiste, the Kinloch and Kyleakin Hills SAC is designated for its rich plant communities." Correction of typographical error in the first Placemaking Priority for Kyleakin – “Lochs Duich, Long and Alsh SAC” should be “Lochs Duich, Long and Alsh Reefs SAC”. In the second Placemaking Priority for Kyleakin, “significant adverse impact” should be replaced with “adverse effect”.</p> <p><u>Land Adjoining Playing Field (KA02)</u></p> <p>Catherine Grant (1105197) - Developer requirements amended to clarify that flats will not be built within the site (assumed).</p>		

Summary of responses (including reasons) by planning authority:Placemaking Priorities

RSPB (1104965) - Paragraph 3.12 refers to built and natural heritage features which sit within or immediately adjacent to Kyleakin. Kinloch and Kyleakin Hills SAC sits to the south of Kyleakin. The SAC was screened into the HRA but only against Ashaig Airstrip. Through the subsequent Appropriate Assessment the factors currently influencing the SAC were identified as: over-grazing; invasive species; forestry activities; and dumping or spreading of materials on site. The HRA screened out all the allocations in Kyleakin. The HwLDP provides adequate policy coverage to address proposals outwith the Kyleakin SDA. Therefore, the Council does not consider that a reference should be made to the Kinloch and Kyleakin Hills SAC and the Plan content should remain unaltered in respect of this representation. In terms of the suggested deletion of the word "significant" if the Reporter agree then the Council would support this change for the sake of consistency with the HRA and relevant legislation. Similarly, the Council accepts that the typographical error in the first Placemaking Priority and "Lochs Duich, Long and Alsh SAC" should be changed to "Lochs Duich, Long and Alsh Reefs SAC".

Land Adjoining Playing Field (KA02)

Catherine Grant (1105197) - The specific types and design of housing proposed on any site are only known and considered if and when a planning application is lodged. The development management process allows adequate consideration of representations on this issue. In any event, the site area extends to 2.6 hectares and an indicative housing capacity of 26 has been set which equates to 10 houses per hectare. This is a low average density for a rural village with a clustered settlement pattern. An application on part of the site [CD52] for 18 houses (including 8 cottage flats) was submitted in October 2017. Several representations were made on the application raising concerns about the density as the proposed development only covers 0.9 hectare of the site. As of February 2018 the application is still awaiting decision. The extension of existing mains water supply and underground power cables or the protection of these is the responsibility of the developer and the utility provider. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Reporter's conclusions:Placemaking Priorities

1. The Royal Society for the Protection of Birds seeks the inclusion of a specific reference to the Kinloch and Kyleakin Hills Special Area of Conservation at paragraph 3.12, page 119, which is in the section of the proposed Plan dealing with Kyleakin. Paragraph 3.12 relates to built and natural heritage features which surround and overlap the village. I note that the Kinloch and Kyleakin Hills Special Area of Conservation is separated from the village, lying to the south of Loch na Beiste, that the Habitats Regulations Appraisal concludes that the allocations in the main part of Kyleakin would have no effects on this Special Area of Conservation, and that Scottish Natural Heritage has not requested that any reference be made to it.
2. In the circumstances, I do not consider that it is necessary to include a reference to the designation in paragraph 3.12. An appropriate level of protection for such designations, in accordance with Scottish Planning Policy, is already achieved in Kyleakin by including suitable references in paragraph 3.15, page 119, and in the first 2 Placemaking Priorities, page 120, to the Inner Hebrides and the Minches, and the Lochs Duich, Long and Alsh Reefs, Special Areas of Conservation, which both lie adjacent to the village.

3. The Royal Society for the Protection of Birds also seeks a change to the 2nd Placemaking Priority in this section of the proposed Plan by deleting from it the phrase “significant adverse impact” and replacing it with “adverse effect.” The 2nd Placemaking Priority states that development will need to demonstrate that it will not have a significant adverse impact on the integrity of the Inner Hebrides and the Minches Special Area of Conservation. The planning authority proposes that the word “significant” be deleted. In order to be properly consistent with the terms of both the 1994 Conservation (Natural Habitats etc) Regulations (as amended)(regulation 48[5]) and the Habitats Regulations Appraisal, I agree with the Royal Society for the Protection of Birds that the Placemaking Priority should be changed by substituting “an adverse effect” for “a significant adverse impact.”

4. Additionally, in the interests of clarity, I agree with the Royal Society for the Protection of Birds and the planning authority that the typographical error in the first Placemaking Priority for Kyleakin should be corrected by replacing the reference to the Lochs Duich, Long and Alsh Special Area of Conservation with a reference to the Lochs Duich, Long and Alsh Reefs Special Area of Conservation.

5. Overall, adjustments are required to the proposed Plan, as set out below.

KA02: Land Adjoining Playing Field

6. KA02 is situated on the southern boundary of the coastal, linear village of Kyleakin, to the east of the A87 and the Skye Bridge, and on the southern side of the narrows (Kyle Akin) between Skye and the mainland. The site wraps around the southern and eastern boundaries of a sports field, and is also contained by an inlet (An t-ob) to the south and west. It is of an irregular shape, extends to around 2.6 hectares, and is low lying. The proposed Plan estimates the capacity of the site as 26 houses. Its allocation as a Housing site is a continuation of the Housing allocation identified at H2 (Land adjoining Playing Field) in the adopted local plan. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote rural village. It is close to the village centre and a range of facilities and services.

7. The support for the allocation from one representor is qualified by an objection to the erection of flats being built on the site. I note that the site merges into the housing area along Olaf Road and Achmore Road, and consider that the allocation represents a natural extension and rounding off of this part of Kyleakin. I note that planning permission has now been granted (on 19 April 2018) for the erection of 18 houses on the easternmost part of the site extending to 0.9 hectares (planning application number 17/04694/FUL), and that construction has started. This permission includes provision for 8 cottage flats. A significant proportion of the houses would be affordable. The representation provides no reason for objecting to flats on the site.

8. In general terms, I agree with the planning authority that the types and design of the houses to be erected on a site are detailed matters which are best dealt with at the development management stage, within the context of policies in the Highland-wide Local Development Plan, such as Policy 28 (Sustainable Design). Bearing in mind, the nature and density of development in the surrounding built up area and the site’s characteristics, I consider that the proposed Plan’s indicative housing capacity figure for the site of 26 houses is broadly reasonable. Taking into account the approved plans for the part of the site with planning permission, I note that the development is based on an access road with housing on either side, and that it comprises one to 2 storey housing with 2 to 4 bedrooms. I am satisfied that this appropriately reflects the pattern of development in this part of Kyleakin. In the circumstances, I can see no good justification for including in the Developer Requirements for this allocation a clause which seeks to limit the type and design of future housing proposals by excluding flats.

9. In relation to the concern expressed about the effect of development on utility services that pass through the site, I am satisfied that these are detailed matters which are primarily the responsibility of the utility providers and the developer. There is no evidence in this case to suggest that their presence has an undermining effect on the allocation.

10. Overall, no adjustment is required to the proposed Plan.

Reporter’s recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Kyleakin section of the Skye and Raasay Settlements, page 120, adjust the 2nd Placemaking Priority so that it reads as follows:

“...Development will need to demonstrate that it will not have an adverse effect on the integrity of the Inner Hebrides and the Minches SAC...”

2. Under the Kyleakin section of the Skye and Raasay Settlements, page 120, adjust the first Placemaking Priority so that it reads as follows:

“Respect the integrity of adjoining and overlapping heritage features, including Lochs Duich, Long and Alsh MPA and Lochs Duich, Long and Alsh Reefs SAC...”

Issue 17	PORTREE	
Development plan reference:	Portree Settlement Chapter, Pages 124 - 138	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Crofting Commission (955042) D & C Stammers (986876) Fearann Eilean Iarmain (995590) George McLean (997237) Honey Pie (1104096) Margaret Burr (1097604) Neil Henning (1104907) Scottish Government (1101467) Scottish Natural Heritage (909933) SEPA (906306) Shona Cameron (995772)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Route of Link Road</u></p> <p>Shona Cameron (995772) - Believes the Link Road alignment should be changed to connect Home Farm to the Staffin Road further to the north (assumed in the vicinity of the Achachork junction) than depicted on the Portree North East Settlement Map because: the existing proposed route passes through existing residential development; traffic speeds could be high even if a limit is imposed which will raise safety issues for children and animals; and, the road will attract freight and tourist traffic.</p> <p><u>Placemaking Priorities</u></p> <p>Honey Pie (1104096) - Questions the logic of promoting development sites within the village centre because of the increasing lack of parking facilities. Suggests that land at Bayfield should be allocated for a low level multi storey car park.</p> <p>Scottish Government (1101467) - Seeks amendment to paragraph 3.20 to clarify that the Portree Link Road developer contributions guidance is intended to be future statutory supplementary guidance because Circular 6/2012 states that exact levels of developer contributions and methodologies for their calculation should be in statutory not more informal guidance.</p> <p>Scottish Natural Heritage (909933) - Objects to the Placemaking Priority referencing the possibility of a road around the Lump because the Lump: contributes to the distinctiveness of Portree as a place, as well as providing greenspace for people and biodiversity; it is recognised in the Proposed Plan as a "cherished green space" and as part of the green network; and, such a road would therefore undermine the principles of good placemaking by having a negative</p>		

impact on a key greenspace that makes this part of Portree so distinctive.

North of Storr Road (PT02)

D & C Stammers (986876) - Objects to loss of greenspace, quiet residential amenity, bird habitat, land for grazing, and accessible recreational space used by children, walkers and dog walkers.

North of Storr Road (PT02) and Kiltaraglen South (PT03)

Shona Cameron (995772) - Objects to principle of development because: the land is currently unique, cherished community greenspace and is not unused/derelict space; of loss of habitat for a range of wildlife; there is no other suitable, locally available outdoor recreational space; sites PT15 and PT16 are better suited for housing development because they are currently derelict land. Questions how and where the Plan will deliver its aim of ‘...extend[ing] Portree's green networks’. Supports preserving the wooded areas and burn sides but these have different value and use to open green networks such as PT02 and PT03. Disagrees that the Plan is delivering SNH's definition of green network.

Kiltaraglen (South) (PT03)

George McLean (997237) - Requests that the developer requirements be amended to include reference to an obligatory protected species survey because a bat colony is still in residence on the site.

Kiltaraglen (North) (PT04)

Crofting Commission (955042) - Concerned that the development of the site would result in the loss of a significant area of croft land. The Crofting Commission is required by Crofters (Scotland) Act 1993, as amended, to have regard to the impact of changes to the overall area of land held in crofting tenure on the sustainability of crofting. This land is on the fringe of the settlement and therefore presently little affected human activity from neighbouring development.

SEPA (906306) - Requests additional developer requirements to address peat, wetland and flood risk issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan. Suggests that the indicative housing capacity should be reassessed in light of the flood risk, peatland and wetland issues affecting the site.

South of Achachork (PT06)

Crofting Commission (955042) - Concerned that the development of the site would result in the loss of a significant area of apportioned croft land contrary to the Council's policy of minimising the loss of inbye/apportioned croft land.

Neil Henning (1104907) - Objects because: the name is incorrect; it will have a significant adverse impact on the township of Achachork as a crofting community; it will lead to the coalescence of Achachork and Portree; of the loss of hunting land used by birds of prey; loss of other wildlife habitat; of significant financial impact on several local tourist accommodation businesses which depend upon the unique combination of being close to the amenities of Portree whilst also having a distinctly rural feel; and, of a lack of capacity along Staffin Road which is the only used route to the Old Man of Storr creating road safety issues.

Margaret Burr (1097604) - Objects because of: loss of peatland, wildlife habitat and resultant potential adverse species impacts; coalescence of two separate settlements; and, adverse impact on local tourist accommodation businesses which depend upon the rural tranquillity of the location.

SEPA (906306) - Requests additional developer requirements to address peat, wetland and flood risk issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan.

West of College, Struan Road (PT08)

SEPA (906306) - Requests additional developer requirement to address peat and wetland issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan and with the Environmental Report.

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590) - Clarifies that there is a proposal being currently progressed for an important community use on this land and therefore its is important that the Plan makes provision for this development, which will meet local need and consolidate other sports, recreation and leisure uses in this part of Port Righ.

Auction Mart (PT20)

SEPA (906306) - Requests additional developer requirement to address peat and wetland issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan and with the Environmental Report.

Modifications sought by those submitting representations:

Route of Link Road

Shona Cameron (995772) - Realignment of Portree Link Road to connect with Staffin Road at Achachork junction (assumed).

Placemaking Priorities

Honey Pie (1104096) - Additional priority for a low level multi storey car park at Bayfield (assumed).

Scottish Government (1101467) - The word 'may' should be replaced with 'will' in paragraph 3.20.

Scottish Natural Heritage (909933) - Removal of the fourth Placemaking Priority of "Safeguard a route for the possibility of a longer term service access to the harbour from the A855 and around the south of the Lump."

North of Storr Road (PT02)

D & C Stammers (986876) - Deletion of allocation (assumed).

Shona Cameron (995772) - Deletion of allocation

Kiltaraglen (South) (PT03)

Shona Cameron (995772) - Deletion of allocation (assumed).

George McLean (997237) - Amendment to developer requirements that a protected species survey must be undertaken in respect of the local bat colony.

Kiltaraglen (North) (PT04)

Crofting Commission (955042) - Deletion of allocation (assumed).

SEPA (906306) - That the following addition be made: "Peat management plan to demonstrate how impacts on peat have been minimised; Vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed." Reduced (undefined) indicative housing capacity.

South of Achachork (PT06)

Crofting Commission (955042) - Deletion or reduction of allocation (assumed).

Neil Henning (1104907) - Deletion of allocation (assumed).

Margaret Burr (1097604) - Deletion of allocation (assumed).

SEPA (906306) - That the following addition be made: "Peat management plan to demonstrate how impacts on peat have been minimised; Vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed."

West of College, Struan Road (PT08)

SEPA (906306) - That the following addition be made: "Presence of deep peat and wetlands may limit areas that can be developed."

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590) - Allocation for a specific (undefined) community use (assumed).

Auction Mart (PT20)

SEPA (906306) - That the following addition be made: "Presence of deep peat and wetlands may limit areas that can be developed."

Summary of responses (including reasons) by planning authority:

Route of Link Road

Shona Cameron (995772) - The suggested alternative alignment was considered when the alignment of the link road was being considered during the 1990s [CD53]. It offers a different

mix of positives and negatives to the route indicated on the Portree North East Settlement Map. The Achachork junction connection route is longer and more expensive to complete, crosses the ownership of a party opposed to its construction but does “bypass” more of the section of Staffin Road that has capacity constraints. Completion of the depicted route will divert extraneous traffic from the most congested part of the village centre including the most constrained parts of the radial route (Bosville Terrace and Mill Road), crosses the ownership of parties likely to release land for its construction, and has a construction cost estimate that is achievable given the funding likely to be available from the public sector and from developer contributions. The effective enforcement of a speed limit is a matter for the police not for the development plan but the design of the road and its junctions can be engineered to slow speeds. The short length, gradient and curvature of the depicted route will all militate against high traffic speeds. The depicted route is very similar to that already endorsed within the adopted WHILP. In the much longer term, then a road connection through site PT04 to connect with Staffin Road at the Achachork junction could be a possibility and the Plan’s provisions do not inhibit this option. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Placemaking Priorities

Honey Pie (1104096) - The Council accepts that there is summer tourist season shortfall in public car parking within central Portree. The mixed use allocation PT13 (Bayfield) references the need for additional parking as a developer requirement of that site, which is particularly suitable for multi storey parking because of its difference in levels. Allocated land in the northern part of the settlement (PT07 and PT25) provides an opportunity to relocate long stay coach and service bus parking demand out of the village centre which would free up more general needs parking bays. If the Reporter agrees then an additional reference would highlight the Council’s support for the improvement of car parking provision in Portree. An additional Placemaking Priority could be added to state: “Improve public car parking and coach/bus drop-off provision within the village centre and encourage relocation of longer stay needs to more peripheral locations”.

Scottish Government (1101467) - The Council accepts that if this type of guidance is prepared then it should be statutory. The word “may” was intended to reflect a degree of uncertainty about the balance of funding being available from the public purse for the larger transport schemes such as Portree Link Road. For example, in the event of the balance of the funding being cut from the Council’s current capital programme then the planning authority would not proceed in preparing a detailed financial protocol to secure developer contributions. If the Reporter believes an amendment is necessary then the Council suggests the deletion of the last sentence before the bullets in paragraph 3.20 and its replacement with: “If appropriate then the Council will produce further, statutory Supplementary Guidance on this matter which will set out details on:”.

Scottish Natural Heritage (909933) - The road around the Lump has been a long standing community aspiration and is extant development plan policy. It is an integral part of the provisions of the adopted WHILP. Its justification is founded upon providing an alternative vehicular route to Portree Harbour which has severe and otherwise insurmountable access constraints. At present the junction at Bank Street and Harbour Quay is very tight, with Harbour Quay becoming immediately steep and narrow. Given the amount of traffic and pedestrians in the area, particularly during summer months, it has the potential to lead to major conflicts between pedestrians and motorised vehicles. The specific proposal to construct the connection and its related land allocations have not been followed through to the Proposed WestPlan because of significant doubts about its economic feasibility. It would not lever any sizeable developer contributions and would therefore be dependent upon undefined public money. A

previous scheme failed in a European funding bid and it does not feature in the current capital programme of any public agency. Hence now that the proposal is only referenced as a long term aspiration. A road connecting Bayfield with the harbour would be predicated on a new seawall combined with inert infilling of land behind it to create room for the road, a new active travel promenade, and other desirable proposals such as additional parking at Bayfield and the harbour, and more back up land at the harbour for existing users and to attract additional recreational sailing and cruise ship tender craft. Environmental effect issues can be assessed and mitigated and the adopted development plan provisions were subject to strategic environmental assessment. The proposal would have no direct effect on the Lump greenspace and indeed would create a new route from which the landform and its planting can be appreciated. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

North of Storr Road (PT02) and Kiltaraglen South (PT03)

Shona Cameron (995772), D & C Stammers (986876) - The land covered by allocations PT02 and PT03 have formed part of the Council's development plan and its strategy for the expansion of Portree since the 1990s. Both sites are now bordered by residential development can assist in the completion of the Portree Link Road and would round-off the existing settlement edge at this location. The fields have been managed for agriculture, are close to human activity and therefore have limited habitat value, and do not comprise formal public open space. However, the Council recognises the ecological importance of the field margins and in particular of the woodland along these margins. These green networks have been depicted on the Portree Town Centre Settlement Map and are referenced in the developer requirements of the sites. The two sites which the respondent suggests as alternative housing sites are already allocated for community uses. Planning in principle was granted for site PT15 for a church and community centre and a new full application for the church was submitted in 2017 and is currently awaiting decision. PT16 is allocated for open ground community uses only due to the steepness of the site and large areas which are at risk of flooding. In a village or small town the size of Portree, where the open countryside and coastline permeates around and within the settlement then that surrounding greenspace is sufficiently accessible particularly where there is a network of wooded burnside and other paths to connect to it. Accordingly, the Council believes the Plan content should remain unaltered in respect of sites PT02 and PT03.

George McLean (997237) - Bat roosts are typically located within old buildings, underground caves/tunnels and within holes in trees. There may be a bat interest within the mature trees that border sites PT02 and PT03. If the Reporter are minded to agree then the Council would support an additional/amended developer requirement for both sites to state "Protected species survey".

Kiltaraglen (North) (PT04)

Crofting Commission (955042) - The Council's Highland wide Local Development Plan contains a general policy, Policy 47 Safeguarding Inbye/Appportioned Croftland, which sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. However, croft land quality is only one factor in local development plan site selection which must be weighed against the pros and cons of other potential settlement expansion sites. The current Plan process has sought to identify and undertake a comparative assessment of Portree's settlement expansion site options. This was done through the Plan's Call for Sites and Main Issues Report phases. The adopted WHILP [CD14] and its predecessor plan identified land at Sulaisaidar as the next residential expansion area for Portree when Home Farm was completed. However, during WestPlan's preparation an assessment has been made of the deliverability of this area and it has been found to have severe ownership constraints. Two of the three ownership interests do not wish to release land for development

and the principal and most feasible access connection route has a ransom issue. Moreover a large part of the land is productive grazing land and actively worked by a local crofter. Accordingly, the Council turned its intention to other alternatives. Loch Portree constrains expansion options to the south of the settlement and steeper ground plus landscape setting issues restrict growth to the east and west. Northward expansion of Portree is the only sensible option. An existing landfill site, other industrial uses and deep peat issues curtail the scope for residential development close to the A87. More of the Kiltaraglen croft land would have been identified for development in previous development plans but the previous owner-occupier crofter was very opposed to its release. The Council understands that the new owner is less opposed to the release of site PT04 in the medium to longer term. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

SEPA (906306) - If the Reporter agrees then the Council would support the additional developer requirements requested by SEPA. In terms of the indicative housing capacity, the current figure equates to a gross density of less than 4 dwellings per hectare. Portree is the largest settlement on Skye and the island capital and might typically for other similar Highland settlements be expected to accommodate developments averaging 20-25 dwellings per hectare (gross). This very low capacity was set to reflect the flood risk, peatland and wetland constraints referenced by SEPA. At the masterplanning/planning application stage these constraints can be better assessed and addressed in terms of the detailed layout of the area. Accordingly, the Council believes the Plan's content should remain unaltered in respect of the capacity issue.

South of Achachork (PT06)

Crofting Commission (955042) - The Council's Highland wide Local Development Plan contains a general policy, Policy 47 Safeguarding Inbye/AppORTioned Croftland, which sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. However, croft land quality is only one factor in local development plan site selection which must be weighed against the pros and cons of other potential development sites. The Achachork site is rolled forward from the adopted WHILP, has limited grazing value and could assist in achieving road improvements in the north of the settlement. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Neil Henning (1104907), Margaret Burr (1097604) - The Achachork site is rolled forward from the adopted WHILP, has limited grazing value and could assist in achieving road improvements in the north of the settlement. The site's developer requirements could lead to improvements being delivered to the local road travel network, including enhancement of Staffin Road, extension of the footpath on Staffin Road and connecting it with the houses north of the allocation boundary at Achachork. The Council does not dispute that the land may occasionally be used by birds such as raptors nor that it may be a loss of potential habitat for certain species. However, the land is open rough grazing land which is prevalent throughout West Highland and would therefore not have any significant impact on the population of these species. Concerns regarding the impact on the unique, crofting township character of Achachork are overstated given that many of the nearby properties have been developed over recent decades, are suburban in character and few if any are associated with actively worked crofts. The scale and impact of the development will also not be as significant as might be assumed from the size of the site. It is envisaged that development would be of a similar density to the surrounding properties (approximately 10-20 homes per hectare) which, taking into account the indicative capacity of 50 homes, would mean that only about one third of the site will be built on and as a result a degree of horizontal (and vertical given the levels difference) separation could be achieved between the new and existing development. Achachork is not unique in terms of tourist accommodation. Other coastal locations have similarly attractive outlooks and existing enterprises are not close enough to the village centre to offer an easy walkable connection to Portree's facilities. Accordingly, the Council believes the Plan's content should remain unaltered

in respect of this issue.

SEPA (906306) - If the Reporter agrees then the Council would support the additional developer requirements requested by SEPA because they would offer useful clarification and consistency with other parts of the Plan.

West of College, Struan Road (PT08)

SEPA (906306) - If the Reporter agrees then the Council would support the additional developer requirement requested by SEPA because it would offer useful clarification and consistency with other parts of the Plan.

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590) - The community use allocation in the Plan offers positive but general support for any community use not specific support for any particular community proposal. Overcoming the site's road access constraints without adversely affecting adjoining community facilities is the most relevant issue. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Auction Mart (PT20)

SEPA (906306) - If the Reporter agrees then the Council would support the additional developer requirement requested by SEPA because it would offer useful clarification and consistency with other parts of the Plan.

Reporter's conclusions:

Route of Link Road

1. The proposed Plan shows the proposed Portree Link Road stretching from Dunvegan Road (A87) to Staffin Road (A855). The route shown in the proposed Plan passes along the northern edge of Portree by several allocations which, together, form a significant area of expansion to the north of the village, and include PT02 (North of Storr Road), PT03 (Kiltaraglen [South]), PT04 (Kiltaraglen [North]), PT07 (North East of Mart, Home Farm) and PT26 (Land North of Home Farm Dental Practice). The route joins Dunvegan Road just at the northern tip of the Auction Mart. It joins Staffin Road by Kiltaraglen, to the south of Hill Place and east of Storr Road. The adopted local plan shows provision for the eastern section of the proposed link road, which runs from the existing roundabout at the easternmost end of Woodpark Road (by the houses at the Road Of The Sheiling) to Staffin Road. It is also shown extending a short distance from the eastern edge of Staffin Road in order to create a new junction with it.
2. In essence, the representor seeks the rerouting of the proposed link road so that it emerges onto Staffin Road further to the north, outwith the residential area of Portree. I note that a route further to the north, meeting Staffin Road at the Achachork road junction, was supported by both the planning authority and the reporter at the public local inquiry in 1998 into objections to the earlier, and now superseded, Skye and Lochalsh Local Plan. I therefore have no doubt that a route further to the north could offer benefits, particularly as this would result in more of the constrained Staffin Road being avoided by traffic.
3. Nonetheless, the planning authority in the summary of its response to the representation explains that a route further to the north would be longer and more expensive to construct, and that there would be a land ownership problem. I consider that these are significant barriers to

overcome, that they would materially delay the link road's delivery and, as such, would be likely to undermine bringing forward the expansion proposals for this northern area of Portree. The link road is a key piece of infrastructure, and its completion is highlighted as a Placemaking Priority in the proposed Plan.

4. The route for the link road set out in the proposed Plan does not appear to have such significant barriers to overcome as the alternative to the north. As a result, it seems more deliverable and less likely to lead to a long delay in bringing forward the various development allocations in the area. I note that the roads authority has raised no concerns about the safety of this route for the link road, and I see no reason why it could not be designed to restrict vehicular speeds to a level appropriate for the built up area and ensure acceptable separation between pedestrians and vehicles. Moreover, it would ensure that through traffic would be able to bypass the particularly significant congestion, and road capacity and alignment constraints in the lower part of Staffin Road and the village centre. Additionally, in the upper part of Staffin Road, further safety improvements may be possible, including a footpath extension as a part of the development of PT06 (South of Achachork), which would connect the houses at the Achachork road junction with the rest of Portree. The route identified in the proposed Plan for the link road also broadly reflects that established in the adopted local plan.

5. In all the circumstances, I am satisfied that the route currently proposed by the planning authority for the link road is acceptable and appropriate, and that it should be retained. In the future, it may be possible to connect the link road in the proposed Plan with the Achachork road junction. To this end, I note that the Developer Requirements for the Housing allocations at PT04 (Kiltaraglen North) and PT06 (Achachork road junction) both require land to be safeguarded. However, the provision of such an extension to the link road is not currently proposed by the planning authority, and it falls outwith the timeframe covered by the proposed Plan. Given the significant barriers facing the delivery of a link road further to the north at the present time, I consider that it would be inappropriate and unrealistic to substitute it for the route shown in the proposed Plan.

6. Overall, no adjustment is required to the proposed Plan.

Placemaking Priorities

7. One representor expresses concern about the lack of parking facilities in the centre of Portree. The planning authority accepts that there is a shortfall in public car parking provision in the summer. It suggests that an additional Placemaking Priority be set out for Portree to deal with this issue. I am satisfied that the additional Placemaking Priority would reasonably address the need to improve public car parking and coach/bus drop off provision in the village centre and relocate longer stay needs to peripheral locations. The planning authority points out that additional parking and bus/coach drop off facilities would be provided as a part of the Mixed Use allocation at PT13 (Bayfield), and that there are possible options for relocating long stay coach and service bus parking outwith the village centre to more peripheral locations at PT07 (North East of Mart, Home Farm) and PT27 (Land Adjoining Home Farm Biomass Plant). I am satisfied that these factors together with the proposed additional Placemaking Priority, would ensure that the proposed Plan appropriately and reasonably addresses the concerns of the representor about parking in the village. I therefore consider that the proposed Placemaking Priority should be included in the Placemaking Priorities for Portree.

8. The Scottish Government requests that the proposed Plan be changed at paragraph 3.20, pages 124-125, to ensure that the guidance proposed for the Portree Link Road "will" be produced, rather than "may" be produced. The planning authority accepts that guidance such as that proposed would be statutory guidance, which will require to be produced if a financial

protocol to secure developer contributions is established. It explains that the wording at paragraph 3.20 was intended only to reflect uncertainty over the project's funding.

9. As such, there is no dispute between parties that statutory guidance will require to be prepared to establish the levels (and methodologies) of developer contributions required. This is in line with Planning Circular 6/2013: Development Planning, which requires guidance prepared for this purpose to be statutory. I therefore consider that it is necessary for the proposed Plan to indicate that this statutory guidance will be produced. However, I accept that the guidance will only be required if the planning authority decides to seek developer contributions. In these circumstances, I consider the planning authority's proposed wording, as set out below, to be appropriate because it covers both the requirement for statutory guidance and the uncertainty about the funding. Given this, I believe that it should be preferred to the change of a single word, as proposed by the representor, which could potentially mislead readers of the Plan.

10. Scottish Natural Heritage seeks the removal of the 4th Placemaking Priority. This Priority safeguards a route for the possibility of a longer term service access to the harbour from the A855 around the south of the Lump. The adopted local plan includes a proposed road around the Lump as part of 2 Mixed Use allocations (MU3 and MU5). The planning authority explains that the road is a long standing community aspiration. It also explains that the proposed road and the associated allocations have not been included in the proposed Plan because of a lack of funding. Nonetheless, the Developer Requirements for the Mixed Use allocation at PT13 (Bayfield) in the proposed Plan require a Transport Statement to be prepared which, amongst other things, should safeguard a route for a potential distributor road to the Harbour via the Lump.

11. The Lump consists, in the main, of an elevated area of open space on a prominent headland within Portree Conservation Area, on the southern edge of the village centre. It provides scenic views of the surrounding area, including towards Loch Portree and Portree bay, and is an attractive and significant feature within the village. It is designated as Cherished Open Space in the proposed Plan, which is a continuation of its Open Space designation in the adopted local plan. I have no doubt that it makes a meaningful contribution to the village's character and identity, and its sense of place. However, the harbour is difficult to access and congested, and there are significant conflicts between vehicles and pedestrians, which I observed at my site inspection. The existing harbour area, and the improvements proposed, would benefit if these problems were resolved. The awkward geography of the area means that there are likely to be very few solutions available. At this stage, the road is no more than a long term aspiration. The Placemaking Priority is clear that the road would not be intended to directly affect or disrupt the Lump because it is to be routed around the south of it. While the road requires further investigatory works, it appears that it would be linked to the provision of a new seawall and other possible development proposals at this location. On the basis that the road would go around the south of the Lump, I am satisfied that the Placemaking Priority should be retained.

12. As a consequence of this conclusion, it is necessary to ensure consistency in the wording for this long term aspiration in different parts of the proposed Plan. At present, the wording for the Developer Requirements for PT13 (Bayfield) suggests that any safeguarded route could potentially have a direct effect on the Lump. In order to achieve greater consistency with the Placemaking Priority, I believe that this wording requires to be changed to indicate that the safeguarded route is to go around the south of the Lump, with the reference in the Developer Requirements to going via the Lump being deleted.

13. Overall, adjustments are required to the Plan, as set out below.

PT02: North of Storr Road, and PT03: Kiltaraglen South

14. As the representations covering both allocations are similar in nature, I have decided to combine my conclusions on them.

15. PT02 and PT03 are located towards the north eastern edge of Portree. The former is to the west of Staffin Road (A855), by Storr Road, and the latter straddles it. PT02 extends to around 2.5 hectares, is gently sloping and irregularly shaped, and it comprises a field and has a path and trees along its boundaries. PT03 is adjacent and to the east of PT02. It extends to around 6.2 hectares, is also sloping and irregularly shaped, and it comprises moorland, contains some areas of trees and has a path along its boundaries. The allocation of both sites for Housing in the proposed Plan is essentially a continuation of their Housing allocation in the adopted local plan. The proposed Plan estimates the housing capacities of the sites as 45 (PT02) and 30 (PT03) houses. The sites contribute to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

16. Two representors seek the removal of PT02, one of them also seeks the removal of PT03, and both indicate that the existing open space use should be allowed to continue. Another representor requests a firm commitment to undertaking a protected species survey for PT03. Portree is the largest village on Skye, and is a designated Main Settlement in the proposed Plan. As such, it is the most important strategic village on the island, and I consider that it is appropriate for it to be a focus for growth of the scale proposed. This would provide continued support to local services and facilities, and it reflects the planning authority's strategy of encouraging growth in the Plan area. In particular, PT02 and PT03 are long standing allocations and important elements in the expansion proposals for this northern area of Portree. They would contribute to the delivery of the Portree Link Road, which is a key piece of infrastructure, with its completion highlighted as a Placemaking Priority in the proposed Plan.

17. I acknowledge that both sites are currently used as open space, but this is on an informal basis, and neither is formally designated open space in the proposed Plan or the adopted local plan. I believe that the Portree Settlement Maps show that the village is both compact and that it appears to have reasonable amounts of accessible open space and green network. I agree with the planning authority that the surrounding countryside and coastline permeate the village and are accessible. There is also no evidence before the Examination which demonstrates that there are deficiencies in open space provision in the village. I therefore see no pressing need for either allocation to be recognised as formal open space. I note that the edges of the allocations and that part of PT03 on the east side of Staffin Road are more environmentally sensitive, and I am satisfied that they have been appropriately protected in the proposed Plan by designating them as Green Network. Should development proposals come forward for the 2 allocations, they would require to incorporate areas of open space in line with the terms of Policy 75 (Open Space) in the Highland-wide Local Development Plan. The proposed housing density on the allocations would also be reasonable and, for PT03, it would be particularly modest at only 5 houses per hectare.

18. The 2 potential alternative sites referred to by one representor are both designated for Community purposes in the proposed Plan (PT15 [Home Farm {North}] and PT16 [Home Farm {West}]), one is subject to proposals for a church and community centre, and the other is constrained and restricted to Community Open Ground Uses Only. I find that neither site is a realistic alternative to PT02 and PT03.

19. In relation to a protected species survey, it appears that there are likely to be bats on PT03

and PT02. Bats are an internationally protected species, and the planning authority accepts that a protected species survey should be undertaken. While the representor only requests a protected species survey for PT03, as the sites are adjacent and the bat interest covers both of them, I find that it would be appropriate to require a protected species survey on both allocations. In light of this, the Developer Requirements for PT03 should be amended, and a new Developer Requirement should be added to PT02.

20. Taking all the above factors together with the fact that the 2 Housing allocations are reasonably close to facilities, are compatible with the residential character of the area, and would form an integral part of a natural extension of the village, I consider that they should be retained in the proposed Plan, subject to a minor revision of their Developer Requirements.

21. Overall, adjustments are required to the proposed Plan, as set out below.

PT04: Kiltaraglen (North)

22. PT04 is situated on the northern edge of Portree, to the south of Achachork, to the west of Staffin Road (A855), and to the north of Woodpark Road. It extends to around 31.7 hectares, is sloping and irregularly shaped, and mainly comprises moorland. PT04 is a newly allocated Housing site in the proposed Plan, and this replaces its designation as Countryside in the adopted local plan. The proposed Plan estimates the housing capacity of the site as 125 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

23. The Crofting Commission is concerned about the potential loss of a significant area of croft land, and the Scottish Environment Protection Agency seeks to ensure that the effects of development on peat and wetland are minimised. The planning authority generally seeks to minimise the loss of in-bye/apportioned croft land through Policy 47 (Safeguarding In-bye/Apportioned Croftland) of the Highland-wide Local Development Plan. The allocation may result in the loss of croft land. However, this is not precluded by Policy 47, and I acknowledge that it is just one factor to be taken into account in selecting sites for the development plan. I note that Portree is the largest village on Skye, and is a designated Main Settlement in the proposed Plan. As such, it is the most important strategic village on the island, and I consider that it is appropriate for it to be a focus for growth of the scale proposed. This would provide continued support to local services and facilities, and it reflects the planning authority's strategy of encouraging growth in the Plan area.

24. Given that there are physical and landscape constraints to the south, east and west of Portree, and that the planning authority's proposal in the adopted local plan to locate the long term extension of the village at Sulaisiadar has been undermined by ownership constraints, I agree with the planning authority that the area to the north of Portree is the only potentially realistic option. Within that area, I accept that a Housing allocation close to Dunvegan Road (A87) would be incompatible with a landfill facility and industrial uses, and that deep peat is a further significant constraint.

25. In light of this, I consider that PT04, which lies further to the east, and which would extend an existing residential area, would be a reasonably appropriate location. It would form the largest allocation of the Housing allocations making up the northern expansion of Portree. A Housing allocation here would contribute to Portree Link Road, which is a key piece of infrastructure, with its completion highlighted as a Placemaking Priority in the proposed Plan. It would also open up the possibility in the future of connecting the link road with the Achachork road junction on Staffin Road, which would allow a longer section of the congested and constrained part of Staffin Road to be avoided by through traffic. Additionally, it appears that

there would be a prospect of the site coming forward for development in the medium to longer term, a reasonable timescale for this scale of proposal. These factors offer significant support for the allocation. In contrast, I have found little evidence before the Examination to justify the view that the crofting interest in the land should take precedence over the potential benefits of the site's allocation for Housing, or that the sustainability of crofting as a whole or in the surrounding area would be materially threatened by the allocation.

26. In relation to the issue of peat and wetlands, the Scottish Environment Protection Agency proposes a new Developer Requirement be added to PT04 requiring the preparation of a peat management plan and vegetation survey. The planning authority accepts this change. In order to ensure that the peat and wetlands present on the allocation are appropriately protected from development, in line with the thrust of Scottish Planning Policy and the Water Framework Directive, I believe that this new proposed Developer Requirement should be added to the Requirements for PT04. This would help achieve a broadly consistent approach to this issue across the proposed Plan. I am satisfied that there is no requirement to lower the indicative housing capacity figure proposed for the allocation in order to satisfactorily protect the peat and wetlands and deal with flood risk. The indicative capacity figure in this instance would give a particularly modest housing density for the allocation of only 4 houses per hectare.

27. Taking all the above factors together with the fact that PT04 is compatible with the residential character of the area and would naturally extend and round off the village, I consider that it should be retained in the proposed Plan, subject to a new Developer Requirement being added to the allocation.

28. Overall, an adjustment is required to the proposed Plan, as set out below.

PT06: South of Achachork

29. PT06 is situated on the north eastern edge of Portree, on the western side of Staffin Road (A855), immediately to the south of the row of houses at the eastern end of the Achachork road. It extends to around 9.8 hectares, is sloping and essentially rectangular in shape, and mainly comprises moorland. The allocation of the site for Housing in the proposed Plan is essentially a continuation of its Housing allocation in the adopted local plan. The proposed Plan estimates the housing capacity of the site as 50 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

30. In essence, 2 representors seek the deletion of the allocation. The Crofting Commission is concerned about the potential loss of a significant area of croft land, and the Scottish Environment Protection Agency seeks to ensure that the effects of development on peat and wetland are minimised. The planning authority generally seeks to minimise the loss of in-bye/appORTioned croft land through Policy 47 (Safeguarding In-bye/AppORTioned Croftland) of the Highland-wide Local Development Plan. The allocation may result in the loss of croft land. However, this is not precluded by Policy 47, and I acknowledge that it is just one factor to be taken into account in selecting sites for the development plan. In this case, I note that Portree is the largest village on Skye, and that it is a designated Main Settlement in the proposed Plan. As such, it is the most important strategic village on the island, and I consider that it is appropriate for it to be a focus for growth. This would provide continued support to local services and facilities, and it would reflect the planning authority's strategy of encouraging growth in the Plan area.

31. The area to the north of Portree is the only potentially realistic option for expansion because there are physical, landscape and ownership constraints in other areas around

Portree. I consider that PT06, which is included in the adopted local plan, is an important element in the expansion proposals for this northern area of Portree. It would contribute to the Portree Link Road, which is a key piece of infrastructure, with its completion highlighted as a Placemaking Priority in the proposed Plan. It would also open up the possibility in the future of connecting the link road with the Achachork road junction on Staffin Road, which would allow a longer section of the congested and constrained part of Staffin Road to be avoided by through traffic. Moreover, it is proposed that a footway connection would be provided on Staffin Road to connect the Achachork road with the rest of Portree. These factors offer significant support for the allocation.

32. Given that Scottish Natural Heritage has not made any representations to the allocation, I am not persuaded that the use of the site by wildlife, including raptors and other types of bird species, would undermine the allocation. I consider that the type of habitat found on site is likely to be found in other locations in the surrounding area and across the island. While the local area in which the site is located is generally attractive and pleasant with reasonable views, it is not covered by a landscape designation, it is on the northern edge of the village, there is existing housing present, including houses immediately to the north of the allocation which are suburban in appearance, the proposed housing density for the site is particularly modest at only 5 houses per hectare, and the Developer Requirements for the allocation require a high quality of siting and design. Given this, I do not believe that the allocation would be likely to result in material damage to the area's scenic character and qualities and undermine local tourist facilities, including local bed and breakfast establishments and Portree Wigwam Holidays.

33. Apart from the eastern end of PT06 where it joins the existing built up area to the south, I am satisfied that there would be a reasonably sized buffer area maintained between the expanded Achachork and the proposed development at PT04 (Kiltaraglen [North]) to the south, which would incorporate a rocky ridge. I have found little evidence before the examination to justify the view that the crofting interest in PT06 should take precedence over the potential benefits of the site's allocation for Housing, or that the sustainability of crofting as a whole or in the surrounding area would be materially threatened by the allocation. The planning authority points out that few, if any, of the properties at Achachork are associated with actively worked crofts, and I therefore do not share the concerns of the representors about the impact of the allocation on the area's crofting character.

34. In relation to the issue of peat and wetlands, the Scottish Environment Protection Agency proposes that a new Developer Requirement be added to PT06 requiring the preparation of a peat management plan and vegetation survey. The planning authority accepts this change. In order to ensure that the peat and wetlands present on the allocation are appropriately protected from development, in line with the thrust of Scottish Planning Policy and the Water Framework Directive, I believe that this new proposed Developer Requirement should be added to the Requirements for PT06. This would help achieve a broadly consistent approach to this issue across the proposed Plan.

35. Taking all the above factors together with the fact that PT06 would be a reasonably natural extension of the village, I consider that it should be retained in the proposed Plan, subject to a new Developer Requirement being added to the allocation.

36. Overall, an adjustment is required to the proposed Plan, as set out below.

PT08: West College, Struan Road

37. PT08 is situated on the western edge of Portree, to the west of Dunvegan Road (A87), and on the southern side of Struan Road (B885). It extends to around 10.9 hectares, is on a hillside

and irregularly shaped, and comprises moorland. Its allocation for Mixed Use purposes in the proposed Plan is a continuation of its Mixed Use allocation in the adopted local plan, albeit that the range of uses proposed in the former plan (Housing, Community, Business/Tourism) is larger than that permitted in the latter (Housing, Public Open Space, and Hotel). The proposed Plan estimates the housing capacity of the site as 20 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

38. The allocation is sited on peat and potentially wetlands. The Scottish Environment Protection Agency proposes that a new Developer Requirement be added to PT08, which would indicate that the presence of deep peat and wetlands could limit the area available for development. The planning authority accepts this change. In order to ensure that peat and wetlands present on the allocation are appropriately protected from development, in line with the thrust of Scottish Planning Policy and the Water Framework Directive, I believe that a Developer Requirement along the lines suggested should be included in the Requirements for PT08. This would help achieve a broadly consistent approach to this issue across the proposed Plan. I note that 2 of the existing Developer Requirements already make provision for the preparation of a peat management plan and vegetation survey. I propose to change these 2 existing Requirements to include the proposed Requirement because they all relate to the same issue.

39. Overall, an adjustment is required to the proposed Plan, as set out below.

PT19: Land South of Shinty Pitch

40. PT19 is situated on the western edge of Portree, to the west of Dunvegan Road (A87), and to the south of Struan Road (B885). It extends to around 2.4 hectares, is on a hillside and essentially rectangular in shape, and comprises moorland. It is identified for Community purposes in the proposed Plan, and forms part of a larger area (5.6 hectares) which is allocated for the same use in the adopted local plan.

41. The representor requests that the proposed Plan makes provision for an important community use proposal being prepared for the site. I note that the representation refers to meeting local need and consolidating other sports, recreation and leisure use in this part of Portree. The planning authority explains that the Community allocation offers positive but general support for any community use. The Glossary for the proposed Plan (Appendix 2) defines a Community use as Class 10 (Non residential institutions) of the 1997 Town and Country Planning (Use Classes)(Scotland) Order, and indicates that it may also include other public facilities such as sports pitches. This is a wide ranging definition, and it could potentially offer some encouragement for the sports, recreation and leisure use proposed, particularly given the nearby shinty and sports facilities. However, in the absence of any detail about the proposal, I consider that it would be inappropriate to make any specific reference to it in the proposed Plan. The Developer Requirements for PT19 set out the constraints that any proposal coming forward would have to address, and these include road access constraints, which could limit the types of development that could be acceptable.

42. Overall, no adjustment is required to the proposed Plan.

PT20: Auction Mart

43. PT20 is situated on the northern edge of Portree, to the north of Portree Industrial Estate, on the eastern side of Dunvegan Road (A87). It extends to around 0.9 hectares, is essentially triangular in shape and gently sloping, and comprises an operational auction mart, with stock

pens close to the main road. Its allocation for Business purposes in the proposed Plan is a continuation of its Business allocation in the adopted local plan.

44. The allocation appears to be sited on peat and potentially wetlands. The Scottish Environment Protection Agency proposes that a new Developer Requirement be added to PT20, which would indicate that the presence of deep peat and wetlands could limit the area available for development. The planning authority accepts this change. In order to ensure that peat and wetlands present on the allocation are appropriately protected from development, in line with the thrust of Scottish Planning Policy and the Water Framework Directive, I believe that a Developer Requirement along the lines suggested should be included in the Requirements for PT20. This would help achieve a broadly consistent approach to this issue across the proposed Plan. I note that 2 of the existing Developer Requirements already make provision for the preparation of a peat management plan and vegetation survey. I propose to change these 2 existing Requirements to include the proposed Requirement because they all relate to the same issue.

45. Overall, an adjustment is required to the proposed Plan, as set out below.

Reporter’s recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Portree section of the Skye and Raasay Settlements, page 125, add the following new Placemaking Priority:

“Improve public car parking and coach/bus drop-off provision within the village centre and encourage relocation of longer stay needs to more peripheral locations.”

2. Under the Portree section of the Skye and Raasay Settlements, page 125, adjust the final sentence of Paragraph 3.20 so that it reads as follows:

“...If appropriate then the Council will produce further statutory Supplementary Guidance on this matter which will set out details on:...”

3. Under the Portree section of the Skye and Raasay Settlements, page 134, adjust the sixth clause of the Developer Requirements for PT13 (Bayfield) so that it reads as follows:

“...Transport Statement (including details of junction improvements, bus/coach drop off provision, parking provision and safeguard route for potential distributor road to Harbour around the south of the Lump);...

PT02: North of Storr Road, and PT03: Kiltaraglen South

4. Under the Portree section of the Skye and Raasay Settlements, page 131, add a new clause to the Developer Requirements for PT02 so that it reads as follows:

“...Protected species survey.”

5. Under the Portree section of the Skye and Raasay Settlements, page 131, adjust the fourth clause of the Developer Requirements for PT03 so that it reads as follows:

“...Protected species survey;...”

PT04: Kiltaraglen (North)

6. Under the Portree section of the Skye and Raasay Settlements, page 131, add a new clause to the Developer Requirements for PT04 so that it reads as follows:

“Peat management plan to demonstrate how impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed.”

PT06: South of Achachork

7. Under the Portree section of the Skye and Raasay Settlements, page 132, add a new clause to the Developer Requirements for PT06 so that it reads as follows:

“Peat management plan to demonstrate how impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed.”

PT08: West College, Struan Road

8. Under the Portree section of the Skye and Raasay Settlements, page 132-133, adjust the seventh and eighth clauses of the Developer Requirements for PT08 so that they read as follows:

“...Peat management plan to demonstrate how impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed;...”

PT20: Auction Mart

9. Under the Portree section of the Skye and Raasay Settlements, page 136, adjust the fourth and fifth clauses of the Developer Requirements for PT20 so that they read as follows:

“...Peat management plan to demonstrate how impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed;...”

Issue 18	SLEAT	
Development plan reference:	Sleat Settlement Chapter, Pages 139 - 146	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Alan and Wendy Richmond (997715) Andrew Milner (1103156) Andrew Prendergast (1029023) Armelle Sandeman (1105140) B Thompson (1103290) Cathy Black (997342) Christopher Marsh (997494) Clan Donald Lands Trust (1105772) Cornelia Hetterich (1104123) Duncan MacInnes (992306) Fearann Eilean Iarmain (995590) Geoffrey Stephenson (1100908) Hazel Morrison (1100930) Heather Dodgson (995910) Keith Butler (991408) Kevin Donnelly (997567) Kevin Williams (1028162) Maggie Zerafa (1029963) Norman Sandeman (1099724) Olena Beal (994167) Philip Taylor (994165) Roveana Cleland (1116579) RSPB (1104965) Sleat Community Council (1104998) Sleat General Grazings Committee (997691) Stephen Heap (1029961) Steve Hall (1103275)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Kevin Donnelly (997567) - Asserts that "East Sleat" should not be classified as a Main Settlement in the hierarchy because the presence and success of the Gaelic College, Sabhal Mòr Ostaig and its related employment is fragile and could be undermined by large scale development in the surrounding area, which would swamp the college and the wider community's Gaelic-speaking environment that underpins its success.</p> <p>Keith Butler (991408) - Objects to Teangue and the Sleat Peninsula being classed as a Main Settlement (assumed) for the following reasons: poor internet services; few general resources</p>		

e.g. service stations, grocery facilities, shops; no local shops in Teangue; medical services already stretched and if more retired people move to the area this will stretch services further; shortage of dentists; few veterinary services; difficult to recruit professional staff to a rural area; infrequent bus services; impact of light pollution; ferry traffic passes through this area which with increased congestion due to visitors to the new distillery will increase the risk of road accidents; and, the attraction of this rural area is the beauty and uncluttered views of the hills and sea and if it becomes a housing estate then the term 'The Garden of Skye' will be irrelevant and the appeal to tourists will diminish.

Sleat General Grazings Committee (997691) - Objects to Plan's presumption against single house development on croft land and the concentration of larger new developments within existing SDAs. Reports that the community council supports an alternative approach of continued single house developments on in-bye croft land and anything larger (particularly groups of affordable housing for local young people) should be community led on sites outwith settlements. Accepts that this approach might be inhibited by a lack of services including no public transport and the poor condition of single-track roads, many of which need urgent attention.

Placemaking Priorities

Andrew Milner (1103156) - Objects to the first Placemaking Priority because this means that farmland is used for development which is detrimental to the viability of the local farm. Objects to Teangue being described in the second Placemaking Priority as an area with existing clusters of development as there are only a few moderately sized buildings above the hotel and the area proposed for development is in excess of the area occupied by this small cluster.

Kevin Donnelly (997567) - Objects to the reference to Teangue in the second bullet point in the Placemaking Priorities as it is a scattered settlement, there are no shops or facilities, the bus service is poor and the new Torabhaig Distillery will only support 2 or 3 full time jobs.

Andrew Prendergast (1029023) - Agrees with the general presumption of preserving croft land from single house speculative development and steering major developments away from outlying townships towards the Main Settlement area. However, believes the Plan should recognise and make exception for small-scale community led developments, including affordable housing, outwith the Main Settlement because concentrating affordable housing in main settlements is gradually emptying the outlying townships of young people and families and without them traditional land management activities are unable to continue. Also because mainstream social landlords tend only to develop in Main Settlements so any affordable housing in outlying townships will need to be community led and therefore the Plan should not hinder this sort of development.

RSPB (1104965) - Requests an additional Placemaking Priority regarding green networks to ensure consistency with other settlements. Seeks amendment to second Placemaking Priority because in the relevant legislation there is no significance test for an adverse effect on the integrity of an SAC designation.

Manse Field (ES01)

Sleat Community Council (SCC) (1104998) - Objects for the following reasons: approval has recently been given for a single dwelling house within ESO1 (site reference 16/01528/FUL) which SCC objected to on landscape and loss of agricultural land reasons; the land is prime agricultural land which is actively used for the grazing of livestock; it forms part of the last working farm in Sleat; in comparison with, for example, areas on the east coast of Scotland,

there is very little prime agricultural land left in the Sleat peninsula; 65% of Sleat is under crofting tenure; there are many other potential sites for housing development in the Sleat area without the need to utilise good farming land; there are already planning permissions for 11 houses at Exhibition Cottage adjacent to the Sleat Medical Centre and other housing development at the new Kilbeg village; and, the Teangue/Ferrindonald SDA (north east boundary) should be reduced to protect a significant area of farmland. Also submits a composite justification document [RD27].

Sleat General Grazings Committee (SGGC) (997691) - Objects because: site borders croft land and is used by crofters; site has similar if not better agricultural productivity than other in bye land within Sleat (the fields have been classed as Region 1 by SGRPID which is the highest category of land quality and which attracts the highest support payment); of loss of crofting identity and lifestyles; other better alternative sites at Armadale, the Gaelic College and Kilbeg, the latter which already has planning permission for 91 houses; of adverse impact on crofting landscape which tourists come to see; of loss of biodiversity because of loss of improved pasture habitat; and, the reduced viability of farm unit that uses site.

Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579) - Respondents object to allocation for one or more of the following reasons: site is worked by a local crofting family and is therefore against the spirit of the Council's policy of protecting better croft and other agriculturally productive land; site is good quality arable land; prime agricultural land must be protected; a young Gaelic speaking family have farmed the land for many years and should be encouraged to continue; croftland must be protected, especially actively used land; land is an attractive and prominent site and the unspoilt nature adds to the visitor experience of the area; views such as from the Cnoc Castle would be adversely impacted upon; there is no demand for additional houses in this area; many housing plots remain undeveloped; there is strong local opposition to the site being developed; the landowner is the only person to benefit for the development of the site; the landowner holds large areas of land and there are plenty of alternative sites which are better suited for development, e.g. near the Hub at Isle Ornsay; the site is an important habitat for wildlife including bats which are protected species; Japanese Knotweed borders the site which could undermine its development; development of 3.4 ha of land would be out of keeping with the settlement pattern of the local area, which is scattered homesteads; few new houses have been built alongside the main road; there is a lack of supporting infrastructure for the development of the site, including limited water supply, broadband network, elderly care provision, primary school capacity and poor public transport provision; the increase in housing in the area is already causing more frequent problems with surface water drainage; it would lead to a dramatic and unwanted increase in light pollution (including the possibility of introducing street lighting); the local community are proud and protective of their Dark Night status; there isn't enough employment to support the new residents; the new distillery will require very few employees; and, road access will be on to the A851 which is already a fast and potentially dangerous corner at the bottom of a downhill section. Kevin Donnelly submits additional justification documents [RD25 and RD26].
West of Youth Hostel (ES02)

Sleat Community Council (SCC) (1104998) - Supports the site being allocated for housing, including open-market, affordable, special needs and sheltered housing, due to it's proximity to services, transport, shops and employment opportunities.

Andrew Prendergast (1029023) - Supports allocation because it is close to services such as

post office, shop, transport etc. and would be suitable location for supported housing for older people, which is not currently available in Sleat, but which is needed. A community-led development would be best. Agrees with the indicative capacity and the developer requirements to respect the existing mature treeline around the eastern and southern edges of the field, as well as set back from the landscape planting established along the roadside and the requirement to safeguard public access to the beach.

Kevin Williams (1028162) - Supports allocation.

Maggie Zerafa (1029963) - Supports allocation, its capacity and its developer requirements.

Between the Potteries (ES03)

Sleat Community Council (SCC) (1104998) - References terms of previous planning permission.

Fearann Eilean Iarmain (FEI) (995590) - Reports that, as landowner, it is preparing development proposals for this site and that these have been amended to take account of the results of community engagement. Reports that this may include business and retail uses, however the flexibility and deliverability of a development on this site would be enhanced by the addition of some housing, including live/work, as an additional use.

Maggie Zerafa (1029963), Andrew Prendergast (1029023) - Supports business and commercial uses on the site but not housing because Armadale is a great trading location and this is one of the last remaining opportunities to locate new businesses and employment creation activities in the area. Supports the developer requirements to protect woodland along Armadale Bay and the integrity of the green network treelines along the shore and the eastern edge.

Armadale Bay (ES04)

Sleat Community Council (SCC) (1104998) - Reports the aspiration of the Scottish Government via Caledonian Maritime Assets Ltd and CalMac Ferries Ltd for future expansion of Armadale Harbour which will include an enlarged marshalling and car parking area. A paper has been produced for Highland Council from the Sleat Transport Forum and SCC welcomes the opportunity to contribute to these discussions and ask that indicative sums be added to future capital plans. Supports the developer requirement relating to the protection of the Minches SAC.

Kevin Williams (1028162) - Supports the allocation.

Maggie Zerafa (1029963) - Supports marine leisure and tourism related development as long as it recognises the need to protect the woodland along the shoreline and the Bay and the need to protect the view from the sea coming into Armadale.

Andrew Prendergast (1029023) - Conditionally supports the principle of marine leisure and tourism related development, but development proposals should also demonstrate that there would be no adverse impact on the integrity of the wooded shoreline, both from a landscape and local amenity perspective.

Geoffrey Stephenson (1100908) - Seeks clarification on what "Northern access may require upgrading or new access formed; Retain beach access." Means. If it means opening up the northern end of Allt a 'Tuath road end, then claims that all residents of the Allt a 'Tuath development will object to it as evidenced by their response to a previous consultation (undefined).

Kilbeg Village (ES05)

Sleat Community Council (SCC) (1104998) - Supports the allocation, particularly for low-cost accommodation and sheltered housing.

Clan Donald Lands Trust (1105772), received 26 July 2017 - Supports the allocation for mixed use development.

Kevin Donnelly (997567) - Conditionally supports allocation but only if its development is managed and nurtured to happen gradually and organically, in full consultation with the college, thus allowing a mainly Gaelic-speaking community to grow up naturally around the college because the success of the College is fragile and depends upon the preservation of a Gaelic-speaking environment. If not then “a forced” development it could “kill” the College. The indicative capacity of 93 houses over the lifetime of the Plan is too high. The main need is for rented accommodation, particularly accommodation suitable for families, owned and managed by the College as this might enable students to stay in the area and find employment.

Land Adjacent to Kilbeg Village North of A851 (ES06)

Sleat Community Council (SCC) (1104998) - Supports site for longer-term development opportunities (assumed).

Clan Donald Lands Trust (1105772), received 26 July 2017 - Seeks extension as per map supplied [RD24] of allocation to include all of the fields at this location. Queries why part of the fields have been excluded from the allocation boundary.

Duncan MacInnes (992306) - Objects for the following reasons: land is crossed by two private water supplies and a private storage tank at the northern end; land is crossed east to west by the main water supply to Ardsvar which limits the amount of land that could be built on; it is divided by a north south covered stream which is open at the top and bottom and must have a 6 metre exclusion zone; it cannot be screened from the A851 road; it is good agricultural land which only appears as unsuitable for agriculture due to 40 years of neglect by the land-owner; it shows no consideration for the local community and there been no communication about what is being proposed; and, development will lead to greater water flow from ground drains which will have an impact on land downstream and this cannot be mitigated.

Kevin Donnelly (997567) - Conditionally supports allocation but only if its development is managed and nurtured to happen gradually and organically, in full consultation with the college, thus allowing a mainly Gaelic-speaking community to grow up naturally around the college because the success of the College is fragile and depends upon the preservation of a Gaelic-speaking environment. If not then “a forced” development it could “kill” the College. The site is visible from the start of the walk up to Tarskavaig road, which is a popular walk and therefore good design and tree planting will be necessary.

Christopher Marsh (997494) - Objects because this allocation will lead to the loss of good grazing ground (agricultural activity and economic impacts), will have an adverse visual impact on the whole area, and there is already a substantial area being proposed for residential development at ES05 Kilbeg.

Knock (ES07)

Sleat Community Council (SCC) (1104998) - Supports the allocation and the employment the distillery provides (assumed).

Armelle Sandeman (1105140) - Queries whether there is any more development potential beyond the planning permission that has been implemented. Opposes further development.

Olena Beal (994167) - Opposes further development on allocation because: this is an area of unsurpassable views down the Sound of Sleat and across to Knoydart and across the farmland to Knock Bay and Knock Castle, which should all be protected; the distillery needs surrounding rural space to remain a special sensitive development; and, the term "mixed use" is an unspecified item.

Kevin Donnelly (997567) - Opposes much more development at this site for the following reasons: it is prominent in views from Tenague and Saasaig; it is a beautiful area; it is adjacent to Knock Castle, a popular viewpoint for tourists; it is adjacent to the sea and Knock beach and beaches are scarce in Skye; it is within a dark sky area; and, significant development could detract from the visitor experience and economy of the new Torabhaig distillery.

Modifications sought by those submitting representations:

General

Kevin Donnelly (997567), Keith Butler (991408) - Deletion of Sleat as a Main Settlement (assumed).

Placemaking Priorities

Andrew Milner (1103156) - Delete first placemaking priority (assumed).

Kevin Donnelly (997567), Keith Butler (991408), Andrew Milner (1103156) - Remove reference to Teangue from the second bullet point in the Placemaking Priorities (assumed).

Andrew Prendergast (1029023) - More positive policies for small-scale community led developments in the outlying townships of Sleat (assumed).

Alan and Wendy Richmond (997715) - Remove allocations for development at Teangue (assumed).

RSPB (1104965) - Include additional Placemaking Priority: Preserve and extend Sleat's green networks.

In the second Placemaking Priority, "significant adverse impact" should be replaced with "adverse effect".

Manse Field (ES01)

Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579) - Deletion of allocation ES01.

Between the Potteries (ES03)

Fearann Eilean Iarmain (995590) - Broadening of the list of acceptable uses to include housing and/or live/work space.

Armadale Bay (ES04)

Maggie Zerafa (1029963) - Amended developer requirements: protect the woodland along the shoreline and the Bay; protect the view from the sea coming into Armadale (assumed).

Andrew Prendergast (1029023) - Amended developer requirements: no adverse impact on the integrity of the wooded shoreline both from a landscape and local amenity perspective (assumed).

Geoffrey Stephenson (1100908) - Deletion of allocation if access is to be taken from the northern end of all a 'tuath road end (assumed).

Kilbeg Village (ES05)

Kevin Donnelly (997567) - Lower indicative capacity (assumed).

Land Adjacent to Kilbeg Village North of A851 (ES06)

Clan Donald Lands Trust (1105772) - Extend the boundary to the extent of the respondent's ownership.

Duncan MacInnes (992306), Christopher Marsh (997494) - Deletion of allocation (assumed).

Kevin Donnelly (997567) - Addition of developer requirement: "good design; and tree planting will be necessary".

Knock (ES07)

Armelle Sandeman (1105140), Olena Beal (994167) - Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:

General

Kevin Donnelly (997567), Keith Butler (991408) - The Plan's settlement hierarchy has been determined looking at a range of criteria including: the size of the existing population and housing stock; the size, catchment and spare capacity of existing and proposed infrastructure provision; and, the need and demand for development (particularly the buoyancy of the local housing market expressed through recent house completions and housing need expressed through the Common Housing Register "waiting list" numbers). The crofting and other settlements that occupy the eastern coastal margins of Sleat, collectively, meet these criteria for classification as a main settlement. For example: the A851 spine road has seen significant recent investment and is a primary tourist route; the local housing waiting list figures are higher than many other parts of Skye and Lochalsh; the area continues to be subject to significant (relative to the rest of Skye and Lochalsh) development pressure as evidenced by 127 new house completions in Sleat between 2000 and 2014; and Sleat benefits from a diverse range of employment opportunities and community/commercial facilities (a primary school, a college, a health centre, local shops and hotels). Although some of the local facilities and infrastructure networks (notably water and sewerage) have capacity issues, the Council believes Sleat (compared to other settlements) is well placed to accommodate limited growth. No part of the Highland Council area has spare capacity in all of its community and commercial facilities and infrastructure networks. Mr Butler's expected range of facilities would be more akin to that available within a very accessible and well served urban area. It is more reasonable to expect a

level of service, facility and infrastructure provision proportionate to the remoteness of a location and the population catchment it can offer to public and commercial service providers. Classification as a Main Settlement means that that growth is subject to more specific development plan guidance and should therefore be better directed and managed. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Sleat General Grazings Committee (997691) - The views of the Grazings Committee (and the reported views of Sleat Community Council) are shared by many community groups across Highland. West Highland in particular has a tradition of dispersed rather than clustered development and a settlement pattern based on crofting townships served by rural parish-wide catchment facilities. This means that many settlements lack a defined, nucleated core. Unfortunately, this pattern is not replicated in many other parts of Scotland and is not environmentally and commercially sustainable in the modern world and therefore national planning guidance does not favour its repetition or continuation in terms of the location of new development. Instead national, and to a degree Highland-wide guidance, supports the principle that most new development should occur within established settlement boundaries because, other things being equal, this will be more sustainable in environmental terms and more cost efficient in terms of existing and new public infrastructure and private commercial facility provision. For example, scattered groups of affordable housing will generally cost more to connect to a road, a public sewer, to broadband, to a bus route, to a suitable water supply, and will not all be within a walkable distance of a school, health centre, shop and other facilities. Again, other things being equal, scattered groups of houses unrelated to any existing settlement, tend to have greater landscape impacts. This context explains why the Plan takes the approach it does of guiding new development to existing settlements and locations where at least some landscape, facility and infrastructure capacity exists. In terms of single house developments then the Highland Council's collective development plan policies do not preclude single house developments on crofting in-bye land. Instead, they seek to minimise the loss of the better land. Sleat, on certain crofts for example at Ferrindonald, has experienced the worst effects of a proliferation of single house developments. These include steep, unadopted side roads serving several houses, a suburbanisation of the crofting landscape, and local sub soils and watercourses that are having to carry pollution from an excessive density of individual septic tank and soakaway private foul drainage facilities. Given these constraints then the Council believes that a more permissive approach for single house developments within the SDAs would be inappropriate. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Placemaking Priorities

Andrew Milner (1103156), Kevin Donnelly (997567) - Given the Council's suggested, amended position in respect of allocation ES01 (see below) then if the Reporter agrees then the Placemaking Priorities should be amended. The first should read: "Protect in bye croft land from larger development proposals." The second should read: "Consolidate existing clusters of development and facilities at Armadale and Kilbeg."

Andrew Prendergast (1029023) - Support for the first Placemaking Priority is noted (but see change commended above). The Council recognises the importance of crofting to environmental management and to the social structure of an area. As set out in Policy 48 New/Extended Crofting Townships of HwLDP, the Council supports the creation of new crofts and opportunities exist for the development of new croft houses on worked land where the proposal can meet the required criteria, such as its compatibility with the landscape character, the economic viability of service delivery and there is a need to live close on the croft. Therefore the principle of limited development within the Sleat townships that lie outwith the Main Settlement SDAs is supported by the provisions of the HwLDP. Accordingly, the Council

believes the Plan content should remain unaltered in respect of this issue.

RSPB (1104965) - It was not considered necessary to include a Placemaking Priority relating to green networks as the largest SDA for Ferrindonald and Teangue covers an extensive area and has a scattered enough existing and proposed settlement pattern to not block connectivity along existing burnsidings and other corridors. Particular connectivity issues are picked up in the site allocations for the other SDAs. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. In terms of the suggested deletion of the word "significant", if the Reporter agrees then the Council would support this change for the sake of consistency with the HRA and relevant legislation.

Manse Field (ES01)

Sleat Community Council (SCC) (1104998), Sleat General Grazings Committee (SGGC) (997691), Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579) - Since the site's inclusion in the Proposed Plan, the landowner's agent has confirmed in writing [CD54] that the owner no longer wishes to release the land for development. The Council would not use its compulsory purchase powers to activate a housing site where other credible alternatives exist. Accordingly, the site is very unlikely to contribute to the effective land supply and if the Reporter agrees then it should be deleted from the Plan. The loss of its 13 unit capacity is unlikely to be prejudicial to matching supply, demand and housing need within Sleat or across the housing market area as a whole and therefore the Council does not believe it necessary to allocate a replacement site. The Council believes that the land on which the allocation sits together with that to its north and east, should remain within the Ferrindonald Teangue SDA as it could and should still be capable of accommodating development with a land management requirement. This wider area of land should not be embargoed from development for the following reasons: the land is classified identified as 5.1 in terms of its capability for agriculture and is therefore not prime farmland; built development in close proximity to the A851 is a common feature of the Main Settlement area and replicating this pattern would be appropriate; it is south/south east facing and sheltered from the prevailing westerly winds; ground conditions are good for construction and foul drainage; woodland and other nature conservation features would not be affected by development of the land; there is currently sufficient capacity within the existing primary school (Bun-sgoil Shlèite school roll stands at 69% of the total capacity of 100 pupils) and secondary school (Portree High which is at 52% of a total capacity of 982 pupils); it is located alongside the main A851 road to Armadale; it benefits from being close to a reasonable bus service; and light pollution issues can be mitigated by suitable layout, design and management.

West of Youth Hostel (ES02)

Sleat Community Council (SCC) (1104998), Andrew Prendergast (1029023), Kevin Williams (1028162), Maggie Zerafa (1029963) - Support for the allocation and its provisions are welcomed. To address concerns expressed towards ES04 regarding the potential upgrading of the pier access road, if the Committee/Reporter is so minded, then the Council would be content with the following Developer Requirement being added to ES02 "Development of ES02 should allow for improved access to ES04". This will help to ensure that a coordinated approach is taken to improving access to the pier which should remain accessible to users and the wider public.

Between the Potteries (ES03)

Sleat Community Council (SCC) (1104998), Maggie Zerafa (1029963), Andrew Prendergast (1029023) - Support for business and retail uses on the site is noted, as is the support for the developer requirements relating to the green network and safeguarding woodland.

Fearann Eilean Iarmain (FEI) (995590) - Whilst the Council recognises the need for all allocations to be viable within the lifetime of the Plan, the site is one of very few in Sleat that has the competitive commercial advantage of frontage to the A851 tourist route and close proximity to the ferry waiting area with its "captive" market of ferry passengers waiting for the next available sailing. The Council (as reflected in its Placemaking Priorities) wishes to promote a chain of tourist facilities and enterprises along the A851 route to increase its collective interest as part of making the A830 and A851 an attractive alternative "Route to the Isles" alongside the A87 Skye Bridge route. There could be opportunity for living space to be provided above business and retail premises but not at ground level. ES02 provides a suitable and adequate allocation for housing at Armadale. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Armadale Bay (ES04)

Sleat Community Council (SCC) (1104998), Kevin Williams (1028162), Maggie Zerafa (1029963), Andrew Prendergast (1029023) - The allocation does not include much of the woodland area along the bay. The woodland around the shoreline, part of which falls into the northern tip of the allocation, is shown as part of the green network. If the Reporter is so minded, then the Council would be content for a developer requirement to be added which recognises the importance of protecting the woodland, such as "Protect and where possible enhance the woodland within and bordering the allocation". Concerns over the impact of development on the views of the bay are accepted. Developer requirements for high quality siting and design have typically been included for sites which are in prominent location in order to minimise the visual impact of any new built development. To protect the views of the Bay, if the Reporter is so minded then the following Developer Requirement could be added: "High standard of architectural siting and design".

Geoffrey Stephenson (1100908) - The Developer Requirement "Northern access may require upgrading or new access formed" relates to the land at the former youth hostel. The land adjoining the current access road to the pier is in a separate ownership to the former youth hostel. Therefore, it was considered that if the existing road cannot be upgraded then a potential developer may need to consider a new access from the A851. It is not the intention that access to the harbour would be taken from the housing at Allt A'Tuath. To help clarify this position, if the Reporter is so minded then the Council would be content with the developer requirement "Northern access may require upgrading or new access formed" being deleted and replaced with "Existing vehicular access to the pier may require upgrading or new access formed from the A851 (access from Allt A'Tuath will not be accepted)".

Kilbeg Village (ES05)

Sleat Community Council (SCC) (1104998), Clan Donald Lands Trust (1105772) - Support noted and welcomed.

Kevin Donnelly (997567) - The indicative housing capacity identified in the Plan is reflective of the remaining capacity of the planning permission (10/04329/PIP) which was granted in 2012. As development has commenced on part of the site the permission is extant and not time limited. The planning system cannot (and perhaps should not) control the specific occupiers of a

development or their (choice of) first language. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Land Adjacent to Kilbeg Village North of A851 (ES06)

Sleat Community Council (SCC) (1104998) - Support noted.

Kevin Donnelly (997567) - The planning system cannot (and perhaps should not) control the specific occupiers of a development or their (choice of) first language. Due to the undulating land and mature woodland surrounding the site it is relatively well screened. However, some parts of the site are prominent from the short section of the A851 to the south. Therefore, if the Reporter is so minded then the Council would be content with the following additional developer requirement: "High quality of architectural siting and design". There is already a large number of trees and bushes bounding the site and a developer requirement is in place to "Protect and enhance boundary trees".

Clan Donald Lands Trust (1105772) - The additional area of land requested by the respondent was rejected due to its surface water flooding issues and likely poor ground conditions. Most likely the area would be required to accommodate increased surface water run-off from the allocated site. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Duncan MacInnes (992306), Christopher Marsh (997494) - The presence of water supply infrastructure is a detailed layout consideration but is not relevant to the principle of development because enough land is developable to make it a viable site. Water infrastructure can be designed around or diverted. If the Reporter feels it necessary to draw this issue to the attention of prospective developers then the Council would be content that the following developer requirement be added: "Safeguard mains water supply pipeline". The Council already recognises the impact that the development could have on watercourses and a developer requirement is included for a minimum 6 metre buffer between watercourses and development. The Council does not accept that the site needs additional screening from the A851. There is already a developer requirement to protect and enhance boundary trees. The site sits close to the Gaelic College and other development fronting the A851. The allocation is classed as 5.1 in terms of its Land Capability for Agriculture ('improved grassland') which is not recognised as prime or of other high agricultural value. The land management practices of a particular owner are not a matter for the Plan. The Council accepts that surface water drainage issues exist hence the allocation boundary and developer requirement for a Drainage Impact Assessment. The site is within active travel distance to the Sabhal Mor Ostaig college campus, which is a major employer in the area, and has good links onto the A851 but provides housing site choice for those not wishing to live directly on campus.

Knock (ES07)

Sleat Community Council (SCC) (1104998) - Support noted.

Olena Beal (994167), Kevin Donnelly (997567), Armelle Sandeman (1105140) - The site is allocated for defined mixed uses (including Community, Business/Tourism) to provide support for the new distillery and any associated development. The distillery commenced production of whisky in January 2017 but the visitor facilities, including the café and shop, are expected to open in 2018. The Council propose to retain the allocation to provide ongoing support for the remaining undeveloped components of the planning consent and any required but related expansion. Any further development will also be subject to the proposals meeting other planning considerations such as visual and landscape impact and compatibility with the Listed

Building. Any potential light pollution issues can be mitigated by suitable layout, design and management. Accordingly, the Council believes the Plan content should remain unaltered in respect of these issues.

Reporter's conclusions:

General

1. Two representors seek the removal from the proposed Plan of Sleat's designation as a Main Settlement. The planning authority explains that in designating settlements it has taken into account a range of criteria, including population and housing stock size, existing and proposed infrastructure capacity, and the need and demand for development. I am satisfied that this is a reasonable approach, and that these criteria are typical of those often used to determine whether small communities should constitute a settlement in development plans.

2. Sleat comprises 3 distinct development clusters – Armadale, Kilbeg and Ferrindonald/Teangue. It is essentially a continuation of a settlement designation (a Collective Local Centre) in the adopted local plan, but that designation covered additional areas. I am satisfied that those areas remaining within the settlement designation in the proposed Plan combine to form a reasonably sized settlement, which contains a wide range of facilities, including the Gaelic College and Gaelic Language Hub, an important ferry terminal, a distillery, retail, tourist and community facilities, a primary school, a medical centre, churches, a hotel, and a petrol filling station. A good level of housing completions has taken place between 2000 and 2014 (127 houses), which shows that there are development pressures in the area, and there is a reasonable range of employment opportunities. The proposed Plan and its Spatial Strategy directs the majority of future development to the Main Settlements, such as Sleat, and several allocations for development are identified within the boundaries of the 3 development clusters. The vision and spatial strategy for the West Highland and Islands in the Highland-wide Local Development Plan also refers to the development cluster at Kilbeg as a new village, and as an example of providing employment, housing, and further education opportunities for younger people, and the adopted local plan identifies it as a New Community. Kilbeg continues to be a particular focus for development in the proposed Plan. Taking these factors together with the fact that the proposed Plan indicates that Sleat has been the fastest growing part of Skye over recent years, I am satisfied that the designation of the 3 development clusters as a Main Settlement in the proposed Plan is warranted.

3. I agree with the planning authority that the range of facilities and services expected in settlements by one of the representors would be more likely to be found in a larger more accessible urban area, rather than in a remote area such as Skye. While there are constraints affecting the area (for example, water supply), based on my experience, it would be unusual to find a settlement free of all constraints in its network of infrastructure and facilities. No constraints have been drawn to my attention which would justify deleting the designation of a Main Settlement at Sleat. In all the circumstances, I consider that Sleat should be retained as a Main Settlement in the proposed Plan.

4. Another representor expresses concern about the presumption against the development of single houses on croft land, and about directing most developments to existing Settlement Development Areas. The planning authority indicates that the concerns come from a representation lodged by Sleat General Grazings Committee. However, I believe that the concerns are more closely related to the terms of a representation lodged by Sleat Community Council (1104998). The representation from the Sleat General Grazings Committee relates to the allocation at ES01 (Manse Field).

5. Scottish Planning Policy requires spatial strategies in development plans to promote a sustainable pattern of development appropriate to the area and, in broad terms, to achieve this, one of its guiding policy principles promotes the use of land within or adjacent to settlements. In essence, Highland-wide Local Development Plan (Policy 34 [Settlement Development Areas]) and the proposed Plan (Policy 2 [Delivering Development]) support national policy by directing the majority of new development to settlements. The rationale for this approach is set out by the planning authority in its Summary of Responses to the representations, and I am satisfied that it remains generally valid, particularly the objectives of protecting the environment and landscape and making more effective and efficient use of infrastructure and facilities.

6. However, I note that the policy framework does not seek to prohibit new development in the wider area around settlements. Scottish Planning Policy recognises that development, including housing development, in the countryside can be appropriate. Proposals outwith Settlement Development Areas and designated Growing Settlements may also be granted planning permission if they satisfy the terms of relevant local policies, for example, Highland-wide Local Development Plan Policies 36 (Development in the Countryside), 47 (Safeguarding In-bye/Appportioned Croftland), and 48 (New/Extended Crofting Townships), and any future replacement policies. These policies set out detailed criteria against which the merits of proposals, including community led housing development in the wider countryside and single houses on croft land, can be reasonably assessed. Drawing all these matters together, I am satisfied that the national and local policy framework in place reasonably and appropriately seeks to direct most development towards settlements but that it also allows for the prospect of development outwith settlements in the countryside area, including community led development and development on crofts.

7. Overall, no adjustments are required to the proposed Plan.

Placemaking Priorities

8. In essence, two representors are concerned that the wording of the first Placemaking Priority for Sleat would result in the loss of good local farmland to development. The planning authority accepts that a change is required. The first Placemaking Priority seeks to safeguard the capacity of the traditional crofting area by directing all significant development to land not in crofting tenure. The planning authority suggests that it should now seek to protect inbye croft land from larger development proposals.

9. I consider this to be an appropriate suggestion because it broadly reflects the thrust of Policy 47 (Safeguarding Inbye/Appportioned Croftland) which aims to minimise the loss of croft land. It also appears (based on the planning authority's Summary of its Response to the representations) that the wording for this Placemaking Priority was linked to an extent to the inclusion in the proposed Plan of a Housing allocation at ES01 (Manse Field). As the owner of this site has now indicated that it does not wish to proceed with this proposal, and I've recommended that the allocation be removed from the proposed Plan, the justification for the original wording of the Placemaking Priority no longer exists. In any event, I am not persuaded that it was ever necessary to indicate in the Priority that all significant development should be directed to land not in crofting tenure, given that the underlying objective was to safeguard the traditional crofting area, and the Priority already included provision for this. In all the circumstances, I am satisfied that it would be appropriate to adjust the Placemaking Priority in the manner proposed by the planning authority.

10. One representor supported the general presumption preserving croft land from speculative development, but was concerned that an exception be made for community led developments, including affordable housing. I deal with this matter above, where I conclude that the national

and local policy framework in place reasonably and appropriately seeks to direct most development towards settlements but that it also allows for the prospect of development outwith settlements in the countryside area, including community led development and development on crofts.

11. Three representors object to the reference to Teangue in the second Placemaking Priority. The planning authority believes that a change is required. The second Placemaking Priority indicates that existing clusters and facilities of development should be consolidated at Armadale, Kilbeg and Teangue. The planning authority suggests the reference in it to Teangue should be removed.

12. I acknowledge that most of the proposed Plan's allocations for development in Sleat are focussed on Kilbeg and Armadale, and that one of the 2 allocations for development in Ferrindonald/Teangue is recommended for removal from the proposed Plan. However, taking into account the amount of development I observed at my site inspection and the extent of development shown on the Settlement Map, I am satisfied that Ferrindonald/Teangue clearly constitutes a cluster of development and facilities and that it warrants its designation as a part of the Settlement Development Area of Sleat. As Highland-wide Local Development Plan Policy 34 (Settlement Development Areas) supports proposals coming forward within Settlement Development Areas, I consider that there is a reasonable prospect of some development and consolidation of the cluster at Ferrindonald/Teangue. While I accept that Teangue should no longer be referred to in the Placemaking Priority because Ferrindonald/Teangue is not a focus of allocations for development, I consider that its wording should reflect the prospect that there could still be some development and consolidation. I believe that this can reasonably be achieved by a small change to the planning authority's proposed wording for the Placemaking Priority as set out below.

13. The Royal Society for the Protection of Birds requests an additional Placemaking Priority be added to the proposed Plan requiring the preservation and extension of Green Networks. It also seeks a change to the final Placemaking Priority for Sleat by deleting from it the phrase "significant adverse impact" and replacing it with "adverse effect."

14. Regarding the proposed additional Placemaking Priority, I note that a Placemaking Priority relating to Green Networks is not consistently applied to every designated settlement in the proposed Plan. However, the Developer Requirements for most allocations at Sleat refer to Green Networks, safeguarding and protecting woodland and trees, maintaining a 6 metre buffer between watercourses and development, and integrating them as recreational and natural features. Taking this together with the main aim of the second Placemaking Priority to consolidate the existing clusters of development and facilities at Armadale and Kilbeg, my conclusion above that some consolidation of development may occur at Ferrindonald/Teangue, and the resulting potential for development to block green connectivity, I consider that there would be some merit in adding to the proposed Plan's Placemaking Priorities for Sleat an overarching objective requiring the protection and enhancement of local Green Networks.

15. In relation to the proposed change to the wording of the final Placemaking Priority, I note that this Priority states that development will need to demonstrate that it will not have a significant adverse impact on the integrity of the Inner Hebrides and the Minches Special Area of Conservation. The planning authority proposes that the word "significant" be deleted. In order to be properly consistent with the terms of both the 1994 Conservation (Natural Habitats etc) Regulations (as amended)(regulation 48[5]) and the Habitats Regulations Appraisal, I agree with the Royal Society for the Protection of Birds that the Placemaking Priority should be changed by substituting "an adverse effect" for "a significant adverse impact."

16. Overall, adjustments are required to the Plan, as set out below.

ES01: Manse Field

17. ES01 is at the northern end of Ferrindonald/Teangue on the western side of the A851, opposite the new Torabhaig Distillery (ES07 [Knock]). It extends to around 3.4 hectares, is irregular in shape, and comprises prominent fields which slope down towards the A851. The settlement boundary lies beyond the site, further to the north and west. ES01 is allocated for housing in the proposed Plan, and the southern most part of the site is also allocated for housing in the adopted local plan. The settlement boundary in the proposed Plan follows the same line as that shown in the adopted local plan. The proposed Plan estimates the housing capacity of the site as 13 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

18. Sleat Community Council, Sleat General Grazings Committee and 17 other representors all seek the removal of ES01 from the proposed Plan. In response to these representations, the owner of the site has now indicated that no housing development will be promoted on ES01 for the time being, including the southern most part of the site where planning permission was granted in June 2017 for one house (planning application number 16/01528/FUL). The planning authority indicates that the allocation should now be deleted. In circumstances where the site owner has explained that the allocation, including that part which now has planning permission, is not going to be brought forward for development at this time, I agree that it would be appropriate to remove it from the proposed Plan. Given that the proposed Plan only envisages the development of 13 houses on ES01, and the fact that there are other housing allocations in the local area, I consider that the allocation's removal would be unlikely to have any adverse housing land supply implications for either Sleat or the wider housing market area.

19. Sleat Community Council also requested that the Settlement Development Area's boundary be altered by removing from it all of ES01 (apart from the area covered by planning permission 16/01528/FUL) and the area to the north and west of ES01. The site owner and the planning authority indicate that the boundary set out on the Settlement Map should remain in place. The site owner explains that retaining the existing Settlement Development Area boundary would allow flexibility should agreement be reached with the community that there was a need for a small scale development. It is also explained that the owner would not proceed unless the community was supportive.

20. I note that this part of the settlement area does not appear to be covered by a landscape or other environmental designation. There is other development already in the vicinity to the east, south and west of this part of the settlement area. I accept that the disputed area is clearly visible from the A851. However, based on my site inspection, I find that there is already development in Ferrindonald/Teangue, including development around the disputed area, which is visible from, and close to, the main road. I consider that the disputed area, while prominent, is mainly seen in the context of existing development around about, and I am not persuaded that it can be regarded as isolated countryside. The land in this part of the settlement does not constitute prime agricultural land because it is only identified as Class 5.1 in the land capability classification for agriculture. Scottish Planning Policy defines prime agricultural land as Classes 1, 2 or 3.1.

21. If this part of the settlement remained within the settlement boundary Highland-wide Local Development Plan Policy 34 (Settlement Development Areas) would apply to it. This policy seeks to direct the majority of new development to settlements, subject to other policy requirements being satisfied. Bearing the above factors in mind, I consider that the disputed area, while attractive and clearly in use as fields, is not a particularly sensitive location, and that

it would be a reasonable direction in which to extend the existing cluster of development. As such, I believe that a modest, small scale development, appropriately sited and designed, and avoiding the skyline, could potentially be reasonably accommodated in this area. I am not persuaded that a development along these lines would be likely to have a materially adverse effect on the character and historic interest of the listed buildings and scheduled monument in the surrounding area (or on their settings). Taking all this together with the fact that the Settlement Development Area boundary for this part of Ferrindonald/Teangue is well established, having being continued from the adopted local plan into the proposed Plan, I consider that the boundary should remain unchanged on the Settlement Map.

22. As I have recommended ES01 for removal from the proposed Plan, there is now no specific proposal in the Plan relating to the disputed area. I am not persuaded that the other issues raised by representors, such as potential infrastructure capacity constraints in the area, the presence of protected species and dark skies, and the protection and enhancement of local Green Networks, have a significant bearing on the position of the Settlement Development Area boundary, or that they justify changing it in the manner proposed by the Community Council. Instead, I consider that these issues could be more appropriately addressed by the planning authority at the detailed planning application stage within the context of a specific development proposal.

23. Overall, an adjustment is required to the Plan, as set out below.

ES02: West of Youth Hostel

24. ES02 is situated immediately to the north of the housing at Allt A'Tuath, Armadale, on the eastern side of the A851. It extends to around 0.7 hectares, is essentially rectangular in shape and gently slopes down towards the east, and comprises a field. It is identified for Mixed Use (Housing and Community) purposes in the proposed Plan, and it is allocated for Community purposes in the adopted local plan. The proposed Plan estimates the housing capacity of the site as 5 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

25. Sleat Community Council and 3 other representors support this allocation. The representations raise no matters which require to be dealt with at this Examination. As a consequence of one of my recommendations in relation to ES04 (Armadale Bay), it is necessary to add a Developer Requirement to ES02 requiring its development to allow for improved access to ES04 (Armadale Bay). I agree that such a Requirement would reasonably provide for an alternative access to the pier to the east of ES02, which is located in the northern part of ES04 (Armadale Bay). This alternative access would be required if the existing vehicular access to the pier along the lane to the north of ES02, could not be upgraded. Taken together with the change that I recommend to the Developer Requirements for ES04 (Armadale Bay), I consider that the new Requirement would help make it clearer that no access is envisaged to either ES04 or ES02 from Allt A'Tuath. Instead, it would be from the A851.

26. Overall, an adjustment is required to the proposed Plan, as set out below.

ES03: Between the Potteries

27. ES03 is an infill site situated on the northern side of the A851, on the approach to the ferry terminal and Armadale Pier. It extends to around 0.9 hectares, is irregularly shaped and relatively flat nearer to the A851, and contains housing, and some areas where no development has yet taken place. Its allocation for Mixed Use purposes in the proposed Plan is a continuation of the Mixed Use allocation in the adopted local plan, albeit that the range of uses

proposed in the former plan (Business and Retail) is different from that permitted in the latter (Housing, Business and Tourism).

28. Two representors support the allocation. Sleat Community Council refers to the previous planning permission granted. These representations raise no matters which require to be addressed at this Examination. A further representor also supports the allocation, but seeks to improve its flexibility and deliverability by adding housing (including live/work) to the range of uses permitted.

29. I note that a modern, attractive housing development has been constructed on site. The Placemaking Priorities for Sleat include support for an improved chain of tourist facilities and destinations at Armadale (as one of 2 places referred to). Given that the site is an infill opportunity, located on the main road, in close proximity to the ferry terminal, I consider it to be a good location for such facilities and destinations. It would also add to the range of existing businesses and retail uses nearby, and would help create interest in the A851 as an alternative route to the A87 (Skye Bridge). The housing referred to in the Mixed Use allocation for the site in the adopted local plan has now been provided. However, the business and tourism elements have not come forward. For the reasons outlined above, I believe that every effort should now be made to deliver the tourism linked business and retail uses sought in the proposed Plan.

30. I consider that sufficient provision has been made for housing in the proposed Plan for Sleat as a whole, and Armadale in particular. Armadale is only small, and reasonable provision has been made for housing through the Mixed Use allocation at ES02 (West of Youth Hostel). Any live/work proposals can be considered as part of a planning application. They should not be included in the ES03 allocation because they may divert it from its primary purpose of promoting tourism linked business and retail facilities. Drawing all these matters together, I do not consider that housing, or any associated variation such as live/work units, should be added to the uses allowed on ES03.

31. Overall, no adjustment is required to the proposed Plan.

ES04: Armadale Bay

32. ES04 is situated on the eastern side of Armadale, and covers the harbour and the area around it. It extends to around 7.3 hectares, is irregularly shaped, and contains a ferry terminal, business and retail uses, which are situated in the southern part of the site, and a pier, which is accessed via a lane, in the northern part. Its allocation for Mixed Use purposes in the proposed Plan is largely a continuation of the Mixed Use allocation in the adopted local plan, albeit that the range of uses proposed in the former plan (Business, Tourism, and Harbour/Marine related uses only) has been varied from that permitted in the latter (Business and Tourism).

33. Sleat Community Council raised no specific objection to the allocation but highlighted the aspirations of the ferry operator to expand Armadale Harbour and improve the facilities. It highlighted no matters which required to be addressed at this Examination. Another representor supported the allocation. Two representors supported it subject to protection of the woodland on the shoreline and views from the sea. A further representor is concerned that the Developer Requirement relating to the access arrangements could allow the opening up of the northern end of Allt A'Tuath.

34. The planning authority suggests that additional Developer Requirements can address the concerns about the woodland and the views of the site. I note that a lot of the woodland falls outwith the allocation. However, it does encroach on to the site, and it is a prominent, attractive feature. I therefore consider that the woodland should be dealt with by adding a further

Developer Requirement to the allocation. In essence, the Requirement should seek the protection and enhancement of the woodland. The site is in an important, sensitive location within Armadale. There are views of it from the bay. There are also views from the area around about towards the site and the bay. I am satisfied that an additional Developer Requirement seeking a high standard of architectural siting and design would ensure that the site's importance would be properly taken into account in the preparation of proposals for it.

35. The fourth Developer Requirement indicates that the northern access to the allocation may require upgrading or a new access formed. The northern access serves the northern part of the site, and it comprises the lane running along the northern edge of ES02 (West of Youth Hostel) to the pier. I consider that the wording of the Requirement allows the possibility of taking an access from the northern end of Allt A'Tuath. Given that this road is a solely residential one, which serves only a small number of houses, I do not believe that this would be appropriate. The planning authority explains that it was never the intention to take access to the site from Allt A'Tuath, and suggests that the Developer Requirement be altered to confirm this and more clearly set out the access arrangements proposed. The alternation would require possible upgrading of the existing lane or the formation of a new access from the A851, with no access from Allt A'Tuath. I consider that this alteration, taken together with the new Developer Requirement that I recommend for ES02 (West of Youth Hostel), which indicates that provision should be made for improved access to ES04, would help clarify the intended access arrangements for ES04. As such, I believe that the 2 changes reasonably address the terms of the representation.

36. Overall, adjustments are required to the proposed Plan, as set out below.

ES05: Kilbeg Village

37. ES05 covers most of Kilbeg, straddling the A851. It extends to around 25.7 hectares, is of an irregular shape, and comprises a growing new community, which is based on the Gaelic College on site and other facilities, such as a primary school and medical centre. Its allocation for Mixed Use purposes in the proposed Plan is largely a continuation of the Mixed Use allocation in the adopted local plan, albeit that it clearly now covers a larger area, and the description of the Mixed Use has changed from New Community in the latter to Housing, Community, Business and Retail uses in the former. The proposed Plan estimates the housing capacity of the site as 93 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

38. Sleat Community Council and Clan Donald Lands Trust both support the allocation. They raise no issues which require to be addressed at this Examination. Another representor is also supportive, but only if the allocation is built out very gradually, in full consultation with the college, so that it allows the growth of a mainly Gaelic speaking community.

39. The planning authority points out that that the allocation's indicative housing capacity merely reflects the terms of a planning permission granted in principle for a new community at Kilbeg in January 2012 (planning application number 10/04329/PIP). This planning permission includes improvement and development of the Gaelic College's facilities. The new housing proposed is well situated to satisfy any housing need linked to the college. However, it is also clearly intended to contribute more generally to satisfying housing need and demand in the wider area. Development on site is underway, and its phasing and pace are issues which have been considered through the planning application process. It is 7 years since planning permission in principle was granted, and there remains a significant amount of development to be completed. The project has an estimated 15-20 year timescale. I am satisfied that the development is proceeding gradually, and that this accords with the original intention. As such,

I do not believe that it is likely to swamp the college and undermine its role in protecting and promoting the Gaelic language and culture. In any event, it is outwith the scope of the planning system to restrict the occupancy of a housing development to people speaking a specific language or those promoting a particular culture. In the circumstances, I do not consider that any change is warranted to the terms of ES05.

40. Overall, no adjustment is required to the proposed Plan.

ES06: Land Adjacent to Kilbeg Village North of A851

41. ES06 is situated at the southern entrance to Kilbeg, on the northern side of the A851. It extends to around 2.2 hectares, is of an irregular shape, and comprises fields sloping down towards the main road. This is a new Mixed Use allocation in the proposed Plan for Housing, Community and Business uses. The proposed Plan estimates the indicative housing capacity of the site as 16 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

42. Sleat Community Council supports the allocation. It raises no issues which require to be addressed at this Examination. One representor seeks the extension of the allocation. Another representor is supportive of the allocation, but only if it is built out very gradually, in full consultation with the college, so that it allows the growth of a mainly Gaelic speaking community. The representor also seeks good design and tree planting because the site is at the start of an attractive walk. Two further representors seek the removal of the site from the proposed Plan.

43. I do not support the extension of the allocation. The proposed extension forms a part of the fields which make up the allocation. It would be centrally positioned midway along the allocation's boundary with the A851. It would be the lowest lying part of the allocation, and the Revised Environmental Report indicates that this area, in particular, has surface water drainage problems. The planning authority also highlights likely poor ground conditions in the area. Given these factors, I am not persuaded that it would be appropriate to include it within the allocation. While its exclusion would mean that no houses, community buildings or business premises could be built in this area, it would still be possible to use it, in a limited way, in association with development of the allocation, for example, to accommodate surface water drainage facilities. Such facilities could help address the potential surface water drainage problems related to the allocation, which are recognised in the proposed Plan through the Developer Requirement for a Drainage Impact Assessment.

44. Any housing built on site is well situated to satisfy any housing need linked to the nearby Gaelic College in Kilbeg. However, along with the housing built on the neighbouring ES05 (Kilbeg Village), the allocation is also clearly intended to contribute more generally to satisfying housing need and demand in the wider area. Given that its indicative housing capacity figure is estimated at only 16 houses, I consider that it is unlikely to swamp the college and undermine its role in protecting and promoting the Gaelic language and culture. As ES05 (Kilbeg Village) is proceeding at a gradual pace of development over an estimated 15-20 year period, and it involves improving and developing the college's facilities, I am satisfied that, even in combination with that much bigger allocation, ES06 would be unlikely to swamp or undermine the college's role. In any event, it is outwith the scope of the planning system to restrict the occupancy of a housing development to people speaking a specific language or those promoting a particular culture. In the circumstances, I do not consider that any change is warranted to the terms of ES06 to accommodate the concerns expressed.

45. I accept that the site is prominent in views from the A851, mainly as it passes the site, and

to walkers on the minor Tarskavaig road on the site's northern boundary. It also comprises part of a pleasant landscape. However, it is a site which is well contained by trees, it is not part of (and does not have any significant implications for) a designated landscape, it is a modest extension of Kilbeg which relates well to the expansion of the settlement currently underway, and it is reasonably accessible to local facilities. The allocation does not constitute prime agricultural land because it is only identified as Class 5.1 in the land capability classification for agriculture. Scottish Planning Policy defines prime agricultural land as Classes 1, 2 or 3.1.

46. I agree with the planning authority that the site's prominence in local views can be dealt with by an additional Developer Requirement for high quality siting and design. Neither Scottish Water nor the Scottish Environment Protection Agency has objected to the allocation itself, or to the mix of uses proposed, on the grounds that there are water pipes and watercourses located on site. Furthermore, it has not been demonstrated that these features represent such a major constraint that they would prevent any development taking place. As such, I agree with the planning authority that it would be reasonable to address the pipelines by imposing a new Developer Requirement safeguarding their routes across the allocation. I am satisfied that the watercourses on site are already adequately protected by the Developer Requirements. I am also satisfied that the trees around the site are adequately protected through the Developer Requirements proposed. Drawing all these matters together, I consider ES06 to be an acceptable allocation, and I believe that it should be retained in the form set out in the proposed Plan. In this case, I am not persuaded that there are any sound reasons which could reasonably justify its deletion.

47. Overall, adjustments are required to the proposed Plan, as set out below.

ES07: Knock

48. ES07 is at the northern end of Ferrindonald/Teangue on the eastern side of the A851, opposite ES01 (Manse Field), which I recommend for deletion from the proposed Plan. It extends to 4.2 hectares, is of an irregular shape and generally slopes down towards the sea, and it contains a distillery (Torabhaig) set in pleasant generally open grounds. The distillery began producing whiskey in 2017. Its allocation for Mixed Use purposes in the proposed Plan is largely a continuation of the Mixed Use allocation in the adopted local plan, albeit that the description of the Mixed Use has slightly changed from Business and Tourism uses in the latter to Community and Business/Tourism uses in the former.

49. Sleat Community Council support this distillery, which has created around 20 local jobs. Its representation raises no issues which require to be addressed at this Examination. Three other representors do not consider that any further development should be allowed on the allocation.

50. The distillery is located within the boundary of the Settlement Development Area, and is part of the chain of tourist facilities envisaged for Sleat in the Placemaking Priorities. The planning authority explains that the allocation is intended to provide ongoing support for any remaining undeveloped components of the planning permission and listed building consent already granted on site (application numbers 05/00348/FULSL and 15/00152/LBC), and for any further related expansion (as shown for example in planning application numbers 17/02333/FUL, 17/02329/FUL and 17/02334/FUL). I am satisfied that such development would be consistent with the proposed Mixed Use allocation for Community and Business/Tourism purposes. I consider that the allocation would allow the distillery to improve its facilities and reasonably realise the economic benefits it potentially brings to the area.

51. The Developer Requirements for the allocation provide a sound framework for guiding future development. They not only require development to accord with the existing planning permission and listed building consent, they also require any alternative proposals, amongst other things, to provide high quality design for new buildings and to be sensitive to the listed building and the nearby scheduled monument. Taken together, I believe that the Requirements would be likely to be sufficient to ensure that further development of the allocation would not detract from the character, amenity, appearance and historic interest of the site or the surrounding area. I believe that the presence of dark skies is a matter which could be more appropriately addressed at the planning application stage within the context of a specific development proposal. Drawing all these matters together, I consider that the allocation is acceptable and that it should be retained.

52. Overall, no adjustment is required to the proposed Plan.

Reporter’s recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Sleat section of the Skye and Raasay Settlements, page 140, adjust the first Placemaking Priority so that it reads as follows:

“Protect in bye croft land from larger development proposals...”

2. Under the Sleat section of the Skye and Raasay Settlements, page 140, adjust the 2nd Placemaking Priority so that it reads as follows:

“...Consolidate existing clusters of development and facilities, particularly at Armadale and Kilbeg.

3. Under the Sleat section of the Skye and Raasay Settlements, page 140, add the following new Placemaking Priority:

“...Protect and enhance local Green Networks.”

4. Under the Sleat section of the Skye and Raasay Settlements, page 140, adjust the final Placemaking Priority so that it reads as follows:

“...Development will need to demonstrate that it will not have an adverse effect on the integrity of the Inner Hebrides and the Minches SAC.”

ES01: Manse Field

5. Under the Sleat section of the Skye and Raasay Settlements, page 144, adjust the Ferrindonald and Teangue Settlement Map by deleting ES01.

6. Under the Sleat section of the Skye and Raasay Settlements, page 145, adjust the list of Development Sites by deleting the entry for Housing allocation ES01: Manse Field.

ES02: West of Youth Hostel

7. Under the Sleat section of the Skye and Raasay Settlements, page 145, add a new clause

to the Developer Requirements for ES02 so that it reads as follows:

“...Development of ES02 should allow for improved access to ES04.”

ES04: Armadale Bay

8. Under the Sleat section of the Skye and Raasay Settlements, page 145, add 2 new clauses to the Developer Requirements for ES04 so that they read as follows:

“...Protect and where possible enhance the woodland within and bordering the allocation; High standard of architectural siting and design.”

9. Under the Sleat section of the Skye and Raasay Settlements, page 145, adjust the fourth clause of the Developer Requirements so that it reads as follows:

“...Existing vehicular access to the pier may require upgrading or a new access formed from the A851 (access from Allt A’Tuath will not be accepted);...”

ES06: Land Adjacent to Kilbeg Village North of A851

10. Under the Sleat section of the Skye and Raasay Settlements, page 146, add 2 new clauses to the Developer Requirements for ES06 so that they read as follows:

“...High quality of architectural siting and design; Safeguard mains water supply pipelines.”

Issue 19	STAFFIN	
Development plan reference:	Staffin Settlement Chapter, Pages 147-151	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
Crofting Commission (955042) Scottish Natural Heritage (909933) Simon Gilkes (955191)		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Scottish Natural Heritage (909933) - Reiterates its advice on the Main Issues Report (MIR) [RD28] and asks that the Council revisits its approach to site identification and preference in Staffin so that it better considers impact on the special qualities of the NSA. Believes that very small scale developments on less prominent land would be far more preferable than the Council's choice of allocations. For example, single house developments would better fit the established settlement pattern and that if larger, clustered development is needed then it should be alongside existing clusters such as Trotternish Avenue.</p> <p>Simon Gilkes (955191) - Concerned that new housing development will be lost to the second home/tourist accommodation market and will therefore do nothing to reverse the decline of the permanent year round population of Staffin. Believes that the delivery of affordable housing is not really a priority for the wider community and that any occupants of such housing would not be able to afford to stay in the area given the lack of facilities. Supports limited harbour upgrade but not any significant access road upgrades to support a major new fish processing plant.</p> <p>Crofting Commission (955042) - Request amendment of third Priority to delete reference to the degree of use of croft land because assessment of land management practices can be subjective and the relevant HwLDP policy does not include such a criterion.</p> <p><u>North East of Trotternish Avenue (SF01)</u></p> <p>Scottish Natural Heritage (909933) - Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Considers that, in principle, sympathetic development of the parts of SF01 closest to the main road would be in keeping with the established settlement pattern in the centre of Staffin. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained.</p> <p>Crofting Commission (955042) - Concerned that allocation includes in-bye croft land and that</p>		

this is contrary to the Council's stated intention to minimise the loss of such land.

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933) - Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained. Considers that, in principle, sympathetic development of the parts of SF02 closest to the main road would be in keeping with the established settlement pattern in the centre of Staffin.

Crofting Commission (955042) - Concerned that allocation includes in-bye croft land and that this is contrary to the Council's stated intention to minimise the loss of such land.

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933) - Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained. The proposed development site would be contrary to the current settlement pattern, which is defined by a distinction between crofting settlement and open moorland, and reflected in the Scattered and Linear Crofting Landscape Character Type (LCT) contrasting with Open Moorland LCT. This distinction contributes to "the human dimension of crofting settlement" special quality of the NSA. Development at this location would adversely impact on the appreciation of this special quality in views from the settlement and the main A855 road. It would also be seen in views looking over Staffin from the Quiraing hill road and from the core path above the Columba Centre. SNH objected to this site being allocated in the previous local plan due to adverse impacts on the Trotternish NSA. The Reporter at the previous examination agreed with SNH's concerns, deleted the allocation and moved the settlement boundary to exclude this area. SNH has recently provided advice on a planning application at this location. The application is evidence of increasing pressure for development outwith the current LDP allocations. Such development will change the settlement pattern - a special quality of the NSA. Whilst recognising the demand for development at Staffin, considers that development at this location will have an adverse effect on "the human dimension of crofting settlement" special quality of the NSA. Further development that is contrary to the current settlement pattern is likely to lead to an adverse impact on the integrity of the NSA.

Simon Gilkes (955191) - Objects to site as it remains largely unchanged from the proposed allocation during the West Highland and Islands Local Plan (2010) [CD14] which was removed by the Reporter following objections from SNH.

Crofting Commission (955042) - Supports the site because it includes common grazing land and prevents the use of in-bye croft land in line with Council policy.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933) - Requests amended developer requirement because the

existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to “the human dimension of crofting settlement” special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of “The human dimension of crofting settlement” is maintained. Given the pressure for development at Staffin, welcomes that this allocation has been changed to preferred from un-preferred in the MIR. We consider that sympathetic development of this allocation would be in keeping with the established settlement pattern.

Modifications sought by those submitting representations:

Placemaking Priorities

Crofting Commission (955042) - Seeks deletion of the term ‘actively used’ (assumed).

North East of Trotternish Avenue (SF01)

Scottish Natural Heritage (909933) - An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path.”

Crofting Commission (955042) - Deletion of site SF01 from the Plan (assumed)

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933) - An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path.”

Crofting Commission (955042) - Deletion of site SF02 from the Plan (assumed)

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933) - An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with

the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape.”

Simon Gilkes (955191) - Deletion of site SF03 from the Plan.

Crofting Commission (955042) - None.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933) - An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual permeability and open aspect towards the ridge is maintained, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open landscape.”

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Scottish Natural Heritage (909933) - The Council has taken a strategic approach to development site identification and selection across the settlement. The difference from SNH’s analysis is that the Council’s process must take account of factors other than visual and landscape impact. A Council should endeavour to identify sites that have a reasonable chance of being developed within the Plan period. The sites should have a reasonable chance of being released by the landowner/tenant and be capable of economic development by the private sector or by a public body at reasonable level of subsidy. A Council must balance all relevant planning considerations and where they conflict reach a judgment on whether any particular consideration should outweigh others. The Council believes that the allocated sites, with suitable mitigation, will not have an adverse impact on the special qualities of the NSA. Any adverse impacts will be minor and localised and should not outweigh the positive considerations that they are available and capable of economic development. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Simon Gilkes (955191) - It is possible to impose a Rural Housing Burden to restrict the onward sale and use of affordable housing properties but this a matter for the relevant housing agencies not for the Plan. The Scottish Government and Highland Council have affordable housing targets that should be met within all communities including those that have challenges in terms of remoteness from other facilities and low income levels. The Plan supports the limited harbour upgrade suggested by the respondent. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Crofting Commission (955042) - The Placemaking Priority includes the term ‘actively used’ croft land because the Crofting Commission in making decrofting application and other decisions takes account of the degree of use of a croft and demand for croft land in the wider local community. However, the Council accepts that a general reference to such a land management practice without evidence is inappropriate. Accordingly, if the Reporter is minded to agree, then the reference to ‘actively used’ could be removed.

North East of Trotternish Avenue (SF01)

Scottish Natural Heritage (909933) - The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to “protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design.” In addition, the following developer requirement was added to each of the allocations within Staffin: “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA.” Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application advice service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH’s suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Crofting Commission (955042) - Policy 47 Safeguarding Inbye/AppORTioned Croftland sets out the Council’s approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. For example, following the consideration of comments submitted during MIR stage both sites SF01 and SF02 were reduced in size to limit the impact on the landscape and on in-bye croftland. However, the planning system in general and the Plan’s allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933) - The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to “protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design.” In addition, the following developer requirement was added to each of the allocations within Staffin: “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA.” Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application advice service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH’s suggested additional text. Accordingly, the Council believes the Plan content should

remain unaltered in respect of this issue.

Crofting Commission (955042) - Policy 47 Safeguarding Inbye/AppORTioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. For example, following the consideration of comments submitted during MIR stage both sites SF01 and SF02 were reduced in size to limit the impact on the landscape and on in-bye croftland. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933), Simon Gilkes (955191) - The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. However, the Council is also required to seek to identify effective housing and other development land in each main settlement across the Plan area. Staffin is a wider parish name now linked with a collection of crofting townships with a semi-clustered centre at An Clachan. This centre accommodates the primary school, the community hall, shop and limited other facilities. The local community engaged with the Council during the current Plan process seeking to identify viable sites for affordable housing development at or close to this centre. The community sought professional assistance in its need identification, site search and site selection process. This resulted in a study prepared by The Highlands Small Communities Housing Trust [CD55] which found that the continued significant lack of affordable housing was resulting in some people having to leave the community to find a home. It concluded that addressing the problem could make a substantial positive impact on local businesses, the primary school and the future sustainability, cohesion and prosperity of the community. Analysis of recent housing development shows that only three houses have been completed within Staffin SDA since the WHILP Plan was adopted in September 2010 and none of these were built on either of the two allocated sites (site MU 'Land at Village Hall' and site AH 'West of Nurses Cottage'). The Monitoring Report [CD07] categorised the north east Skye housing market as "unaffordable". With Skye becoming an increasingly popular tourist destination and rising demand for tourism accommodation it is likely that issues with affordability will worsen. The Monitoring Report also highlighted that Staffin and the north east Skye region is one of the most fragile areas in the Plan area. North east Skye was identified as having experienced one of the greatest declines in population (-8.8%) and has a very low primary school roll (currently at 34% capacity but dropped as low as 16% during 2014/2015). Portree, on the other hand, experienced a notable increase in population during the same period. This suggests that people are moving from rural communities to Portree and the problems with housing affordability may be a contributing factor. The north east of Skye was also recorded as being within the 15% most deprived areas of Highland. Therefore the proposal to construct modern business space which could offer new employment opportunities could have a significant positive impact on the local community. The proposed site benefits from being located within close proximity to many of the key facilities, including Staffin primary school (less than 200 metres), playing fields (approximately 70 metres), shop, church and community hall (all within 500 metres). The proposed footpath from the development to the school would address the relevant Developer Requirement as set out in WestPlan and ensure that there is continuous footpath/active travel connection to key facilities in the area. As with many other settlements in west Highland, development site options are often limited due to various physical constraints. Although several sites in Staffin have been allocated in the Proposed WestPlan, many have specific constraints which may ultimately

prohibit development. The land at Stenscholl common grazings appears to offer the greatest potential for development as its availability has been confirmed, it benefits from being close to key facilities and is free of major constraints. Policy 57 of HwLDP requires all development proposals to be assessed taking into account the level and importance of heritage features, the form and scale of the development and any impact on the feature and its setting. Much of the content of the Proposed Plan has been shaped by SNH's comments regarding potential impacts on the environment and landscape. For example sites referenced SFH2 and SFH3 in the MIR (SF01 and SF02 respectively in the Proposed Plan) were reduced in size as larger scale and greater concentration of development is not reflective of the settlement pattern. In addition, land West of Nurses Cottage (referenced SFH1 in the MIR) was not taken forward as it would have had a greater impact on the NSA given it being at the forefront of views from the A855. It remains the Council's position, however, that in terms of the land at Stenscholl common grazings the impact on the landscape is not an overriding constraint. With application of appropriate mitigation, particularly by ensuring a high standard of siting and design and by limiting the scale, development can be accommodated on the site. Although the site is visible in views northwards from the A855 towards the Trotternish ridge, it is at a sufficient distance that development of a high quality of siting and design would not detract from the view. There is also existing built development adjoining the site, including the primary school, and further development is arguably a natural extension of the township. In addition, the townships of Stenscholl, Brogaig, Balmeanach, Glasphein and Digg provide a backdrop of scattered clusters of housing, commercial and agricultural buildings. This helps to present a context as to how development has evolved in the area. As set out in the Proposed Plan, development in Staffin must be of a high quality of architectural siting and design and avoid adverse impacts on the Trotternish NSA. Development will therefore be expected to complement the existing pattern of development in the area. This is typically modestly proportioned houses in linear forms, with some clustering around key facilities, and extending outwards from the main road (A855). It is not considered necessary to include the suggested additional Developer Requirements text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH's suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

At present there is a planning application (17/01699/FUL) awaiting determination for six houses, two Class 4 business units and one Class 6 storage unit. The internal policy response on the application [CD70] commented that the proposal is of high siting and design standard and complements this settlement pattern. The houses fit well within the plots and the associated office/workshops and storage units provide greater context for the rural community.

Crofting Commission (955042) - Support noted and welcomed.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933) - The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to "protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design." In addition, the following Developer Requirement was added to each of the allocations within Staffin: "High quality of architectural

siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA.” Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH’s suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Reporter’s conclusions:

Placemaking Priorities

1. Scottish Natural Heritage indicated that it did not seek a change to the Placemaking Priorities but, instead, would encourage the planning authority to take a strategic approach to identifying development opportunities in Staffin, possibly through the preparation of Supplementary Guidance. Staffin lies within the Trotternish National Scenic Area, and one of its special qualities is the human dimension of crofting settlement. There is also an identified need for affordable housing in Staffin, as shown by the conclusions of the 2016 Monitoring Statement and the local 2014 Affordable Housing Needs Survey.
2. In response to this need for local affordable housing, the proposed Plan contains 2 new Housing allocations and a Mixed Use allocation, including housing, which combine to give an indicative housing capacity of 20 houses. It also continues a Mixed Use allocation from the adopted local plan, and this has an indicative housing capacity of 4 houses. The allocations, while satisfying the objective of providing affordable housing, have resulted in a potential tension with the special quality of the National Scenic Area relating to the human dimension of crofting settlement.
3. However, I am not persuaded that this tension, in itself, would justify requiring further work on the allocations and their suitability. I note that the planning authority has already undertaken a comprehensive strategic site selection process for Staffin as a part of the preparation of the proposed Plan. This has included producing, and consulting on, the Main Issues Report, the Additional Sites Consultation and the Environmental Report. Liaison would have taken place with Scottish Natural Heritage in this process, and the planning authority would have considered, amongst a range of factors, local affordable housing need and site deliverability, and landscape and visual impact (including impact on the National Scenic Area).
4. Moreover, Scottish Natural Heritage has not objected to any of the 4 allocations in Staffin, but has conditionally supported them in the representations it has made to the proposed Plan. Additionally, planning permission was granted on 29 March 2018 for 6 dwellings, 2 business units and one storage unit on the Mixed Use allocation on SF03 (Stenscholl Common Grazings) (planning application number 17/01699/FUL), which was the most controversial of the 4 allocations. While Scottish Natural Heritage believed that the proposals for SF03 (Stenscholl Common Grazings) would have significant adverse effects on the crofting landscape and the special qualities of the National Scenic Area, it did not object to the planning application because the effects of the proposal would be localised and, by themselves, would not affect the overall integrity of the National Scenic Area. I also note that, prior to the submission of the

planning application, Staffin Community Trust, had undertaken its own local "Call for Sites" and site assessment process, which included consultation with Scottish Natural Heritage.

5. Bearing these factors in mind, I do not believe that there is much to be gained from requiring the planning authority to reconsider its approach to identifying development opportunities in Staffin or to recommend that it prepares Supplementary Guidance. I consider that the planning authority has undertaken a generally thorough site selection process. I am satisfied that the matters raised both in Scottish Natural Heritage's representations and the other representations, can all reasonably be considered and dealt with on their merits through this Examination. In the circumstances, I do not believe that any change to the introductory text for Staffin in the proposed Plan would be justified on the basis of this representation.

6. Another representor has concerns about the first Placemaking Priority, in particular the extent to which new development mainly comprises second homes and tourist accommodation, whether the delivery of affordable homes is a top priority for the community, and whether young families can afford to live in the area. The representor broadly supports the remaining Placemaking Priorities, and raises no issues in relation to them, which require to be addressed here.

7. The first Placemaking Priority for Staffin seeks the delivery of new affordable housing to retain younger people and attract families to the community. The 2015 Housing Need and Demand Assessment shows a need for affordable housing in the Skye and Lochalsh Housing Market Area as a whole, and this is reflected in the housing land requirement figures identified in the proposed Plan. Furthermore, the 2016 Monitoring Report for the proposed Plan shows North East Skye as part of a much larger area of unaffordable housing, as being within the 15% most deprived areas in the Highland Council administrative area, and as suffering from a population decline of 8.8% between 2003 and 2013. It also shows parts of North East Skye as fragile because of a combination of declining population, low population density, distance from services and low economic output, and Highlands and Islands Enterprise includes northern Skye within a fragile economic area which is eligible for targeted funding. Additionally, an Affordable Housing Needs Survey, carried out in Staffin in 2014, identified a local requirement for affordable housing. Combining these various factors, I am satisfied that they demonstrate clear evidence of housing pressures in the local area, and that these pressures justifiably generate a need to deliver affordable housing. I am therefore satisfied that there is a sound evidence base to support the objectives of the Placemaking Priority.

8. Moreover, given that that the Staffin Community Trust commissioned the local 2014 Affordable Housing Needs Survey, and that Staffin Community Council submitted the planning application in April 2017 for 6 dwellings, 2 business units and one storage unit on the Mixed Use allocation at SF03 (Stenscholl Common Grazings) (planning application number 17/01699/FUL), I am satisfied that the delivery of affordable housing can be regarded as an important priority for the local community. I also agree with the planning authority that the onward sale and use of affordable houses can be restricted, and that this would be mainly dealt with by social housing providers, for example, housing associations and the Highlands Small Communities Housing Trust. Such restrictions should prevent the use of such housing as second homes and tourist accommodation. The provision of affordable housing would be likely to be attractive to young families seeking to live in the area, and the residents would help support and retain local facilities and services. In all the circumstances, I am satisfied that this is an appropriate Placemaking Priority for Staffin, which should be retained in its current form in the proposed Plan.

9. The Crofting Commission seeks a change to the 3rd Placemaking Priority by deleting the words "actively used" from the phrase "Safeguard actively used inbye croftland." The planning

authority accepts that these words can be deleted. I agree with the Crofting Commission that the use of these words does not properly reflect the wording of Policy 47 (Safeguarding Inbye/AppORTioned Croft Land) of the Highland-wide Local Development Plan. This policy only refers to safeguarding and minimising the loss of inbye croftland. In order to ensure more consistency with Policy 47 (Safeguarding Inbye/AppORTioned Croft Land) and, accordingly, to improve the clarity of the Placemaking Priority, I consider that the words “actively used” should be deleted.

10. Overall, an adjustment is required to the proposed Plan, as set out below.

SF01: North East of Trotternish Avenue

11. SF01 is on the eastern side of Staffin and the A855, to the rear of the housing on Trotternish Avenue. It extends to around 1.2 hectares, is essentially rectangular in shape, and has the appearance of prominent sloping fields contained in part by a stone wall and fencing. This is a newly allocated Housing site in the proposed Plan, with an indicative housing capacity estimated at 8 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

12. Scottish Natural Heritage indicates that it conditionally supports SF01, but seeks a change to the Developer Requirements to ensure that the special qualities of the Trotternish National Scenic Area are safeguarded. The Crofting Commission is concerned about the loss of a significant area of inbye croft land.

13. The planning authority generally seeks to minimise the loss of inbye/appORTioned croft land through Policy 47 (Safeguarding Inbye/AppORTioned Croftland) of the Highland-wide Local Development Plan. The allocation may result in the loss of croft land. However, this is not precluded by Policy 47, and I acknowledge that it is just one factor to be taken into account in selecting sites for the development plan. In this case, I note that there is an identified need for affordable housing in Staffin, as shown by the conclusions of the 2016 Monitoring Statement and the local 2014 Affordable Housing Needs Survey. Such housing would help support local services and facilities, and its provision broadly reflects the planning authority’s strategy of encouraging growth in the Plan area. I believe that this allocation represents a relatively natural extension of an existing clustering of development, including housing, in this more central part of Staffin. I have also found little evidence before the Examination to justify the view that the crofting interest in the land should prevail over its allocation for housing. In the circumstances, I do not share the concerns of the Crofting Commission.

14. The importance of the National Scenic Area designation is highlighted in Scottish Planning Policy and at paragraph 3.27 of the proposed Plan. Development in a National Scenic Area should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. The Trotternish National Scenic Area was designated in 1980/81, and one of its current special qualities is identified as “the human dimension of crofting settlement”, and reference is made to the well maintained crofts, with their whited washed cottages and actively managed inbye land, which provide contrast and human scale to the wilder backdrop of landslip and moorland. Reference is also made to the generally linear pattern which the crofts follow along the mainly straight roads.

15. I find that these qualities are generally reflected in the open views from the A855 immediately to the south of and from within Staffin, over the crofting landscape, the moorland beyond and, further to the west, the sharply contrasting distinctive rock formation of the Trotternish ridge. The mainly low rise and low density linear settlement pattern found in Staffin forms an integral and important part of the character and appearance of the landscape. While

the allocation is adjacent to a small area of denser development, it is prominently sited on rising ground. In light of this and given the sensitivity of the crofting landscape, I consider that it would be helpful to users of the proposed Plan if more detailed guidance was provided in the Developer Requirements on what was expected of development proposals for this allocation.

16. In particular, in the interests of adequately safeguarding the important characteristics of the National Scenic Area, particularly the settlement pattern, I agree with Scottish Natural Heritage that the existing Developer Requirements require to be expanded to indicate that the scale, design and phasing of development is to be consistent with the existing type, pattern, density and scale of buildings, is to consider the visual prominence of development on high ground, and is to provide access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path. I am not persuaded that any Developer Requirement needs to refer to early consultation with Scottish Natural Heritage. The planning authority points out that it already encourages early engagement with its pre-application advice service, and it can recommend to applicants that Scottish Natural Heritage be consulted if necessary. However, in order to ensure that the necessary siting and design matters are properly taken into account at an early stage when formulating proposals, I believe that a Design Statement is required for this allocation, and that it should also be included in the Developer Requirements.

17. I am satisfied that changes to the Developer Requirements along these lines would be likely to help prevent development proposals coming forward which inappropriately dilute the special qualities of the landscape, most notably the human dimension of crofting settlement. They would also build on the general aims of the Placemaking Priorities to protect the traditional crofting landscape and the special qualities of the village and National Scenic Area.

18. Overall, an adjustment is required to the proposed Plan, as set out below.

SF02: West of Trotternish Avenue

19. SF02 is on the western side of the A855, opposite the entrance to Trotternish Avenue. It extends to around 0.7 hectares, is irregular in shape, and has the appearance of a prominent field gently sloping up towards the main road and contained in part by stone walling. There is a shed on a small part of the site near to the main road. This is a newly allocated Housing site in the proposed Plan, with an indicative housing capacity estimated at 6 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

20. Scottish Natural Heritage indicates that it conditionally supports SF02, but seeks a change to the Developer Requirements to ensure that the special qualities of the Trotternish National Scenic Area are safeguarded. The Crofting Commission is concerned about the loss of a significant area of inbye croft land.

21. The planning authority generally seeks to minimise the loss of inbye/apportioned croft land through Policy 47 (Safeguarding In-bye/AppORTioned Croftland) of the Highland-wide Local Development Plan. The allocation may result in the loss of croft land. However, this is not precluded by Policy 47, and I acknowledge that it is just one factor to be taken into account in selecting sites for the development plan. In this case, I note that there is an identified need for affordable housing in Staffin, as shown by the conclusions of the 2016 Monitoring Statement and the local 2014 Affordable Housing Needs Survey. Such housing would help support local services and facilities, and its provision broadly reflects the planning authority's strategy of encouraging growth in the Plan area. I believe that this allocation represents an appropriate location for housing because it relates well to an existing clustering of development, including

housing, in this more central part of Staffin, and it is an infill site, albeit that there is less development on this side of the A855 than on the eastern side. I have also found little evidence before the Examination to justify the view that the crofting interest in the land should prevail over its allocation for housing. In the circumstances, I do not share the concerns of the Crofting Commission.

22. The importance of the National Scenic Area designation is highlighted in Scottish Planning Policy and at paragraph 3.27 of the proposed Plan. Development in a National Scenic Area should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. The Trotternish National Scenic Area was designated in 1980/81, and one of its current special qualities is identified as “the human dimension of crofting settlement”, and reference is made to the well maintained crofts, with their whitened washed cottages and actively managed inbye land, which provide contrast and human scale to the wilder backdrop of landslip and moorland. Reference is also made to the generally linear pattern which the crofts follow along the mainly straight roads.

23. I find that these qualities are generally reflected in the open views from the A855 immediately to the south of and from within Staffin, over the crofting landscape, the moorland beyond and, further to the west, the sharply contrasting distinctive rock formation of the Trotternish ridge. The mainly low rise and low density linear settlement pattern found in Staffin forms an integral and important part of the character and appearance of the landscape. While the allocation is close to a small area of denser development, it is prominently sited and in an exposed position in the village. In light of this and given the sensitivity of the crofting landscape, I consider that it would be helpful to users of the proposed Plan if more detailed guidance was provided in the Developer Requirements on what was expected of development proposals for this allocation.

24. In particular, in the interests of adequately safeguarding the important characteristics of the National Scenic Area, particularly the settlement pattern, I agree with Scottish Natural Heritage that the existing Developer Requirements require to be expanded to indicate that the scale, design and phasing of development is to be consistent with the existing type, pattern, density and scale of buildings, is to consider the visual prominence of development, and is to provide access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape. I do not believe that reference needs to be made to high ground or the core path because the site is on generally low ground, and the core path does not pass SF02. I am not persuaded that any Developer Requirement needs to refer to early consultation with Scottish Natural Heritage. The planning authority points out that it already encourages early engagement with its pre-application advice service, and it can recommend to applicants that Scottish Natural Heritage be consulted if necessary. However, in order to ensure that the necessary siting and design matters are properly taken into account at an early stage when formulating proposals, I believe that a Design Statement is required for this allocation, and that it should also be included in the Developer Requirements.

25. I am satisfied that changes to the Developer Requirements along these lines would be likely to help prevent development proposals coming forward which inappropriately dilute the special qualities of the landscape, most notably the human dimension of crofting settlement. They would also build on the general aims of the Placemaking Priorities to protect the traditional crofting landscape and the special qualities of the village and National Scenic Area.

26. Overall, an adjustment is required to the proposed Plan, as set out below.

SF03: Stenscholl Common Grazings

27. SF03 is on the western most outskirts of Staffin, beyond Staffin Primary School and a house, on a minor single track road running westwards from the A855. It extends to around 1.5 hectares, is irregular in shape and generally low lying, and has the appearance of a prominent and open area of moorland. This is a newly allocated Mixed Use site in the proposed Plan for Housing and Business purposes. The proposed Plan estimates the indicative housing capacity of the site as 6 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

28. One representor was concerned about the adverse impact of the allocation on the landscape, and seeks its deletion from the proposed Plan. Scottish Natural Heritage indicates that it conditionally supports SF03, but seeks a change to the Developer Requirements to ensure that the special qualities of the Trotternish National Scenic Area are safeguarded. The Crofting Commission supports the allocation, and it raises no matters which require to be addressed at this Examination.

29. The site and the surrounding area have a relevant planning history. In its response to Further Information Request 05, the planning authority provided details of proposals for the site considered at the previous West Highland and Islands Local Plan 2010 Examination, and the details of 2 planning applications, one which concerned SF03, and the other which related to a nearby site at 22 Garafad, which was called in by Scottish Ministers for their own determination. Representors had an opportunity to make further representations on these details. SF03 is the most controversial of the allocations in Staffin.

30. In the 2008 draft version of the adopted local plan (as continued in force in 2012), the planning authority proposed housing and business allocations on roughly the same site as SF03. Scottish Natural Heritage objected to the allocations. The Reporters at the Examination agreed with the objection, and concluded that the allocations would detract from the crofting pattern of the land and would adversely affect the character of the National Scenic Area. They recommended that the allocations be deleted. The 2011 planning application at 22 Garafad (planning application reference NA/HLD/077) proposed 7 dwellings. The application site included a site allocated for affordable housing in the adopted local plan but extended out over a larger area. Scottish Natural Heritage objected to the application. Scottish Ministers concluded that while the proposal would provide affordable housing, it would dilute the human dimension of the crofting settlement and fail to safeguard the character and appearance of the National Scenic Area, and they refused planning permission in principle in 2014.

31. More recently, the 2017 planning application for a site within SF03 (planning application number 17/01699/FUL) proposed 6 dwellings, 2 business units and one storage unit. Prior to submission, the applicants undertook a local "Call for Sites", and a site assessment process. While Scottish Natural Heritage believed that the proposals for SF03 would have significant adverse effects on the crofting landscape and the special qualities of the National Scenic Area, it did not object because the effects of the proposal would be localised and, by themselves, would not affect the overall integrity of the National Scenic Area. The planning authority concluded that there was a clear and pressing need for affordable housing in Staffin, and that any negative impact arising from the proposal would be greatly mitigated by the huge scale of the human and natural landscape and the high quality design. It therefore granted planning permission for the proposed development in March 2018, subject to conditions.

32. The importance of the National Scenic Area designation is highlighted in Scottish Planning Policy and at paragraph 3.27 of the proposed Plan. Development in a National Scenic Area should only be permitted where the objectives of designation and the overall integrity of the area

will not be compromised. The Trotternish National Scenic Area was designated in 1980/81, and one of its current special qualities is identified as “the human dimension of crofting settlement”, and reference is made to the well maintained crofts, with their whited washed cottages and actively managed inbye land, which provide contrast and human scale to the wilder backdrop of landslip and moorland. Reference is also made to the generally linear pattern which the crofts follow along the mainly straight roads.

33. I find that these qualities are generally reflected in the open views from the A855 immediately to the south of and from within Staffin, over the crofting landscape, the moorland beyond and, further to the west, the sharply contrasting distinctive rock formation of the Trotternish ridge. The mainly low rise and low density linear settlement pattern found in Staffin forms an integral and important part of the character and appearance of the landscape. While there is a small area of denser development in the more central part of Staffin, development of the scale proposed on the allocation would be clearly contrary to the settlement pattern, and would result in a relatively large group of buildings on open moorland, divorced from the central part of the settlement.

34. I note that there is an identified need for affordable housing in Staffin, as shown by the conclusions of the 2016 Monitoring Statement and the local 2014 Affordable Housing Needs Survey. I accept that such housing would help support local services and facilities, and its provision broadly reflects the planning authority’s strategy of encouraging growth in the Plan area. While these are important factors to be taken into account, it does not remove my concerns about the appropriateness of such a sensitive location for a development of the scale proposed. However, I acknowledge that the principle of development on this site has now been established through the grant of planning permission for development on land within SF03. In light of this, and as development can now proceed subject to the conditions imposed being satisfied, I consider that a site at this location should be included as an allocation in the proposed Plan.

35. I am not persuaded that the allocation shown on the Settlement Map itself should be retained in its current form. The site granted planning permission is materially smaller than the allocation. In order to limit the opportunities for creepage and further development at this location and to safeguard the character and appearance of the National Scenic Area, I consider that the allocation should be altered to match the site granted planning permission. The Settlement Development Area boundary should be similarly altered. There would remain possible opportunities for housing development elsewhere in Staffin as there are 3 other allocations promoting a housing use in the village, included in the proposed Plan. For the avoidance of doubt, it would be unnecessary to include in the altered allocation, the footpath link (on the opposite side of the road) running between the site access to SF03 and the primary school.

36. Turning to the change sought to the Developer Requirements, I agree with Scottish Natural Heritage that the existing Developer Requirements require to be expanded to indicate that the scale, design and phasing of development is to be consistent with the existing type, pattern, density and scale of buildings, is to consider the visual prominence of development, and is to provide access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape. Notwithstanding the planning permission granted, I believe it necessary to seek to safeguard the important characteristics of the National Scenic Area, particularly the settlement pattern, should new or amended development proposals come forward in the future for the site. More detailed guidance would be helpful to users of the proposed Plan in informing them of what was expected of any future development proposals. I do not believe that reference needs to be made to high ground in the Developer Requirement because the site is on generally low ground. I am not persuaded that

any Developer Requirement needs to refer to early consultation with Scottish Natural Heritage. The planning authority points out that it already encourages early engagement with its pre-application advice service, and it can recommend to applicants that Scottish Natural Heritage be consulted if necessary. However, in order to ensure that the necessary siting and design matters are properly taken into account at an early stage in the preparation of possible future proposals, I believe that a Design Statement is required for this allocation, and that it should also be included in the Developer Requirements.

37. I am satisfied that changes to the Developer Requirements, and to the size of the allocation and the Settlement Development Area boundary for Staffin, all as outlined above, would be likely to help prevent any future development proposals from inappropriately further diluting the special qualities of the landscape, most notably the human dimension of crofting settlement. They would also build on the general aims of the Placemaking Priorities to protect the traditional crofting landscape and the special qualities of the village and National Scenic Area.

38. Overall, adjustments are required to the proposed Plan, as set out below.

SF04: Land at Village Hall

39. SF04 is on the western side of the A855, towards the northern end of the village. It extends to around 1.4 hectares, is irregular in shape, and comprises an area of gently sloping moorland, which wraps around the rear of a shop and the community hall, and a church. Its allocation for Mixed Use purposes in the proposed Plan is largely a continuation of the Mixed Use allocation in the adopted local plan, albeit that the range of uses proposed in the former plan (Housing, Business and Community) has been varied from that permitted in the latter (Housing and Community). The proposed Plan estimates the housing capacity of the site as 6 houses. The site contributes to meeting the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village.

40. Scottish Natural Heritage indicates that it conditionally supports SF04, but seeks a change to the Developer Requirements to ensure that the special qualities of the Trotternish National Scenic Area are safeguarded.

41. The importance of the National Scenic Area designation is highlighted in Scottish Planning Policy and at paragraph 3.27 of the proposed Plan. Development in a National Scenic Area should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. The Trotternish National Scenic Area was designated in 1980/81, and one of its current special qualities is identified as “the human dimension of crofting settlement”, and reference is made to the well maintained crofts, with their whited washed cottages and actively managed inbye land, which provide contrast and human scale to the wilder backdrop of landslip and moorland. Reference is also made to the generally linear pattern which the crofts follow along the mainly straight roads.

42. I find that these qualities are generally reflected in the open views from the A855 immediately to the south of and from within Staffin, over the crofting landscape, the moorland beyond and, further to the west, the sharply contrasting distinctive rock formation of the Trotternish ridge. The mainly low rise and low density linear settlement pattern found in Staffin forms an integral and important part of the character and appearance of the landscape. The allocation is prominently sited and in an exposed position within the village. In light of this and given the sensitivity of the crofting landscape, I consider that it would be helpful to users of the proposed Plan if more detailed guidance was provided in the Developer Requirements on what was expected of development proposals for this allocation.

43. In particular, in the interests of adequately safeguarding the important characteristics of the National Scenic Area, particularly the settlement pattern, I agree with Scottish Natural Heritage that the existing Developer Requirements require to be expanded to indicate that the scale, design and phasing of development is to be consistent with the existing type, pattern, density and scale of buildings, is to maintain visual permeability and the open aspect towards the ridge, and is to provide access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open landscape. I am not persuaded that any Developer Requirement needs to refer to early consultation with Scottish Natural Heritage. The planning authority points out that it already encourages early engagement with its pre-application advice service, and it can recommend to applicants that Scottish Natural Heritage be consulted if necessary. However, in order to ensure that the necessary siting and design matters are properly taken into account at an early stage when formulating proposals, I believe that a Design Statement is required for this allocation, and that it should also be included in the Developer Requirements.

44. I am satisfied that changes to the Developer Requirements along these lines would be likely to help prevent development proposals coming forward which inappropriately dilute the special qualities of the landscape, most notably the human dimension of crofting settlement. They would also build on the general aims of the Placemaking Priorities to protect the traditional crofting landscape and the special qualities of the village and National Scenic Area.

45. Overall, an adjustment is required to the proposed Plan, as set out below.

Reporter's recommendations:

I recommend that the following modifications be made:

Placemaking Priorities

1. Under the Staffin section of the Skye and Raasay Settlements, page 147, adjust the 3rd Placemaking Priority so that it reads as follows:

"...Safeguard in bye croftland within the village Settlement Development Area..."

SF01: North East of Trotternish Avenue

2. Under the Staffin section of the Skye and Raasay Settlements, page 150, adjust the 3rd clause of the Developer Requirements for SF01 so that it reads as follows:

"...High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA. A Design Statement to be prepared which demonstrates that the scale, design and phasing of development is consistent with the existing type, pattern, density and scale of buildings, considers the visual prominence of development on high ground, and provides access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path."

SF02: West of Trotternish Avenue

3. Under the Staffin section of the Skye and Raasay Settlements, page 150, adjust the 3rd clause of the Developer Requirements for SF02 so that it reads as follows:

"...High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA. A Design Statement to be prepared which demonstrates that

the scale, design and phasing of development is consistent with the existing type, pattern, density and scale of buildings, considers the visual prominence of development, and provides access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape;...”

SF03: Stenscholl Common Grazings

4. Under the Staffin section of the Skye and Raasay Settlements, page 149, adjust the Staffin Map by reducing the size and extent of SF03 so that it is the same as the site that was granted planning permission in March 2018 (planning application number 17/01699/FUL), as shown on the map attached to the planning authority’s response to Further Information Request 05 (titled: Extent of SF03 and of the area granted planning permission [17/01699/FUL]). For the avoidance of doubt, the adjusted allocation is not to include the footpath link (on the opposite side of the road) running between the site access to SF03 and the primary school.

5. Under the Staffin section of the Skye and Raasay Settlements, page 149, adjust the Settlement Development Area boundary on the Staffin Map to match the reduced size and extent of SF03 as required by recommendation 4 above.

6. Under the Staffin section of the Skye and Raasay Settlements, page 150, adjust the 6th clause of the Developer Requirements for SF03 so that it reads as follows:

“...High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA. A Design Statement to be prepared which demonstrates that the scale, design and phasing of development is consistent with the existing type, pattern, density and scale of buildings, considers the visual prominence of development, and provides access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open crofted landscape;...”

SF04: Land at Village Hall

7. Under the Staffin section of the Skye and Raasay Settlements, page 150, adjust the final clause of the Developer Requirements for SF04 so that it reads as follows:

“...High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA. A Design Statement to be prepared which demonstrates that the scale, design and phasing of development is consistent with the existing type, pattern, density and scale of buildings, maintains the visual permeability and open aspect towards the ridge, and provides access and curtilages that are in keeping with the rural surroundings, particularly boundaries towards the adjacent open landscape.”

Issue 20	UIG	
Development plan reference:	Uig Settlement Chapter, Pages 152-156	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
SEPA (906306)		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>North of Earlish (UG02)</u></p> <p>SEPA (906306) - Seeks an additional developer requirement in relation to flood risk because: watercourses pass through the site; of the need to ensure that people and property are protected from flood risk in line with Scottish Planning Policy and the Flood Risk Management Act; and, to ensure consistency with other similar developer requirements within the Plan.</p>		
Modifications sought by those submitting representations:		
<p><u>North of Earlish (UG02)</u></p> <p>SEPA (906306) - Additional developer Requirement for UG02: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)"</p>		
Summary of responses (including reasons) by planning authority:		
<p><u>North of Earlish (UG02)</u></p> <p>SEPA (906306) - The Council accepts that such a requirement would be appropriate in terms of clarity and consistency. Therefore, if the Reporter is so minded then the Council is content for the following developer requirement to be added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)"</p>		
Reporter's conclusions:		
<p><u>UG02: North of Earlish</u></p> <ol style="list-style-type: none"> UG02 is situated at the southern most tip of Uig, on the eastern side of the A87, above Uig Bay. It extends to just over 2 hectares, comprises moorland, and slopes down towards the west and the main road. The site is a new Housing allocation in the proposed Plan, and its estimated housing capacity is 6 houses. It contributes to meeting the housing land requirement, and to providing a choice of housing sites in this remote village. The site has small watercourses running through it. The Scottish Environment Protection 		

Agency indicates that parts of the site are at risk of flooding and, as such, proposes an additional Developer Requirement setting out the need for a flood risk assessment and avoidance of development in areas at risk of flooding. The planning authority accepts this change to the proposed Plan. Given the potential for flooding at this location, and to achieve consistency with the policy principles in Scottish Planning Policy which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that it would be appropriate to add a Developer Requirement along the lines requested. Such a requirement would also be consistent with the intention of Policy 64 (Flood Risk) in the Highland-wide Local Development Plan. This policy seeks to avoid development in areas susceptible to flooding.

3. Overall, an adjustment is required to the proposed Plan, as set out below.

Reporter's recommendations:

I recommend that the following modification be made:

UG02: North of Earlish

1. Under the Uig section of the Skye and Raasay Settlements, page 155, add a new clause to the Developer Requirements for UG02 so that it reads as follows:

“...Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

Issue 21	SKYE & RAASAY GROWING & COMMUNITY PLAN SETTLEMENTS	
Development plan reference:	Skye & Raasay Growing & Community Plan Settlements, Pages 157 - 163	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Diageo (Scotland) Ltd (986106) Glendale Community Council (1102988) Mountaineering Scotland (964649) RSPB (1104965) Scottish Natural Heritage (909933)</p>		
Provision of the development plan to which the issue relates:	Issues and Placemaking Priorities for Carbost, Edinbane, and Inverarish (Raasay)	
Planning authority's summary of the representation(s):		
<p><u>Carbost</u></p> <p>Diageo (Scotland) Ltd (986106) - Supports the Placemaking Priorities and suggests that the Plan should encourage the continued support and safeguarding of the existing operation and any potential future expansion of the Talisker Distillery in Carbost. Submits supporting justification document [RD29].</p> <p><u>Edinbane</u></p> <p>Mountaineering Scotland (964649) - The Plan should contain a presumption against any further expansion of wind farms or additional turbines in the area due to the potential for detrimental cumulative impacts on the wider landscape of Skye.</p> <p><u>Inverarish (Raasay)</u></p> <p>Scottish Natural Heritage (909933) - Seeks amendment to Issues text specifically identify the Inner Hebrides & the Minches Special Area of Conservation (SAC) because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.</p> <p><u>Glendale</u></p> <p>Glendale Community Council (1102988) - Glendale Community Council does not support the proposed site at Lephin as suitable for development (no reasons stated).</p> <p>RSPB (1104965) - Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in the fourth Placemaking Priority because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.</p>		

Modifications sought by those submitting representations:Carbost

Diageo (Scotland) Ltd (986106) - Clarification that the Plan will continue to support and safeguard land for the existing operation and any potential future expansion of the Talisker Distillery in Carbost (assumed).

Edinbane

Mountaineering Scotland (964649) - A Plan presumption against any further expansion of wind farms or additional turbines in the area due to the potential for detrimental cumulative impacts on the wider landscape of Skye (assumed).

Inverarish (Raasay)

Scottish Natural Heritage (909933) - Amendment of the text of the final bullet point under Issues, to read: "Adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC), designated for harbour porpoise; ..."

Glendale

Glendale Community Council (1102988) - Deletion of reference to development at Lephin in first Placemaking Priority (assumed).

RSPB (1104965) - Amendment to fourth Placemaking Priority to read "To safeguard local natural heritage interests including the harbour porpoises in the adjoining Inner Hebrides and Minches SAC and the harbour seals in the neighbouring Ascrib, Isay and Dunvegan SAC."

Summary of responses (including reasons) by planning authority:Carbost

Diageo (Scotland) Ltd (986106) - The third Placemaking Priority offers clear and adequate Plan support for the existing operation and any potential future expansion of the Talisker Distillery in Carbost. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered.

Edinbane

Mountaineering Scotland (964649) - The Council's policies in respect of on-shore wind farm developments are set out within Policy 67: Renewable Energy Developments of the Highland wide Local Development Plan and its related Supplementary Guidance. Any request for an embargo on such development within any area of Highland should have been or should in the future be made through the review of those documents. Accordingly, the Council believes the existing West Highland and Islands Local Development Plan wording is sufficient in respect of this issue and should remain unaltered.

Inverarish (Raasay)

Scottish Natural Heritage (909933) - The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Glendale

Glendale Community Council (1102988) - The Glendale (community) Trust submitted several "Call for Sites" proposals at the outset of the Plan process including seeking the Council's endorsement of a development site at Lephin to accommodate a small affordable housing development and a single commercial unit. Lephin is very central to the collection of crofting communities that span the wider Duirinish area, already accommodates several "parish catchment" facilities such as the community hall and is well placed to accommodate further development that has good reason to be at the heart of the community. The Trust's feasibility assessment [CD57] is detailed and professional and presents a good justification for development at Lephin. Given the Community Council have not stated any reasons to delete the reference to potential development at Lephin then the Council believes the Plan should remain unaltered in respect of this issue.

RSPB (1104965) - The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Reporter's conclusions:Carbost

1. Carbost is a small settlement spread out along the southern side of Loch Harport, in the western part of Skye. Access to it is by a single track road leading from the A863. Carbost serves as a local centre for the surrounding area, and contains a number of facilities, including a primary school. It is identified in the proposed Plan as a Growing Settlement. The most significant industry in Carbost is the Talisker Distillery. Diageo (Scotland) Ltd seeks continued support for the distillery in the proposed Plan. I note that the Issues identified for Carbost in the proposed Plan highlight the importance of the distillery for local employment and tourism. Additionally, the Placemaking Priorities in the proposed Plan have been strengthened since the Main Issues Report to refer to safeguarding the importance of the distillery as a major local employer and tourism asset, and to restricting housing development close to it and on land onto which it may wish to expand. Given these provisions, I believe that the proposed Plan has adequately recognised the importance of the distillery to the community and the wider area.

2. Overall, no adjustment to the proposed Plan is required.

Edinbane

3. Edinbane is a small settlement situated at the southern end of Loch Greshornish, just to the south of the A850. It is a local centre for the surrounding area, and is identified in the proposed Plan as a Growing Settlement. Wind farms sit in the hills to its south and west. Mountaineering Scotland seeks the inclusion of a presumption in the proposed Plan against any further expansion of wind farms, or additional turbines, in the area.

4. The planning authority points out that policies concerning wind farm development are set out in the Highland-wide Local Development Plan and the related Supplementary Guidance. I note that Policy 67 (Renewable Energy Developments) of that Plan contains a number of criteria for assessing wind farm and wind turbine proposals, and that the Supplementary Guidance includes a Spatial Framework for Onshore Wind Energy. I am satisfied that the criteria in the policy and Supplementary Guidance and the Spatial Framework all combine to form a reasonable and appropriate framework for dealing with wind farm and wind turbine proposals. They include consideration of cumulative impacts. I also note that an approach to

such proposals along these lines is consistent with the provisions of Scottish Planning Policy. Given these circumstances, I am not persuaded that there is any need or requirement to introduce further restrictions on wind farm or wind turbine proposals in the proposed Plan.

5. Overall, no adjustment to the proposed Plan is required.

Inverarish (Raasay)

6. Inverarish is a small coastal village at the south east corner of the Isle of Raasay. It is identified in the Plan as a Growing Settlement. Scottish Natural Heritage requests that the 4th Issue (3rd bullet point) for the settlement be changed to refer specifically to the Inner Hebrides and the Minches Special Area of Conservation. The planning authority accepts the proposed change.

7. The Inner Hebrides and the Minches Special Area of Conservation is designated for its harbour porpoise interest, and it covers the coastal waters surrounding Raasay, and lies adjacent to Inverarish. While the 3rd clause of the 4th Issue in the Inverarish section of the proposed Plan refers to harbour porpoises, I believe that the clarity of the proposed Plan would be improved if the name of the designated area with which the porpoises are associated is also highlighted. This would help ensure that development has no adverse effect on the integrity of this internationally important designation, that the level of protection applied to it is in line with Scottish Planning Policy, and that the proposed Plan has approached the designation in a broadly consistent manner in different locations.

8. Overall, an adjustment to the proposed Plan is required, as set out below.

Glendale

9. Glendale comprises a loose, dispersed collection of crofting communities on the north western edge of the Duirinish peninsular on the Isle of Skye. It is remote and has a number of facilities, including a community hall, a post office/shop, and a café. It is accessed via a single track road leading from the A863 at Dunvegan. Glendale Community Council objects to the development of “the proposed site at Lephin.”

10. The proposed Plan indicates that Glendale may be suitable for a community led land use plan. The first Placemaking Priority in the proposed Plan supports the role of community initiatives in opening up development potential for housing and commercial use at Lephin. The proposed Plan itself does not identify a particular site for such development. However, a housing feasibility study has been carried out by the Glendale Trust for a potential affordable housing development on a site at Lephin. The site is at the eastern corner of the junction between the B884 and the Lephin road, on the south side of the glen. It extends to around 0.5 hectares, slopes slightly down towards the north and west, and comprises open, rough ground.

11. The community council provides no reason for objecting to development on the site at Lephin. I note that a local housing needs survey appears to have been undertaken, and that this suggests that there is a requirement for affordable housing in the area. I consider that Lephin is in a central location within the local crofting communities. Community facilities, including the community hall and post office/shop, are also present. These factors suggest to me that Lephin would be a suitable location for development, particularly affordable housing.

12. Given the wide variety of development styles in the wider area, I believe it likely that a satisfactory scheme, consistent with a dispersed pattern of development and taking into account the key characteristics and qualities of this part of the North West Skye Special Landscape

Area, could be devised. Planning permission was granted in 2011 for the erection of a dwellinghouse on land in Lephin (although no development has yet taken place). The feasibility study identifies one site at Lephin which, on the face of it, appears reasonable for development, and other options may yet emerge. In all the circumstances, I believe that the reference in the proposed Plan to the development potential of Lephin should be retained. This is particularly so given that the proposed Plan highlights that there is an active interest in promoting growth in the area.

13. The Royal Society for the Protection of Birds seeks the inclusion of references in the final Placemaking Priority for Glendale to the adjoining Inner Hebrides and Minches and neighbouring Ascrib, Isay and Dunvegan Special Areas of Conservation. The planning authority accepts the proposed change. The final Placemaking Priority refers to safeguarding local natural heritage interests and the harbour porpoises Special Area of Conservation. I believe that the clarity of the proposed Plan would be improved if both Special Areas of Conservation were highlighted in the Placemaking Priority by name and by species interest. This would help ensure that development has no adverse effect on the integrity of these internationally important designations, that the level of protection applied to them is in line with Scottish Planning Policy, and that the proposed Plan has approached the designations in a broadly consistent manner in different locations.

14. Overall, an adjustment to the proposed Plan is required, as set out below.

Reporter’s recommendations:

I recommend that the following modifications be made:

Inverarish (Raasay)

1. Under the Growing and Potential Community Plan Settlements section of the Skye and Raasay Settlements, page 161, adjust the 3rd clause of the 4th Issue for Inverarish so that it reads as follows:

“...natural heritage interests including the adjoining Inner Hebrides and the Minches Special Area of Conservation (SAC), designated for harbour porpoise;...”

Glendale

2. Under the Growing and Potential Community Plan Settlements section of the Skye and Raasay Settlements, page 163, adjust the final Placemaking Priority for Glendale so that it reads as follows:

“...To safeguard local natural heritage interests including the harbour porpoises in the adjoining Inner Hebrides and Minches Special Area of Conservation (SAC) and the harbour seals in the neighbouring Ascrib, Isay and Dunvegan Special Area of Conservation (SAC).”

Issue 22	GAIRLOCH	
Development plan reference:	Gairloch Settlement Chapter, Pages 164 - 170	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mountaineering Scotland (964649) Peter Mitchell (1101574) Phil & Ian Robin (1105422) RSPB (1104965) Scottish Natural Heritage (909933)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports proposals to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>RSPB (1104965) - Seeks Plan amendments to offer more specific, exact and legally correct protection to natural heritage interests because: paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans; specifically that the Inner Hebrides and the Minches Special Area of Conservation (SAC) and the Wester Ross Marine Protected Area (MPA) are referred to within Paragraph 4.6.</p> <p><u>North Fasaich (GL01)</u></p> <p>Phil & Ian Robin (1105422) - Objects because the junction from Fasaich onto the B802 already has inadequate capacity to handle the increased level of traffic generated by the adjoining, new development (allocation GL02).</p> <p><u>Gairloch Harbour (GL04)</u></p> <p>Scottish Natural Heritage (909933) - Conditionally supports but seeks specific reference to the An Ard Geological Conservation Review (GCR) site so that any prospective developer is aware of the need to avoid adverse impacts from inappropriate development.</p> <p><u>Achtercairn West (GL05)</u></p> <p>Peter Mitchell (1101574) - Objects because: the steep bank between the site and existing housing on Low Road and Raonmor will pose a land slippage risk in the event of any construction on the allocated site; there is insufficient demand for housing in the Gairloch area, with other areas designated for housing (GL01, GL02, GL03, GL04) still unbuilt or partially completed; demand is more focused on single plot developments; the seasonal nature of the</p>		

local economy will not support demand for housing; year round employment opportunities are required to attract workers to the area or retain the available local workforce in the area; the road junction A832/B8021 already causes problems with traffic flow, school pupil movements and street parking without a new access for 8 properties exacerbating the problem; and, any new development would require significant relocation of the existing retail and residential properties to enable these issues to be resolved.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649) - None.

RSPB (1104965) - Amendment of Paragraph 4.6 to read: "Important natural heritage designations include the An Ard Geological Conservation Review Site, the Coill 'a 'Ghlinne Ancient Woodland and the Wester Ross NSA, the Strome Carronach Ancient Woodland, the Inner Hebrides and the Minches Special Area of Conservation (SAC) and the Wester Ross Marine Protected Area (MPA)."

North Fasaich (GL01)

Phil & Ian Robin (1105422) - Removal of allocation.

Gairloch Harbour (GL04)

Scottish Natural Heritage (909933) - Amendment of developer requirements to read: "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures; Transport statement; Protected species survey; Retain and where possible enhance the core path network; Site history and possible Land Contamination Site Investigation; Programme of archaeological works/mitigation may be required; Possible design statement; High quality of siting and design that will avoid adverse impacts on the special qualities of the Wester Ross NSA and An Ard Geological Conservation Review (GCR) site."

Achtercairn West (GL05)

Peter Mitchell (1101574) - Removal of allocation.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

RSPB (1104965) - The Plan is written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the listing of every natural heritage designation would be disproportionate. The Inner Hebrides and the Minches SAC sits to the

west of Gairloch with no physical proximity or proven environmental connectivity to the SDA. Similarly the Wester Ross MPA [CD66] lies to the north of Gairloch and has no physical proximity or proven environmental connectivity. Accordingly, the HRA screened out all the allocations in Gairloch. The HwLDP provides adequate policy coverage to address proposals outwith the Gairloch SDA. Therefore, the Council does not consider that a reference should be made to either the Inner Hebrides and the Minches SAC or the Wester Ross MPA and that the Plan's content should remain unaltered in respect of this issue.

North Fasaich (GL01)

Phil & Ian Robin (1105422) - In common with many other West Highland settlements, finding development land in Gairloch that is marketable, serviceable, available, and free of crofting, physical and environmental constraints is very difficult. Gairloch's elongated, linear pattern is a product of these factors and constraints. Site GL01 was allocated because it is available for development, doesn't compromise the better in-by-croft land and can be connected to infrastructure networks through adjoining development. Access to the site is to be taken from the B802 using the existing junction and access road through the Fasaich development. Space within the existing development has been reserved for this purpose. The B802 has a relatively low level of traffic and capacity is not judged to be a significant issue. The width of the access road and radii of the junction are sufficient. The only concern with this access is the visibility which currently measures at 2.5m x 90m in both directions. The THC standard for a 40mph road is 2.5m x 120m. However, specific details regarding visibility splays are generally addressed at the planning application stage. The poor vertical alignment of the B802 at this location has a traffic calming effect that lowers traffic speeds. Given the lack of unconstrained, alternative development sites then the Council believes that a less than full standard visibility should be supported. If the allocation were removed then no new dedicated housing sites would be allocated within Gairloch as part of this Plan. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Gairloch Harbour (GL04)

Scottish Natural Heritage (909933) - The An Ard Geological Conservation Review (GCR) site is specifically mentioned in Paragraph 4.6. Whilst there is some overlap between the An Ard GCR site and the allocation, the Strategic Environmental Assessment identified that development of the site was unlikely to have an effect on the An Ard GCR site. The main development proposal within the allocation is the former fish factory site which planning permission ref: 16/01798/FUL was granted on 27th November 2017 [CD65] for the demolition of a single house and the erection of 14 houses. This application includes some significant earthworks, however SNH have not commented on this application. Another possible proposal within the allocation is for a marina comprising floating pontoons, which is not considered to have any adverse effect on the geology of the area. It is unlikely that any other small scale or infill development could be accommodated within the overlap of the allocation and the An Ard GCR. However, if the Reporter is minded to agree then the addition of the wording suggested by SNH would not add unduly to the length of the Plan and would offer clarification to prospective developers and therefore would be acceptable to the Council.

Achtercairn West (GL05)

Peter Mitchell (1101574) - Housing requirements are assessed on a wider scale than individual settlements. The 2015 Highland Housing Need and Demand Assessment identified the need for an additional 608 housing units within the Wester Ross Housing Market Area [CD16, Table 4-7, pg86]. An indicative capacity of 77 houses has been provided for in Gairloch (this includes housing already complete/under construction). A variety of sites are therefore required to

provide choice and flexibility. The site allocation is for Mixed Use rather than just housing which includes provision for business and retail uses that could help to support a year round economy. Moreover, there is already a developer requirement for “possible A832/B8021 junction improvements”. The preference being for access to the A832 towards the southern end of the site on the outside of the existing bend and sustainable transport connections to the B8021. As such there is no need to move any existing properties. Any specific site layout and/or engineering solutions required to facilitate the development would generally be addressed through the planning application process. However, if the Reporter is minded to agree then an additional developer requirement could be added to include a setback distance from the bank running along the western edge of the site. Similarly, it would also be useful for the Plan’s developer requirement wording to clarify that no buildings should occupy the southern half of the site where such development could adversely impact public views across Loch Gair. If the Reporter is minded to agree then this wording could be amended to ensure that buildings are limited to the northern half of the site.

Reporter’s conclusions:

Placemaking Priorities

Mountaineering Scotland (964649), RSPB (1104965)

1. Mountaineering Scotland does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to make any recommendations for Gairloch, based on the representations made.

2. Scottish Planning Policy (CD01) (paragraph 196) calls for international, national and locally designated areas and sites to be identified and afforded the appropriate level of protection in development plans. The proposed plan refers (paragraph 4.6, page 164) to important natural heritage designations including the Ab Ard (sic) Geological Conservation Review Site, the Coil ‘a ‘Ghlinne Ancient Woodland and the Wester Ross National Scenic Area, which I consider relevant and appropriate.

3. I am not persuaded, however, that reference to the Inner Hebrides and the Minches Special Area of Conservation (SAC) is warranted in the context of the Gairloch settlement development area (SDA). This is due to the fact that the SAC designation falls to the west of Gairloch. It is not physically close to the SDA and has no proven environmental connectivity with the SDA. I am reassured in reaching my conclusion, given that all the allocations in Gairloch were screened out, both alone and in combination, by the Habitats Regulations Appraisal (CD11) as they have no effect on any European (Natura) sites. I draw a similar conclusion in respect of the Wester Ross Marine Protected Area (MPA), given that it lies well to the north of Gairloch and hence is not physically close and similarly has no proven physical connectivity to the SDA. I do not therefore recommend any modifications in respect of the representations by the Royal Society for the Protection of Birds (RSPB).

North Fasaich (GL01)

Phil & Ian Robin (1105422)

4. Site access is proposed via the B802 using the existing junction and access road through the Fasaich development and I noted during my site inspection that space has been provided within the existing Fasaich development to gain access to the GL01 site. The planning authority acknowledges that the visibility splays for the access via the B802 are below its own standard. That said, there are several factors which I consider mitigate this.

5. I drove along the B802 during my site inspection and agree with the planning authority that the vertical alignment of the B802 at this location has a traffic calming effect that lowers traffic speeds. The 40 miles per hour (mph) speed limit and associated signage, on approach to the junction, from both the east and west also act as traffic calming measures. The cattle grid and associated warning signage, to the east of the junction, also provides a form of traffic calming, slowing traffic on approach to it.

6. In addition to the above, I am also mindful that traffic volumes on the B802, past the site, are relatively low. Other than the Sands caravan and camp site and individual residential properties along the B802 to the west and northwest, to Melvaig, there are no major developments or uses that generate large volumes of traffic along this route, back to Gairloch. I am therefore satisfied that this road has capacity to accommodate traffic generated by the allocation of site GL01 (for 15 residential properties) even allowing for the traffic generated by site GL02 which Phil and Ian Robin refer to in their representations.

7. This leads me to conclude that the site access is appropriate and can accommodate this allocation, noting that traffic and transport issues would be considered in detail during the planning application process. In this regard, I note that developer requirements include the provision of a transport statement and to improve active travel connections to village amenities. In reaching the above conclusion, I am mindful that development sites that are marketable, serviceable, available and free of constraints are limited in Gairloch, noting the planning authority's comment that if this site allocation was removed there would be no new, housing only, sites allocated to the settlement as part of this plan. In light of the above, I am recommending no modifications in respect of this allocation.

Gairloch Harbour (GL04)

Scottish Natural Heritage (909933)

8. The An Ard Geological Conservation Review (GCR) site is identified in the proposed plan as an important natural heritage designation (paragraph 4.6, page 164) which overlaps (in part) with the GL04 mixed use site. Whilst the planning authority concludes in its Strategic Environmental Assessment (CD09-1) that development of the GL04 site is unlikely to have an effect on the GCR site, given its natural heritage importance and that there is overlap between the designation and the mixed use allocation, I see merit in it being referenced under development requirements for GL04. This would ensure that prospective developers were made aware of it as a natural heritage consideration in any future development proposals within the allocation site.

Achtercairn West (GL05)

Peter Mitchell (1101574)

9. I noted, during my site inspection, that there is a steep bank between the site and the rear gardens of existing housing on Raonmor and I note the concern in representations by Peter Mitchell about potential land slippage in the event that site GL05 is developed. I would expect such matters to be comprehensively addressed during the planning application process. However, given the previous land slippage in this area, I consider it appropriate to include a specific reference, in the developer requirements, to the provision of a sufficient setback of built development from the western boundary of the site. This reference would ensure that prospective developers of the site were aware at the outset that this was a site issue requiring consideration. The extent of this setback should be determined as part of the planning application process in order to deliver a viable site layout and an appropriate engineering

solution which can be achieved without detriment to nearby neighbouring properties.

10. Accordingly, I am recommending that a reference is made in the developer requirements to the requirement for any future built development to be sufficiently setback from the bank running along the western boundary of the site.

11. The planning authority suggests that the 'Developer Requirements' wording could clarify that no buildings should occupy the southern half of the site where such development could adversely impact public views across Loch Gair. However, the developer requirements already advise that there should be no built development that adversely impacts undisturbed public views across Loch Gair, that a landscape and visual assessment is required and that there should be high quality of siting and design that will avoid adverse impacts on the special qualities of the Wester Ross National Scenic Area (NSA). In addition, the proposals map (Gairloch South), shows a 'green network' annotation across the southern half of the site. I am therefore satisfied that there is sufficient 'signposting' within the plan to the requirement for a considered design approach to the development of this site that respects public views across Loch Gair.

12. Peter Mitchell, in his representation, expressed concern that existing housing allocations are still to be built out or completed and that simply adding a further site, compounds the problem of over supply in an area where demand is weak. I am conscious, however, that the planning authority is tasked with identifying a variety of sites in order to provide choice and flexibility. I am also conscious that three of the sites identified in the proposed plan are for mixed use development and site GL05 is identified for housing, community, business/ tourism and retail. I consider that including for such a mix of uses on this site could assist in supporting year round employment helping to attract people or helping to retain people in the local area with a resultant increase in demand for housing. I note that possible A832/ B8021 junction improvements are identified as part of the developer requirements for the site. The planning authority suggests a preference being access taken to the A832 towards the southern end of the site and that this would not involve the removal of any existing retail or residential property. There is nothing before me and nothing I observed on site to suggest that a satisfactory internal road layout and junction arrangement cannot be achieved without requiring the removal of any property.

13. In light of the above, I am satisfied that, subject to suitable design and engineering solutions being achieved, the site is appropriate for allocation for mixed use development and I am not therefore recommending its removal from the plan.

Reporter's recommendations:

Placemaking Priorities

1. In paragraph 4.6, page 164, delete the words 'Ab Ard' and replace with the following: 'An Ard'.

North Fasaich (GL01)

2. No Modifications.

Gairloch Harbour (GL04)

3. On page 170, at the end of the Developer Requirements for GL04: Gairloch Harbour, after the words 'Wester Ross NSA' insert the words: 'and An Ard Geological Conservation Review

(GCR) site.'

Achtercairn West (GL05)

4. Under Developer Requirements on page 170, insert the following words after 'junction improvements;':

'Provision of a sufficient setback of built development from the western boundary of the site;'

Issue 23	KYLE OF LOCHALSH	
Development plan reference:	Kyle of Lochalsh Settlement Chapter, Pages 171 - 176	Reporter: Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mountaineering Scotland (964649) Rhona Jack (1096238) RSPB (1104965)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Requests addition of wording to identify and protect the Inner Hebrides and the Minches Special Area of Conservation, the Lochs Duich, Long and Alsh Reefs Special Area of Conservation (SAC) particularly in relation to sites KL07 and KL09 which should be required to assess and demonstrate appropriate mitigation against any adverse effects on these designations (assumed).</p> <p>Mountaineering Scotland (964649) - Supports a Placemaking Priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities</p> <p><u>Plock of Kyle (KL07)</u></p> <p>Rhona Jack (1096238) - Objects to the inclusion of a campsite or any development that would potentially restrict the local population's access to the Plock. Supports development of an outdoor recreation/education facility associated with the nature and landscape of the Plock and surrounding area.</p>		
Modifications sought by those submitting representations:		
<p><u>Placemaking Priorities</u></p> <p>RSPB (1104965) - Amendment of the first sentence of Paragraph 4.10 to read: "Development in Kyle of Lochalsh has the potential to have a likely significant effect on the Inner Hebrides and the Minches Special Area of Conservation and/or the Lochs Duich, Long and Alsh Reefs Special Area of Conservation (SAC), alone or in combination with other developments affecting the SAC. Any development of sites KL07 or KL09 will be required to assess and demonstrate appropriate mitigation measures which ensure avoidance of any adverse effect on the integrity of the Inner Hebrides and the Minches Special Area of Conservation and the Lochs Duich, Long and Alsh Reefs Special Area of Conservation."</p> <p>Amendment of the sixth Placemaking Priority to read: "Preserve the integrity of the rich natural heritage of Loch Alsh and the wider natural heritage interests of the Lochs Duich, Long and Alsh</p>		

SAC and the Inner Hebrides and Minches SAC."

Amendment of the final Placemaking Priority to read: "Safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities, in particular the Kyle-Plockton SLA, the Lochs Duich, Long and Alsh Reefs SAC and the Inner Hebrides and the Minches SAC"

Mountaineering Scotland (964649) - None.

Plock of Kyle (KL07)

Rhona Jack (1096238) - Seeks clarification that proposed development will not impinge on the existing recreational use of/and access to the site for local people (assumed).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

RSPB (1104965) - The Plan is written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the listing of every natural heritage designation would be disproportionate. Developer requirements for sites KL07 and KL09 already state that "Development Proposals must demonstrate that there would be no adverse effect on the integrity of the Inner Hebrides and the Minches and Lochs Duich, Long and Alsh Reefs SACs or Loch Duich, Long and Alsh MPA (including during construction as well as any operational activities that arise from development)". However, the suggested additional reference to Paragraph 4.10 is relatively short, relevant and if the Reporter agrees then the Council would support this change for the sake of consistency with the HRA.

The suggested additional references within the Placemaking Priorities are repetitive. As such it is not considered necessary for them to be included in two different Placemaking Priorities and if the Reporter agrees then the Council would support the change relevant to the sixth Placemaking Priority only as the final Placemaking Priority primarily relates to landscape concerns.

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Plock of Kyle (KL07)

Rhona Jack (1096238) - The Plan allocation's existing developer requirement text safeguards and seeks to enhance recreational access via a recreational management plan and core path network. A small scale camp site with appropriate management would not be prejudicial to recreational access. Moreover, the land is now controlled by the Kyle and Lochalsh Community Trust whose remit [CD58] includes preserving and enhancing the local recreational value of the Plock. Accordingly, the Council believes that the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:Placemaking Priorities

1. The Royal Society for the Protection of Birds seeks the inclusion of references to the Lochs Duich, Long and Alsh Reefs Special Area of Conservation at paragraph 4.10, page 171, which is in the section of the proposed Plan dealing with Kyle of Lochalsh. Paragraph 4.10 relates to the effect that development in the village would be likely to have on the Hebrides and the Minches Special Area of Conservation, in particular development on KL07 (Plock of Kyle) and KL09 (Kyle Harbour). The planning authority supports the inclusion of the additional references to this designation. I note that the proposed changes would ensure that this part of the proposed Plan took proper account of the mitigation measures set out for the Special Conservation Area in the Habitats Regulations Appraisal. In the circumstances, I consider that references to the Lochs Duich, Long and Alsh Reefs Special Area of Conservation in paragraph 4.10 would be appropriate.
2. I consider that the additional references sought by the Royal Society for the Protection of Birds in the Placemaking Priorities for the Kyle of Lochalsh, to the Inner Hebrides and the Minches and the Lochs Duich, Long and Alsh Reefs Special Areas of Conservation are unnecessary. I agree with the planning authority that such references would be repetitive. They are also not required to bring the proposed Plan into line with the Habitats Regulations Appraisal. Taking into account the recommendation set out below, sufficient protection for the 2 designations, in accordance with Scottish Planning Policy, will be included in this section of the proposed Plan
3. Mountaineering Scotland supports the 8th Placemaking Priority for Kyle of Lochalsh at page 172 of the Plan. This priority seeks to safeguard areas protected or otherwise important for nature conservation or landscape qualities. Given that the representation supports this section of the proposed Plan, there is no need to consider it further.
4. Overall, an adjustment is required to the proposed Plan.

KL07: Plock of Kyle

5. KL07 is situated on the western edge of the village of Kyle of Lochalsh, which is a gateway to the Isle of Skye and the Western Isles. The site is on a peninsula, opposite the Skye village of Kyleakin. It is a large site extending to almost 50 hectares, is of an irregular shape, and contains woodlands, more open areas, paths, car parks, coves, and a view point. The proposed Plan allocates the site for Mixed Use (Housing, Community, Business/Tourism). It gives an indicative capacity of 5 houses for the site. The adopted local plan does not allocate the site, but highlights it as recreational land, and allocates a small area adjacent to the village for the development of houses. The site would make a small contribution to the housing land requirement in the proposed Plan, and to providing a choice of housing sites in this remote village, which has a range of facilities and services.
6. One representor objects to the development of a campsite or anything that would result in restricting access of local people to the site, and supports its use for outdoor recreation. The site is controlled by the Hamilton Park Trustees for the benefit of local people. The Trustees are currently transferring ownership to the Kyle and Lochalsh Community Trust. The Trust has recently delivered a range of access improvements on site, and has developed a masterplan. The proposed Plan recognises the site as an asset to the community, seeks the realisation of the site's potential by developing its recreational and tourism facilities, and highlights the need for a recreational management plan and the retention and possible enhancement of the core

path network. This is all consistent with maintaining and further developing outdoor recreational uses on site.

7. The development of a campsite would fall within the scope of uses allowed on site by the proposed Plan. I consider that, in principle, such a facility would be appropriate because of the edge of village location, the attractive rural environment, the reasonable closeness of local facilities, and the potential for accessibility (an existing access point) from the A87. Tourism is also an important local industry, and a campsite would improve the range of tourist facilities available locally. Given that the site is very large, I am satisfied that the provision of a campsite would be unlikely to result in unacceptable restrictions on public recreational access to the site. Moreover, I consider that the proposed Plan contains reasonable safeguards concerning the site's recreational use, and I note that the masterplan seeks to develop the site in a sustainable way and to create widespread benefits for the community. Drawing these different factors together, I believe that it is unnecessary to introduce into the proposed Plan a restriction on the principle of developing a campsite on KL07.

8. I accept that housing could potentially limit recreational access by the public to the site. However, the Plan envisages only a limited amount of housing, and the adopted local plan highlights a location for a small housing development adjacent to the village. I believe that a small number of houses in a location such as this (or similar) could be developed without being likely to undermine present and future recreational, tourism and community uses of the site.

9. Overall, no adjustment to the proposed Plan is required.

Reporter's recommendations:

I recommend that the following modification be made:

Placemaking Priorities

1. Under the Kyle of Lochalsh section of the Wester Ross and Lochalsh Settlements, page 171, adjust paragraph 4.10 so that it reads as follows:

“Development in Kyle of Lochalsh has the potential to have a likely significant effect on the Inner Hebrides and the Minches Special Area of Conservation (SAC) and/or the Lochs Duich, Long and Alsh Reefs SAC, alone or in combination with other developments affecting the SACs. Any development of sites KL07 or KL09 will be required to assess and demonstrate appropriate mitigation measures which ensure avoidance of any adverse effect on the integrity of the Inner Hebrides and the Minches SAC and the Lochs Duich, Long and Alsh Reefs SAC.”

Issue 24	LOCHCARRON	
Development plan reference:	Lochcarron Settlement Chapter, Pages 177 - 184	Reporter: Trevor Croft Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aileen Grant (995776) James Goodman (1100932) Lochcarron Community Development Company (998540) Lochcarron Community Development Company (997552) Lochcarron Leisure Centre Company (998545) Lochcarron Properties Ltd (998528) MacLean-Watt Family (998549) Mountaineering Scotland (964649) Scottish Natural Heritage (909933) Tony Caminiti (997141)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Aileen Grant (995776) - Requests that Placemaking Priorities are augmented to reference the need for traffic calming of the village spine road, coastal protection works, environmental improvements of the foreshore, more effective village gateways for visitors and enhanced cyclist facilities. All these measures would diversify the local tourism economy, tackle fragility and enhance the quality of life of local residents. Supports the proposed bypass route, agrees that this line must be safeguarded for the future and would like the project brought forward. Requests that all greenspaces and burnsidings within the village should be identified and protected.</p> <p>Mountaineering Scotland (964649) - Supports proposals to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>James Goodman (1100932) - Feels that provision of footpath between the village and the Smithy should be included in the Plan.</p> <p><u>LC01: Keilburn Crescent</u></p> <p>Tony Caminiti (997141) - Objects because of risk of subsidence, slope stability and surface water drainage issues that could cause damage to neighbouring properties. Relates that these concerns have been raised previously during the consideration of planning permission 11/03539/PIP (as well as the current application 17/03808/MS) and a structural engineering survey was commissioned as part of this. Reports that conditions were attached to the permission requiring a comprehensive structural engineering study, addressing the issues of subsidence to the existing houses (including respondent's property), providing substantial soil studies addressing the issue of soil removal, a geotechnical investigation regarding the presence of bedrock, and a detailed plan on dealing with the extensive water run off that exists on the hill between the existing houses and the proposed</p>		

development. Believes that if the development of the site were permitted without all of the restrictions set in place by the Council in 2012 being implemented then the houses and the personal safety of those living just above the proposed development site would be at risk. Supplies copies of the engineering report and correspondence with councillors and council officers [RD30].

Lohcarron Properties Ltd (998528) - Clarifies that site benefits from extant planning permission in principle. Opposes imposition of any developer requirements additional to those conditioned in that permission.

LC02: Sage Terrace

Lohcarron Properties Ltd (998528) - Supports housing development on this site.

LC03: Kirkton Gardens North

Lohcarron Properties Ltd (998528) - Supports allocation but would oppose any developer requirements additional to those conditioned in planning permission ref: 11/003540/PIP.

LC04: Kirkton Woodland

Lohcarron Community Development Company (997552) - Supports proposals (assumed) and seeks clarification of the developer contributions regarding the access to the site.

Lohcarron Community Development Company (998540) - Supports mixed use development and states that this will bring significant economic benefit to the local community.

LC05: Kirkton Expansion Area

MacLean-Watt Family (998549), Lochcarron Leisure Centre Company (998545), Lochcarron Properties Ltd (998528) - Supports housing and a new community/sports centre on the site and suggests that the indicative housing capacity could be increased.

LC06: Kirkton Expansion Area (Long Term)

Lohcarron Properties Ltd (998528), MacLean-Watt Family (998549) - Supports housing on the site but does not consider there is any potential for mixed-use.

LC07: Tullich Industrial Estate

Scottish Natural Heritage (909933) - Seeks wording to identify the recently designated Loch Carron Marine Protected Area (MPA) as part of the Developer Requirements to avoid development that either creates pollution, disturbs the seabed or alters the flow of water and sediment deposition that has the potential to affect the species and habitats of the MPA.

Modifications sought by those submitting representations:

Placemaking Priorities

Aileen Grant (995776) - That the Placemaking Priorities are augmented to reference the need for: traffic calming of the village spine road; coastal protection works; environmental improvements of the foreshore; more effective village gateways for visitors and enhanced cyclist facilities; safeguarding of the proposed bypass route and its early implementation; and, protection for all greenspaces and burnsides within the village (assumed).

Mountaineering Scotland (964649) - None.

James Goodman (1100932) - Provision of a footpath between the village and The Smithy.

LC01: Keilburn Crescent

Tony Caminiti (997141) - Removal of allocation (assumed). In any event, a Plan commitment that the conditions attached to the original planning permission in principle are applied and implemented in full (assumed).

Lohcarron Properties Ltd (998528) - Plan text to confirm that future proposals will not be subject to any developer requirements additional to those outlined in planning permission ref: 11/03539/PIP.

LC02: Sage Terrace

Lohcarron Properties Ltd (998528) - None.

LC03: Kirkton Gardens North

Lohcarron Properties Ltd (998528) - Seeks confirmation/clarification that future proposals are not required to provide any additional requirements to those outlined in planning permission ref: 11/03540/PIP.

LC04: Kirkton Woodland

Lohcarron Community Development Company (997552) - Seeks clarification regarding the developer contributions as they relate to the access from 'LCH3' as this notation does not appear on the corresponding plan and the potential access that had been identified through public consultation.

Lohcarron Community Development Company (998540) - None.

LC05: Kirkton Expansion Area

MacLean-Watt Family (998549), Lochcarron Leisure Centre Company (998545), Lochcarron Properties Ltd (998528) - Increase in Plan's indicative housing capacity for site (assumed).

LC06: Kirkton Expansion Area (Long Term)

Lohcarron Properties Ltd (998528), MacLean-Watt Family (998549) - Amendment from mixed-use to housing only allocation.

LC07: Tullich Industrial Estate

Scottish Natural Heritage (909933) - Insertion of "or the Loch Carron Marine Protected Area (MPA)" to the end of the Developer Requirements text.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Aileen Grant (995776) - It is assumed the respondent is seeking a Plan commitment to a package of village improvements. Many of the suggested improvements such as repairing coastal protection works, cycle facilities, tourism initiatives, visitor photo/viewpoint facilities and traffic calming

measures normally would not require planning permission and are therefore outwith the scope of a development plan. Such improvements could justify a developer requirement reference if they fell within or were functionally connected to a Plan allocation. The respondent makes no such connection and the Council does not believe that there is a sufficient connection between any allocation and the improvements listed.

The proposed Lochcarron Bypass Scheme road shown on both of the Lochcarron Inset Maps is one of several route options that were identified as part of the wider Stromeferry bypass transport appraisal work. This was brought forward due to regular rock falls affecting the A890 at Stromeferry. One particular rockfall in December 2011 led to the closure of the A890 for several months resulting in a 130 mile diversion. Unfortunately, at present, there is insufficient funding identified within either Transport Scotland's or the Highland Council's capital programme to progress any suitable scheme. Consideration of funding, route and engineering options is ongoing. However, the constraint exists, is serious and therefore justifies reference in the Plan even if this reference is to an aspirational rather than a committed scheme.

Two types of greenspace have been identified as part of the Plan: those cherished by the wider community as public open or other amenity space such as woodland; and, green networks which are important for the movement of humans and wildlife. The cherished greenspaces are areas where the Council would not wish to support any development. Several of the burns running through Lochcarron have already been identified as part of the Green Network as shown on the Lochcarron settlement maps. However, verges of farm tracks would not meet the Council's criteria because they do not provide a significant public, amenity value and are not vital to the continued passage of people and wildlife.

Given the above, the Council believes the Plan's content should remain unaltered in respect of these issues.

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

James Goodman (1100932) - The Council agrees that an active travel link to the Smithy community hub is desirable but does not believe that such a link is feasible. It would be around 2.5 km in length and a full specification footway would cost around £750,000. There is also the issue of seeking the agreement of landowners. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

LC01: Keilburn Crescent

Lohcarron Properties Ltd (998528), Tony Caminiti (997141) - The principle of development at this site was formally established by the Council's granting of permission reference 11/03539/PIP [CD59]. Prior to this the site, although unallocated, was within the Lochcarron settlement development area (SDA) of the 2006 Wester Ross Local Plan which also accepted the principle of development subject to the site-specifics of any proposal and location. The Proposed Plan references and replicates the PIP permission requirements. The Council does not propose to alter or amend these developer requirements. Planning application reference 17/03808/MS [CD60 and CD61] which details the matters outlined in permission 11/03539/PIP is currently under consideration by the Council. A number of objections have been made to this proposal which is

likely to be considered at the Council's North Planning Applications Committee in June 2018. It is not considered necessary or appropriate to remove the allocation from the Plan because the Council believes the principle of the land's development for housing is still reasonable and that the objector's concerns can be addressed through the Plan's developer requirements. However, the site's capacity is limited by its constraints which include slope stability, woodland and drainage issues. The capacity is also related to how feasible it is to mitigate these issues. The PIP permission's and Plan's indicative 6 unit capacities are based on the need for, and results of, further assessment work. However, this work and an interpretation of it will not be available to Members until the June 2018 North Planning Applications Committee meeting [CD60 to CD62]. Accordingly, it would be reasonable for the Ross and Cromarty Committee [CD23] to agree that the matter of the capacity of the site relative to its constraints and the feasibility of mitigating these constraints be considered further: by the case officer for the pending application; the North Planning Applications Committee in determining the application; and, by the Planning and Environmental Appeals Division (DPEA) during the Plan's Examination (and also if necessary by the Reporter handling any appeal against any refusal of the pending application). Otherwise, the Council believes the Plan's content should remain unaltered in respect of this issue.

LC02: Sage Terrace

Lohcarron Properties Ltd (998528) - Lochcarron Properties Ltd's commitment to delivering housing on this site is noted/welcomed. There is a factual error requiring correction. The settlement map site labels for sites LC02 and LC03 are transposed and will be reversed.

LC03: Kirkton Gardens North

Lohcarron Properties Ltd (998528) - No additional developer requirements are proposed for this allocation within the Plan. There is a factual error requiring correction. The settlement map site labels for sites LC02 and LC03 are transposed and will be reversed.

LC04: Kirkton Woodland

Lohcarron Community Development Company (997552) - There is a factual error which the Council accepts should be corrected. LCH3 should read LC03 in the developer requirements. As above, the Council also accepts that the settlement map site labels for sites LC02 and LC03 are transposed and should be reversed.

Lohcarron Community Development Company (998540) - Lochcarron Community Development Company's commitment to delivering mixed-use development on this site is noted/welcomed.

LC05: Kirkton Expansion Area

MacLean-Watt Family (998549), Lochcarron Leisure Centre Company (998545), Lochcarron Properties Ltd (998528) - Support for housing and a new community/sports centre on the site is noted/welcomed. The housing capacity was calculated to promote efficient use of the land and has taken account of the proposed community use and other constraints including a watercourse (with a 6m buffer as per the developer requirements), woodland and the safeguarding of the proposed Lochcarron Bypass Scheme route which runs through the site. This significantly limits the developable land for housing to 35% of the site and with the standard rural density of 10 houses per hectare this results in the indicative capacity of 30 houses. Planning applications are expected to be generally consistent with the indicative capacities specified. However a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and a satisfactory site layout. Whilst it is accepted that the housing capacity could potentially be increased, the constraints noted above, particularly the safeguarding of the proposed bypass route,

would need to be taken into account in any proposal. It is not considered that the capacity could therefore be significantly increased. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site/issue.

LC06: Kirkton Expansion Area (Long Term)

Lochcarron Properties Ltd (998528), MacLean-Watt Family (998549) - Support for housing on the site is noted. As this is a long term development site and there are sufficient other mixed-use/community allocations within Lochcarron, if the Reporter is minded to agree then an amendment to a housing long term site would be acceptable to the Council.

LC07: Tullich Industrial Estate

Scottish Natural Heritage (909933) - If the Reporter is minded to agree then the insertion of the suggested text ("or the Loch Carron Marine Protected Area (MPA)" to the end of the Developer Requirements) would be acceptable to the Council. It is a concise and relevant addition.

Reporters' conclusions:

Placemaking Priorities

Aileen Grant (995776), Mountaineering Scotland (964649), James Goodman (1100932)

1. The suggested additional Placemaking Priority is intended to identify a series of improvements to the main street through the village and a commitment to their implementation. However, many of the suggested improvements including traffic calming and tourism initiatives do not require planning permission and as a result fall outwith the remit of the proposed plan. The Placemaking Priorities are intended to help guide decisions on individual development and investment proposals and I note that the improvements suggested do not relate to a specific development proposal/ allocation or investment proposal. In light of the above, I am not recommending any changes to the proposed plan in this regard.
2. The Lochcarron settlement maps already identify, as part of a Green Network, the burns which provide a link between the shoreline and the undeveloped higher ground and which are considered important for preserving the movement of humans and wildlife. However, the identification of the verges of farm tracks as green corridors is not appropriate as such verges do not provide any formally recognised public, amenity value. Neither are they essential for enabling humans and wildlife to traverse an area. On a practical level, I do not consider such detailed information would be easily represented on settlement maps. In light of the above, I am not recommending any changes to the proposed plan.
3. Mountaineering Scotland supports the Placemaking Priorities for Lochcarron and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for Lochcarron, based on the representations made.
4. I noted during my site inspection that the Smithy community hub is relatively remote from the village, particularly by foot. Securing a footpath link between the Smithy and the village centre would involve negotiations with and the agreement of numerous landowners along the route of the A896 and according to the council could cost approximately £750,000 to implement, to an appropriate standard. Therefore, I consider that whilst the suggestion of a footpath linking the Smithy with the village is laudable and for some residents and visitors might be desirable, I consider that there are physical as well as financial impediments to its implementation which make

it unviable as an option. I am therefore not recommending any changes to the proposed plan in respect of this issue.

LC01: Keilburn Crescent

Tony Caminiti (997141); Lochcarron Properties Ltd (998528)

5. The principle of development for six houses at this site was formally established by the council's granting of planning permission (reference 11/03539/PIP) (CD59). A Matters Specified in Conditions application (reference 17/03808/MS) (CD60), discharging the conditions attached to the planning permission in principle, was approved by the council in June 2018.

6. I am satisfied, given that detailed proposals for the site have been scrutinised by and found acceptable by the planning authority, that the allocation for six houses is appropriate. I am also satisfied that the developer requirements are appropriate should further applications be submitted for development of the site. Accordingly, I am not recommending any changes to the proposed plan in respect of this allocation.

LC02: Sage Terrace

Lohcarron Properties Ltd (998528)

7. Lochcarron Properties Ltd support the allocation of site LC02 for housing. Accordingly, it is not necessary for me to consider making any recommendations for this site, based on the representations made.

LC03: Kirkton Gardens North

Lohcarron Properties Ltd (998528)

8. There is an extant planning permission for this site and I note that the planning authority confirms that there are no additional developer requirements proposed for this allocation. It is not necessary for me to consider making any recommendations for this site, based on the representations made.

LC04: Kirkton Woodland

Lohcarron Community Development Company (997552); Lochcarron Community Development Company (998540)

9. No objections have been made in respect of this mixed-use allocation. Accordingly, it is not necessary for me to consider making any recommendations for this site, based on the representations made.

LC05: Kirkton Expansion Area

MacLean-Watt Family (998549), Lochcarron Leisure Centre Company (998545), Lochcarron Properties Ltd (998528)

10. The indicative housing capacity for this site takes account of numerous factors including the recently consented community use on the site and physical constraints including a watercourse and woodland which run through the centre of the site. The allocation also accommodates the safeguarding for the proposed Lochcarron Bypass Scheme route with an indicative alignment

shown crossing the site in a diagonal manner. All of this restricts the amount of land that is for housing use only. The planning authority advise that approximately 35% of the site is available for housing alone once the above constraints have been factored in. The indicative capacity is based on a typical rural density of 10 dwellings per hectare. Whilst representors suggest that the site is capable of accommodating a greater number of houses, in the absence of a site layout, I consider the planning authority's approach to site capacity is appropriate. Whilst I accept that the capacity might increase (as indeed does the planning authority), this is a matter most appropriately addressed at the detailed design stage as part of the planning application process. I am therefore not recommending any changes to the allocation, including the indicative housing capacity, as identified in the proposed plan.

LC06: Kirkton Expansion Area (Long Term)

Lochcarron Properties Ltd (998528), MacLean-Watt Family (998549)

11. I acknowledge that with the LC04 and LC05 allocations, there is already a significant amount of land in the village allocated for mixed-use development. Given that long term sites can not come forward before other short term sites and given that long term sites are not being invited for development but to indicate the likely direction of future growth in the longer term, I am satisfied that switching from mixed-use to housing use only on this allocation, would not undermine the growth strategy for the settlement. In reaching this conclusion, I note the planning authority is supportive of this proposed modification. Accordingly, I am recommending that the long term mixed-use site is identified instead as a long term housing site.

LC07: Tullich Industrial Estate

Scottish Natural Heritage (909933)

12. I understand that since the publication of the proposed plan, the Loch Carron Marine Protected Area (MPA) has been formally designated. Although land based activities are unlikely to affect the MPA, marine based activities and operations have the potential to affect the species and habitats of the MPA. It is therefore important that developers of the site are aware of this designation. I therefore consider that there is logic to the text relating to the LC07 allocation being updated to reflect this latest position. Accordingly, I am recommending a change to the proposed plan in respect of this matter.

Reporter's recommendations:

Placemaking Priorities

1. No modifications.

LC01: Keilburn Crescent

2. No modifications.

LC02: Sage Terrace

3. No modifications.

LC03: Kirkton Gardens North

4. No modifications.

LC04: Kirkton Woodland

5. No modifications.

LC05: Kirkton Expansion Area

6. No modifications.

LC06: Kirkton Expansion Area (Long Term)

7. Under Development Sites (page 183) under LC06 Kirkton Expansion Area (Long Term) after the word 'Use:' delete the words: 'Long Term Mixed Use' and replace with the following: 'Long Term Housing Use.'

8. Amend the Lochcarron North Map to identify the LC06 site as a long term housing site.

LC07: Tullich Industrial Estate

9. Under Developer Requirements (page 184), after the words: 'Marine Consultation Area' insert the following words: 'or the Loch Carron Marine Protected Area (MPA).'

Issue 25	POOLEWE	
Development plan reference:	Poolewe Settlement Chapter, Pages 185 - 189	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mountaineering Scotland (964649) RSPB (1104965) William Scambler (1104701)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports a Placemaking Priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities</p> <p>RSPB (1104965) - Seeks Plan text to safeguard the better croft land with agricultural potential and identify the Wester Ross MPA (assumed).</p> <p><u>Shorefield (PE01) & Builders Yard Field (PE02)</u></p> <p>William Scambler (1104701) - Objects because: Highland Council consistently permit building on arable land as it is easier and cheaper to do so; and, that Highland Council and other bodies place a higher value on the vast areas of peatlands compared with agricultural land which is limited. Suggests that building on peatlands adjacent to the settlement is viable / practicable as shown by site PE04 and that Highland Council should prioritise the preservation of agricultural land, regardless of current value, to protect the livelihood and sustenance of future generations.</p>		
Modifications sought by those submitting representations:		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - None</p> <p>RSPB (1104965) - Amendment of the final Placemaking Priority to read: "Safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities and the better croft land with agricultural potential, in particular the Wester Ross NSA and the Wester Ross MPA."</p> <p><u>Shorefield (PE01) & Builders Yard Field (PE02)</u></p> <p>William Scambler (1104701) - Removal or relocation of allocation to peatland area outwith the</p>		

village development boundary (assumed). Placemaking Priority to a) take a long term view and prioritise the preservation of arable land based on its potential value to the livelihood and sustenance of future generations and b) prioritise housing development within peatlands and other rough or rocky sites which are more abundant and has less value than the potential of arable ground (assumed).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

RSPB (1104965) - The Plan is written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the listing of every natural heritage designation would be disproportionate. Particular reference is already given to the Wester Ross National Scenic Area, given its' sensitivity to built development, even within SDAs. An additional reference to the Wester Ross MPA would be concise and specifically relevant if the Reporter is so minded then the Council would accept this additional reference. The suggested, additional, general reference to croft land would be inappropriate.

Shorefield (PE01) & Builders Yard Field (PE02)

William Scambler (1104701) - One of the key criteria for development plan site selection is viability. It is not sensible for a planning authority to allocate a site that has little or no chance of implementation because its preparation and servicing costs far outweigh its development value. Public subsidy can help activate marginal sites but the public purse cannot reasonably be expected to plug significant gaps in the economics of developing land. For example, affordable housing providers in Highland are competing for central government grant aid against central belt providers who, other things being equal, can deliver affordable housing at a lower unit cost than in Highland. The Scottish Government, in delivering value for money across the country as a whole, will favour sites requiring a lower level of public subsidy. Therefore, the Highland Council's development plan site selection process favours sites that are not likely to require a very high level of public subsidy. In west Highland this means searching for land that doesn't flood, isn't of too steep a gradient, doesn't have a cover of deep peat, can be connected to infrastructure networks at an economic cost, has a willing landowner/crofting tenant, and ideally is within or close to an established settlement. Inevitably, this search comes into conflict with other environmental and crofting site selection criteria. Generally, poorer croft/agricultural land has higher site preparation costs, is located on the fringe or outwith crofting settlements, and has higher infrastructure connection costs.

These principles apply to Poolewe. The better croft land lies within the settlement and the suggested alternative land is outwith and very likely to have higher site preparation and infrastructure connection costs. National planning guidance also directs most development to within settlements because this is more likely to be in a sustainable location – e.g. more likely to offer opportunities for active travel to settlement facilities. The Council tries to minimise the loss of in-bye croft land, for example the Placemaking Priorities for Poolewe recognise the importance of the crofting area at Londubh and no allocations are proposed in this part of the

village. Sites PE01 and PE02 have a Macaulay Land Capability for Agriculture (LCA) classification of 4.2 and 5.2 respectively and as such are not considered to be prime agricultural land. Although LCA class 4.2 is capable of being used to grow a moderate range of crops, site PE01 uses only a small proportion of the 4.2 classification land which extends to the east and north east of the village.

There are also environmental reasons for not developing on or disturbing peatland. Peatlands not only provide an important biodiversity resource they are vital to help meet climate change targets. Scotland's peatlands are estimated to hold 1,620Mt of carbon. Healthy peatlands provide a carbon sink while any degradation will release stored CO². As such paragraph 205 of SPP states that developments should aim to minimise the release of CO₂ through the draining or disturbance of peatland. Furthermore Policy 55 of the HwLDP outlines a presumption against disturbing peat unless it can be demonstrated that it is unavoidable and the adverse effects of such disturbance are clearly outweighed by social, economic or environmental benefits arising from a development proposal. Any peatland issue for site PE02 is addressed in the current developer requirements which include the need for a "peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed."

The principle of development on these sites is well established with them having been allocated in the still current, adopted 2006 Wester Ross Local Plan. PE01 and PE02 lie within the more clustered western part of the village. As such they are within walking distance of village amenities which promotes active travel and sustainability. Permission was granted on 25 October 2017 for the formation of 8 serviced house plots (ref: 13/04277/FUL) [CD61] at site PE01.

The respondent's requested change to the Plan is unclear but is founded upon a desire to better protect croft land from housing development proposals. The Council's Highland wide Local Development Plan contains a general policy on this issue. Policy 47 Safeguarding Inbye/AppORTioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. Accordingly, the Council does not agree that a new policy is needed to place an additional or more restrictive presumption against housing development on croft land.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Builders Yard Field (PE02) & Land South of Maelrubha Close (PE03)

There is a factual error within the developer requirements for these sites which the Council agrees should be corrected. PE02 states that "peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed." This should form part of the developer requirements for site PE03 instead.

Reporter's conclusions:Placemaking PrioritiesMountaineering Scotland (964649)

1. Mountaineering Scotland supports the Placemaking Priorities for Poolewe and does not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to make any recommendations for Poolewe, based on the representations made.

RSPB (1104965)

2. Whilst accepting that the proposed plan is written to be concise and that it would be impractical to identify, within it, every possible natural heritage feature pertaining to a particular settlement, I am conscious that Scottish Planning Policy (SPP) (CD01) (paragraph 196) calls for international, national and locally designated areas and sites to be identified and afforded the appropriate level of protection in development plans.

3. The proposed plan refers (paragraph 4.20, page 185) to important natural heritage designations, specifically the Wester Ross Marine Protected Area (MPA) and the Wester Ross National Scenic Area (NSA). In light of SPP requirements above, I consider it appropriate for the proposed plan to reference the Wester Ross MPA as well as the Wester Ross NSA, as part of the Placemaking Priorities for the settlement. In so doing, the plan would make clear to readers that such areas are to be safeguarded through appropriate siting and design of development proposals. I am therefore recommending the suggestion by Royal Society for Protection of Birds (RSPB) in respect of the Wester Ross MPA. I note that the planning authority considers this additional reference to the Wester Ross MPA, under Placemaking Priorities, to be concise and relevant and it supports its inclusion.

4. The proposed plan references the distinct dispersed crofting landscape focussed on Londubh at the northern end of the settlement which contrasts with the more modern, dense development to the northwest part of the settlement. The proposed plan contains a Placemaking Priority which seeks to retain the settlement pattern at Londubh and I note that no development site allocations are identified in this part of the settlement. I am therefore satisfied that this ensures the continued safeguarding of croftland within the settlement and that the recommendation by RSPB is not necessary or appropriate.

Shorefield (PE01) and Builders Yard Field (PE02)William Scambler (1104701)

5. In respect of site PE01: Shorefield, the planning authority has confirmed that planning permission was granted in October 2017 for the formation of 8 serviced house plots (ref:13/04277/ FUL) (CD61). I am also conscious that the site is an existing housing allocation in the current adopted Wester Ross Local Plan (2006). Given the planning history and that the principle of residential development has been established on the site, I am satisfied that the PE01 allocation is appropriate and I am not recommending any modifications in respect of it.

6. Site PE02 is an existing housing allocation in the current adopted Wester Ross Local Plan (2006). I noted, during my site inspection, that it is a relatively flat site, currently used for rough grazing, located on the northwestern edge of the settlement. There is residential development immediately to the north and south and a playing field and swimming pool to the east beyond

which is a hotel and site PE01 which has planning permission for residential development. Site access is achievable via Clifton Place on the southern edge of the site. The site is located in the part of the settlement where there is more modern, dense development and it is situated within walking distance of village amenities thus contributing to active travel and sustainability, in accordance with SPP.

7. Whilst I acknowledge concerns about the loss of crofting land within the settlement, I am mindful that there is a balance to be struck, identifying sites for housing that are in sustainable locations, close to amenities, which are the least constrained, physically, and hence represent viable development site options. Importantly, I note that the site has a Macaulay Land Capability for Agriculture (LCA) classification of 5.2 and therefore does not involve the loss of prime agricultural land. I am also conscious that the planning authority acknowledges the distinct crofting area at Londubh on the northeastern side of the settlement and that this settlement pattern is to be retained with no site allocations identified within this area.

8. William Scambler (1104701) suggests that the allocation (and site PE01) is reallocated to a peatland area outwith the settlement boundary. SPP is clear (paragraph 205) that where peatland is disturbed, this is likely to result in the release of carbon dioxide emissions and that developments should aim to minimise this release. The suggestion to reallocate the allocation to peatland outwith the settlement boundary is contrary to this advice and to the principle of locating residential development in proximity to existing local amenities in order to encourage active travel and sustainable development.

9. In light of the above and given the constraints which limit development opportunities within the settlement, generally, I consider the site to represent a logical housing allocation, rounding off the settlement boundary to the northwest. I am therefore not recommending that the proposed plan is modified in respect of site PE02.

Builders Yard Field (PE02) & Land South of Maelrubha Close (PE03)

10. The planning authority has identified a factual error in the proposed plan in respect of the developer requirements for sites PE02 and PE03. The reference to a peat management plan, vegetation survey and to the presence of deep peat and wetlands under site PE02 should, according to the planning authority, in fact be referred to under developer requirements for site PE03. Given this matter does not form part of a formal representation received on the proposed plan, I have no remit to deal with it.

Reporter’s recommendations:

Placemaking Priorities

1. Under ‘Placemaking Priorities – Poolewe’ (page 185), fifth bullet point, after the words ‘Wester Ross NSA’, insert the following words: ‘and the Wester Ross MPA.’

Shorefield (PE01) and Builders Yard Field (PE02)

2. No modifications.

Issue 26	ULLAPOOL	
Development plan reference:	Ullapool Settlement Chapter, Pages 190 - 197	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Barbara Peffers (1102134) David Green (1105070) Gillian Barwick (1099323) Mary Petrovics (1103142) Mountaineering Scotland (964649) Richard Davies (1102052) Scottish Natural Heritage (909933)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p><u>Placemaking Priorities</u></p> <p>Mountaineering Scotland (964649) - Supports a Placemaking Priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities</p> <p><u>Former Glenfield Hotel (UP02)</u></p> <p>Barbara Peffers (1102134) - Conditionally supports site but is concerned that the loss of the trees surrounding the site would have a detrimental effect on the area as they provide screening, visual amenity and shelter. Suggests that the retention of trees could contribute positively to the site layout and enhance any development. Is also concerned that development will overwhelm the site, which has been vacant for some time, but notes that previous 'big changes' in Ullapool have still managed to retain the 'character' and 'sense of place'.</p> <p><u>Shore Street Sea Front (UP05)</u></p> <p>David Green (1105070) - Supports principle of development of a marina subject to tighter developer requirements to control the scale, siting, design and amenity impacts of any development such as: Promenade – welcomes indicative plan but supports a more substantial and sympathetic promenade to allow for space for landscaping and seating; Road Network – seeks improvements to Shore Street ferry between the filling station/ slipway and the Pier; Marina Facilities – seeks planning condition to ensure that berths and safeguarded for tourist use and do not become permanently occupied; Ullapool as a Tourist and Business Destination – would support an exemplar project which add value to the landscape and environment as well as benefit the community and the economy; and, Consultation - welcomes recent commitment for open and all-inclusive public consultation.</p> <p>Scottish Natural Heritage (909933) - Seeks reference to the Wester Ross Marine Protected Area so that prospective developers are aware that adequate safeguards should be</p>		

incorporated into their proposals.

Mary Petrovics (1103142) - Objects because: village is already struggling to cope with increased traffic and visitor numbers resultant from the NC500 route; there is insufficient local tourist accommodation which is having a detrimental impact on local events; visitors come to the area for peace and quiet which has already been disturbed due to an increase in tourism; and, there will be an irreversible effect on local people and the environment.

Richard Davies (1102052) - Objects because: the development will have a detrimental visual impact on the Ullapool foreshore and surrounding area which is one of the main attractions of Ullapool; of the disturbance to residents and visitors during the construction phase which will damage Ullapool's visitor trade for years to come; and, the development would lead to visitors/tourists staying away/going elsewhere.

Gillian Barwick (1099323) - Objects because: the development will have a detrimental visual impact on the natural beauty and view of Loch Broom that will affect visitors; there will not be any significant employment benefits arising from the development; there is insufficient demand for such a development; other initiatives (NC500) will be more effective at attracting jobs and tourists; and, investment would be better targeted at road improvements, additional tourist accommodation and leaving the harbour area clear.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649) - None.

Former Glenfield Hotel (UP02)

Barbara Peffers (1102134) - Seeks the retention of the trees surrounding the site and assurances that development will be sensitively designed to retain a sense of place (assumed).

Shore Street Sea Front (UP05)

David Green (1105070) - Amended developer requirements to ensure: a more substantial and sympathetic promenade to allow for space for landscaping and seating; improvements to Shore Street ferry between the filling station/slipway and the Pier; marina berths safeguarded for tourist use and do not become permanently occupied; an exemplar project which will add value to the landscape and environment as well as benefit the community and the economy; and, an open and all-inclusive public consultation.

Scottish Natural Heritage (909933) - Addition of the name of MPA into the developer contributions "...Demonstrate no adverse impact on the integrity of the Wester Ross Marine Protected Area (MPA);..."

Mary Petrovics (1103142) - Removal of allocation (assumed).

Richard Davies (1102052) - Removal of allocation.

Gillian Barwick (1099323) - Removal of allocation.

Summary of responses (including reasons) by planning authority:Placemaking Priorities

Mountaineering Scotland (964649) - Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Former Glenfield Hotel (UP02)

Barbara Peffers (1102134) - "Retention of boundary trees and tree protection plan" already form part of the developer requirements for this site. However, it should be noted that, planning permission ref: 16/05739/FUL was granted on 27th November 2017 [CD62] for a housing development comprising 49 units. As part of this permission a Landscaping Plan and Tree Protection Plan have been approved and implementation of the approved detail is secured by condition. As this is a detailed permission the site layout and design have also been approved. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Shore Street Sea Front (UP05)

David Green (1105070), Scottish Natural Heritage (909933), Mary Petrovics (1103142), Richard Davies (1102052), Gillian Barwick (1099323) - A range of comments have been received in respect of this proposal with one supportive in principle, one on a technical matter and three objections. Issues raised are given a collective Council response below but it should be noted that not all points have been made by all respondents.

Enhanced and new recreational sailing opportunities form part of the Plan's strategic aims to improve transport connections for tourist users. A marina development in Ullapool will add to this proposed network and is considered to respect Ullapool's maritime heritage. This site is seen as an extension of the allocation within the Wester Ross Local Plan 2006 [CD13-1]. This development was proposed during the "Call for Sites" phase of the Plan by Ullapool Harbour Trustees who have also provided an indicative site plan of their proposals for a marina. These proposals include widening Shore Street to 10m, the formation of a car park/reclamation area and an 8m wide promenade [CD63]. Most parties accept that Shore Street would benefit from improvement. Currently, delineated space for parking along the northern side of the carriageway leaves the main carriageway rather narrow (approx. 4.6m) for its regular use by heavy goods vehicles and tour buses. Shore Street is also popular with visitors as well as locals for its largely unspoiled views out over Loch Broom. However, there is limited streetscape/amenity space to encourage or enable people to spend much time outside beyond a small seating and picnic area at either end of the street. Along the street there is only a 2.6m (approx.) wide footpath edged by the top of the sea wall. While there is access down to the shore itself, this is via steps and therefore not easily accessible to all. Improvements to Shore Street and the promenade as outlined above could bring benefit to locals as well as visitors by improving traffic flow along Shore Street and providing a more useable space to enjoy the sea/loch front.

It is perhaps more understandable that concerns are expressed about the potential adverse impact of the marina. It would be in a logical but prominent place. If the Reporter is minded to agree, then it would be appropriate to reflect those concerns through augmented placemaking

priority and developer requirement text. The Council would support the following: reference to the front/shore as part of the first placemaking priority e.g. “New development must not detract from the quality of the setting of Ullapool, in particular from public views from approach roads, the path network, and the shore/front”; UP05 developer requirements expanded from ‘improved promenade’ to “landscaping and streetscape improvements to Shore Street and promenade using traditional materials”; UP05 developer requirements reworded as “high quality design that reflects the prominence/quality/value/importance of the setting on the front/shore and is sensitive to the adjacent Conservation Area”; and inclusion within the developer requirements of “Demonstrate no adverse impact on the integrity of the Wester Ross Marine Protected Area (MPA)”.

Otherwise, issues by respondents are already addressed by the existing Plan content, overstated or unjustified. The North Coast 500 (NC500) is a tourist route developed by the North Highland Initiative to create a ‘tourism product’ that the whole of the north Highlands could benefit from. The route in itself is not development. However it is anticipated that the successful promotion of the NC500 may encourage associated development. The Plan recognises this and allocates land to take advantage of such opportunities. In terms of a lack of visitor accommodation, Ullapool has a variety of different types of accommodation available from hotels, guest houses, B&Bs, Airbnb and a camp/caravan site. Allocations UP04 and UP06 include tourism as part of their use. As such the Council would support tourist accommodation within these allocations. Accommodation such as Airbnb and small scale B&B or self catering lets could be absorbed by the local housing stock or as part of individual windfall sites. In terms of loss of view, there is no legal right to a private view. In any event, Shore Street properties already overlook a working fishing and ferry port. Community consultation will be a default because the site area of this development (approx. 4.7ha) suggests that any development brought forwards for the whole allocation would be classed as major development. Construction pollution / disturbance is a matter that would be conditioned through the development management process. The proposal’s origin lies with the Ullapool Harbour Trustees and has no current Highland Council capital programme allocation. It is not therefore diverting monies that could be spent on other Council functions.

Reporter’s conclusions:

Placemaking Priorities

Mountaineering Scotland (964649)

1. Mountaineering Scotland supports the Placemaking Priorities for Ullapool and do not suggest any modifications in respect of this aspect of the proposed plan. Accordingly, it is not necessary for me to consider making any recommendations for Ullapool, based on the representations made.

Former Glenfield Hotel (UP02)

Barbara Peffers (1102134)

2. I noted during my site inspection, that construction work, implementing planning permission 16/05739/FUL (CD62), has commenced. The planning permission includes conditions requiring the implementation of a tree protection plan and a landscape plan and the approved site layout plan (CD62) illustrates how the existing mature trees across the site have been retained and incorporated within the overall design. Given that planning permission has been implemented, I find no justification for recommending any modifications to the proposed plan in respect of this site allocation.

Shore Street Sea Front (UP05)

David Green (1105070), Scottish Natural Heritage (909933), Mary Petrovics (1103142), Richard Davies (1102052), Gillian Barwick (1099323)

3. The indicative marina proposals by the Ullapool Harbour Trustees (CD63) provide for upgrades to facilities and access along Shore Street. Shore Street occupies a prominent location and is an integral part of Ullapool's historic townscape. Therefore, any development in this area needs to be carried out sensitively. I consider that there is merit in clarifying, under developer requirements, that improvements include landscaping and streetscape works to Shore Street and the promenade and, given the historical setting, the use of traditional materials.

4. I appreciate that there are concerns about the potential visual impact that this development proposal might have, given its prominent location. Whilst private views are not something that I can consider, I am conscious that there are public views that could be adversely affected including from approach roads, the path network and also from the shore/front. In order to ensure that public views from the shore/front are properly considered as part of any development proposals, I am recommending that this matter is referenced as part of the Placemaking Priorities for Ullapool.

5. There would, inevitably, be some disruption during the construction works. However, this would be temporary in nature and with proper site/ construction management and close liaison with local residents, businesses and other stakeholders, the effects could be minimised. Whilst construction works might deter some visitors, the impact would be temporary and given the proposal seeks to improve access and parking in this part of the settlement and provide an enhanced public realm, I consider that the longer-term benefits, outweigh short term disruption. I am therefore not persuaded that the temporary nature of the construction works is, itself, sufficient to justify the removal of this allocation.

6. The proposal is indicative at this stage and is not being funded by the planning authority. The proposal would not, therefore, divert public sector funds from other essential infrastructure projects/ services. Setting aside the temporary disruption which might deter some visitors from stopping in the town, there is no evidence before me to suggest that the proposal, once complete, would deter visitors from coming to Ullapool. On the contrary, the allocation is intended to support enhanced seaborne visitor access to the town. This would make the town a more practical destination for visitors by boat which could provide additional economic benefits for the local shops, bars and restaurants. I cannot conclude, from the material before me, that the proposal would have a negative impact on the town or its tourism business.

7. As the proposal is intended to support enhanced seaborne visitor access to the town, I do not consider it appropriate or necessary to recommend an amendment to the Developer Requirements specifying that berths would be safeguarded for tourist use only. In any event, this would be a matter to be addressed as part of the planning application process.

8. I note the concern about the increase in visitor numbers and associated traffic in the town, as a result of the North Coast 500 initiative and the impact on tourist accommodation. However, the challenges posed by the success of this wider initiative are not sufficient justifications for removing the UP05 site from the plan. As referred to above, the proposal seeks to improve access and parking in this part of the settlement and provide an enhanced public realm to the benefit of local residents, businesses and visitors. I am also conscious that the proposed plan identifies opportunities for tourism development to the north of the town centre and close to Morefield Quarry and according to the planning authority, this would include scope for further

tourist accommodation. This is in addition to the existing tourist accommodation provision within the settlement. I therefore do not accept that this proposal would prove detrimental to tourist accommodation provision within the town.

9. The Wester Ross Marine Protected Area (MPA) (CD66), covers a specific part of the coastline of the proposed plan area. Given there are other MPAs within the plan area, with different conservation objectives and protected features, it is logical to identify the specific interest that has the potential to be affected by development proposals in Ullapool. By highlighting the specific interest, appropriate measures can be incorporated within proposals at the earliest opportunity so that adverse impacts from development are avoided. I am therefore recommending that specific reference is made, in the Developer Requirements, to the Wester Ross MPA.

Reporter's recommendations:

Placemaking Priorities

1. Under Placemaking Priorities (page 191), in the first bullet point, insert at the end of the sentence after 'path network', the following words: 'and the shore/ front.'

Former Glenfield Hotel (UP02)

2. No modifications.

Shore Street Sea Front (UP05)

3. Under Developer Requirements (page 196), after the words: 'possible parking improvements;' delete the words: 'improved promenade;' and replace with the following words: 'landscaping and streetscape improvements to Shore Street and promenade using traditional materials;'

4. Under Developer Requirements (page 196) delete the words: 'High quality design that is sensitive to the adjacent Conservation Area.' and replace with the following: 'High quality design that reflects the prominence, quality, value and importance of the setting on the front/ shore and is sensitive to the adjacent Conservation Area.'

5. Under Developer Requirements (page 196), delete the words: 'Demonstrate no adverse impact on integrity of MPA;' and replace with the following: 'Demonstrate no adverse impact on the integrity of the Wester Ross Marine Protected Area;'

Issue 27	WESTER ROSS & LOCHALSH GROWING & COMMUNITY PLAN SETTLEMENTS	
Development plan reference:	Wester Ross & Lochalsh Growing & Community Plan Settlements, Pages 198 - 208	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Duncan Cameron (1105205) Mountaineering Scotland (964649) RSPB (1104965) Scottish Natural Heritage (909933)</p>		
Provision of the development plan to which the issue relates:	Issues and Placemaking Priorities for Auchtertyre, Aultbea, Balmacara and Reraig, Dornie, Glenelg, Plockton, Torridon, Shieldaig and Applecross	
Planning authority's summary of the representation(s):		
<p><u>Auchtertyre</u></p> <p>Scottish Natural Heritage (909933) - Seeks change to the last bullet point of the Placemaking Priorities to clarify that the natural heritage interests in this location are woodland rather than harbour porpoise.</p> <p><u>Aultbea</u></p> <p>Scottish Natural Heritage (909933) - Seeks specific references to the Inner Hebrides & the Minches Special Area of Conservation (SAC), Wester Ross National Scenic Area (NSA) and the Wester Ross Marine Protection Area (MPA) because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.</p> <p>RSPB (1104965) - Requests an additional Placemaking Priority to ensure that development does not compromise the integrity of croft land essential for safeguarding crofting activity for future generations.</p> <p><u>Balmacara and Reraig</u></p> <p>Scottish Natural Heritage (909933) - Seeks additional Placemaking Priority to safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Balmacara and Reraig because there are a number of areas protected for or otherwise important for nature conservation and landscapes in the surrounding area, which are sensitive to pollution, habitat damage, increased human activity causing disturbance and/or landscape impacts. Identifying that there are natural heritage interests in the area raises awareness of them and ensure that adequate safeguards can be incorporated into proposals from the outset.</p> <p><u>Dornie</u></p> <p>Scottish Natural Heritage (909933) - Seeks additional Placemaking Priority to safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Balmacara and</p>		

Reraig because there are a number of areas protected for or otherwise important for nature conservation and landscapes in the surrounding area, which are sensitive to pollution, habitat damage, increased human activity causing disturbance and/or landscape impacts. Identifying that there are natural heritage interests in the area raises awareness of them and ensure that adequate safeguards can be incorporated into proposals from the outset.

4.6.5 Glenelg

Duncan Cameron (1105205) - Agrees with need to support economic development and identifies specific requirement for an authorised campsite close to the village centre because this would reduce current wild camping pressure and provide the facilities many campers expect and retain visitors locally that would otherwise pass through.

Scottish Natural Heritage (909933) - Seeks specific references to the Inner Hebrides and the Minches Special Area of Conservation (SAC), Cosag Sallow Carr Site of Special Scientific Interest (SSSI), and the woodlands that contribute to the setting of Glenelg because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.

4.6.6 Plockton

Scottish Natural Heritage (909933) - Seeks amendment to Placemaking Priorities to remove reference to the Special Area of Conservation (SAC), and instead insert reference to it into the final point of the Issues text because it would be helpful to identify the specific protected area that has the potential to be affected, so that adequate safeguards can be incorporated into proposals from the outset.

4.6.7 Torridon

Mountaineering Scotland (964649) - There should be a presumption against developments which devalue the visual amenity of the landscape because of the unique landscape qualities of the area around Torridon.

Modifications sought by those submitting representations:

Auchtertyre

Scottish Natural Heritage (909933) - Seeks change to the last bullet point of the Placemaking Priorities to clarify that the natural heritage interests in this location are woodland rather than harbour porpoise.

Aultbea

Scottish Natural Heritage (909933) - Seeks specific references to the Inner Hebrides & the Minches Special Area of Conservation (SAC), Wester Ross National Scenic Area (NSA) and the Wester Ross Marine Protection Area (MPA).

RSPB (1104965) - Requests an additional Placemaking Priority to ensure that development does not compromise the integrity of croft land essential for safeguarding crofting activity for future generations.

Balmacara and Reraig

Scottish Natural Heritage (909933) - Seeks additional Placemaking Priority to safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Balmacara and Reraig.

Dornie

Scottish Natural Heritage (909933) - Seeks additional Placemaking Priority to safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Balmacara and Reraig.

4.6.5 Glenelg

Duncan Cameron (1105205) - Addition of a specific requirement for an authorised campsite close to the village centre.

Scottish Natural Heritage (909933) - Seeks specific references to the Inner Hebrides and the Minches Special Area of Conservation (SAC), Cosag Sallow Carr Site of Special Scientific Interest (SSSI), and the woodlands that contribute to the setting of Glenelg.

4.6.6 Plockton

Scottish Natural Heritage (909933) - Seeks amendment to Placemaking Priorities to remove reference to the Special Area of Conservation (SAC), and instead insert reference to it into the final point of the Issues text.

4.6.7 Torridon

Mountaineering Scotland (964649) - There should be a presumption against developments which devalue the visual amenity of the landscape because of the unique landscape qualities of the area around Torridon.

Summary of responses (including reasons) by planning authority:

Auchtertyre

Scottish Natural Heritage (909933) - The change suggested by SNH is concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such an amendment. The Placemaking Priorities text for Glendale was incorrectly copied and pasted into the Auchtertyre section for the Proposed Plan. This error was only discovered in June 2018 after the Ross and Cromarty Committee's consideration of representations on the Proposed Plan in May 2018. The correct text should be replicated from that agreed by the Ross and Cromarty Committee in January 2017 in response to two comments lodged on the Main Issues Report (including a comment from SNH similar to that on the Proposed Plan) and should read as follows: to make the most of Auchtertyre's locational advantages and to mitigate its constraints; to rationalise the village junctions with the A87 most sensibly by creating a new junction with better visibility at the western edge of the settlement; to support housing development close to the primary school subject to adequate servicing; to be more flexible in land use terms to attract new enterprises and jobs to the business park and adjoining land including the possibility of tourism related enterprises; to safeguard local natural heritage interests including woodlands.

Aultbea

Scottish Natural Heritage (909933) - The changes suggested by SNH are concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such amendments.

RSPB (1104965) - The suggested change is not directly relevant to this settlement and therefore the Council does not believe it should be made. The Council's general policy on the protection of croft land is set out within the Highland wide Local Development Plan. It is also noteworthy that the lead public agency on this issue, the Crofting Commission, has not endorsed RSPB's opinions in relation to this settlement.

Balmacara and Reraig

Scottish Natural Heritage (909933) - The change suggested by SNH is concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such an amendment.

Dornie

Scottish Natural Heritage (909933) - The change suggested by SNH is concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such an amendment.

4.6.5 Glenelg

Duncan Cameron (1105205) - The suggestion is sensible, non site-specific and likely to receive wider, in principle community support. If the Reporter is minded to agree then the Council would support the following additional priority: "To investigate the potential for an authorised campsite close to the village centre to offset the impact of wild camping and to diversify the range of local tourist accommodation/facilities."

Scottish Natural Heritage (909933) - The changes suggested by SNH are concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such amendments.

4.6.6 Plockton

Scottish Natural Heritage (909933) - The change suggested by SNH is concise and directly relevant and therefore if the Reporter is minded to agree then the Council would support such an amendment.

4.6.7 Torridon

Mountaineering Scotland (964649) - The landscape and other natural heritage designations that overlap the settlement and its surrounding area already provide a significant constraint to the principle, scale, location and design of development in and around Torridon. Moreover, the conservation aims of the National Trust for Scotland as the principal local landowner add another layer of protection from inappropriate development. These development factors are already referenced in the Plan's text for Torridon. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:Auchtertyre

Scottish Natural Heritage (909933)

1. The planning authority has confirmed that the four bullet points contained under 'Placemaking Priorities - Auchtertyre' were included in error and that they should be replaced by the text agreed by the council's Ross and Cromarty committee in January 2017. It is not within my remit to deal with this matter as it does not form part of a formal representation on the proposed plan. I am, however, recommending that the fourth bullet point is replaced with new text in order to address the representation by SNH which drew attention to an error in respect of this bullet point.

Aultbea

Scottish Natural Heritage (909933), RSPB (1104965)

2. It is not practical to reference, in the proposed plan, all natural heritage interests pertaining to a specific settlement. However, it is useful to highlight key areas/ features relevant to individual settlements which may be susceptible to adverse impacts from insensitive development. I therefore consider it appropriate to reference natural heritage interests, including those key natural heritage interests suggested by Scottish Natural Heritage, under the Placemaking Priorities for the settlement. These interests can be taken into account in respect of future development proposals and it means that appropriate safeguards/ mitigation can be identified at the earliest opportunity. I am therefore recommending reference to the designations suggested by SNH in respect of the 'Placemaking Priorities'. In doing so, I note that the planning authority considers this suggestion directly relevant and is in support of it.

3. Under Placemaking Priorities, the proposed plan identifies the need to ensure that development does not needlessly restrict the ongoing functioning of crofts as workable units. In addition, the Highland-wide Local Development Plan, which is to be read in conjunction with the WestPlan, includes a detailed policy on safeguarding croftland, the intention being to safeguard and promote this resource and associated heritage. I am therefore satisfied that sufficient protection is afforded to crofting activity in respect of Aultbea and that the additional Placemaking Priority, suggested by RSPB, is not necessary.

Balmacara and Reraig

Scottish Natural Heritage (909933)

4. I am aware that there are various natural heritage interests including local landscapes, trees and woodland which make an important contribution to the character of these settlements and to local amenity. Whilst plantation woodland is a feature of the area, there are further areas of amenity woodland which contribute to the setting of both settlements. I accept that such features could be harmed by insensitive development. I therefore see logic in referencing natural heritage interests in the 'Placemaking Priorities' so that such interests can be taken into account at the earliest stage in the consideration of proposals that may have potential impacts. Woodland makes an important contribution to the setting of these settlements and therefore I consider that it is appropriate to specifically emphasise this feature in the proposed plan. I am therefore recommending reference is made to local natural heritage interests suggested by SNH, in respect of the 'Placemaking Priorities'. In doing so, I note that the council considers this suggestion directly relevant and is in support of it.

Dornie

Scottish Natural Heritage (909933)

5. The planning authority has incorrectly summarised the representation by SNH in respect of Dornie by referring to Balmacara and Reraig in the Schedule 4 form in respect of Issue 27. I have reviewed the representation by SNH in respect of Issue 27 (Dornie) and it is clear that the representation is concerned with seeking an additional Placemaking Priority to safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Dornie. I noted during my site inspection that there are landscape and woodland features which contribute to the character of the settlement and that woodland also provides an important setting to the settlement, particularly from the south and from the eastern side of the settlement. Individual trees and groups of trees are a particular feature in and around the settlement, closely associated with the linear pattern of development which stretches along the eastern side of Loch Long. I therefore consider it appropriate to reference natural heritage interests in the Placemaking Priorities for the settlement, with a particular emphasis on woodlands. This would ensure that such interests are considered early on in the design of and consideration of development proposals which may impact on such interests. I am therefore recommending the inclusion of an additional Placemaking Priority as suggested by SNH.

Glenelg

Duncan Cameron (1105205), Scottish Natural Heritage (909933)

6. Whilst Mr Duncan Cameron does not identify, in his representation, a specific location for an authorised campsite, I have no reason to doubt that the provision of such a use, close to the village, would assist in reducing the impact of wild camping in the area. Equally, I have no reason to doubt that such provision would provide an incentive for tourists/ visitors to stay in the area for a period of time rather than simply passing through on route to other destinations and that this would provide some economic benefits to the businesses in the village. I note that the planning authority is supportive of investigating the potential for such a use, to reduce the impact of wild camping and to diversify the range of local tourist accommodation/ facilities. Given the potential benefits above for the settlement, I am recommending that this matter should be included as a Placemaking Priority for the settlement.

7. SNH identify natural heritage interests in the area, which have the potential to be affected by development including, but not limited to, the Inner Hebrides and the Minches Special Area of Conservation (SAC), Cosag Sallow Carr Site of Special Scientific Interest (SSSI) and woodlands which contribute to the setting of the settlement. I noted during my site inspection that woodlands are a feature on the lower slopes of the hills surrounding the settlement, making an important contribution to its setting. Mature trees and woodland are also a key feature of the settlement itself, particularly in the centre and along the approach to it.

8. Whilst it is not practical to reference all natural heritage interests in the proposed plan, pertaining to specific settlements, it is useful to highlight key areas/ features relevant to individual settlements which may be susceptible to adverse impacts from insensitive development. I therefore consider it appropriate to reference natural heritage interests, under the Placemaking Priorities for the settlement, so that these can be taken into account in respect of future development proposals and that appropriate safeguards/ mitigation can be identified at the earliest opportunity. I am therefore recommending the inclusion of the natural heritage interests, suggested by SNH, in respect of the 'Placemaking Priorities'. In doing so, I note that the planning authority considers this suggestion directly relevant and is in support of it.

Plockton

Scottish Natural Heritage (909933)

9. I consider that the reference to a Special Area of Conservation under the 'Placemaking Priorities' is not particularly relevant to or well related to the accompanying text which talks about improving parking and pier facilities. I consider it more appropriate to refer to the adjacent Special Area of Conservation in the context of factors which will shape development opportunities at Plockton, as referenced under 'Issues' on page 205 of the proposed plan. I am therefore recommending the removal of the reference to the SAC under 'Placemaking Priorities' and instead the insertion of a reference to it under 'Issues'. SNH have requested that the specific protected area that has the potential to be affected is referenced. I consider that this would assist in the identification of appropriate safeguards that can be taken into account early on in the design of proposals.

10. There is a typographical error in the first bullet point on page 205 of the proposed plan and I recommend an amendment to correct this error.

Torridon

Mountaineering Scotland (964649)

11. I note that Mountaineering Scotland, other than calling for a presumption against developments which would devalue the visual amenity of the landscape, does not offer any suggested changes to the proposed plan. I am mindful that there are already landscape and other natural heritage designations in place which serve to restrict development in this part of the plan area and consider that these are adequate to address the concerns that Mountaineering Scotland might have about the impact of future development. I also note that the proposed plan references the conservation aims of the National Trust for Scotland which is the principal landowner in the area and that this provides a further layer of protection against inappropriate/insensitive development. Given the safeguards above, I am not recommending any changes to the proposed plan in respect of the settlement and the surrounding area.

Reporter's recommendations:Auchtertyre

1. Under 'Placemaking Priorities – Auchtertyre' (page 199), delete the fourth bullet point and replace with the following text:

- To safeguard local natural heritage interests including woodlands.

Aultbea

2. Under 'Placemaking Priorities – Aultbea' (page 200), insert the following bullet point after the fourth bullet point:

- To safeguard local natural heritage interests including the Inner Hebrides and the Minches Special Area of Conservation (SAC), Wester Ross National Scenic Area (NSA) and the Wester Ross Marine Protected Area (MPA).

Balmacara and Reraig

3. Under 'Placemaking Priorities – Balmacara and Reraig' (page 202), insert the following bullet point under the third bullet point:

- To safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Balmacara and Reraig.

Dornie

4. Under 'Placemaking Priorities – Dornie' (page 203), insert the following bullet point under the third bullet point:

- To safeguard local natural heritage interests, particularly woodlands that contribute to the setting of Dornie.

Glenelg

5. Under 'Placemaking Priorities – Glenelg' (page 204), insert the following bullet points after the fifth bullet point:

- To investigate the potential for an authorised campsite close to the village centre to offset the impact of wild camping and to diversify the range of local tourist accommodation/ facilities.
- To safeguard local natural heritage interests, including (but not limited to) the Inner Hebrides and the Minches Special Area of Conservation (SAC), Cosag Sallow Carr Site of Special Scientific Interest (SSSI), and the woodlands that contribute to the setting of Glenelg.

Plockton

6. In the first bullet point, under 'Issues' (page 205), delete the word 'is' after 'It' in the second sentence.

7. In the third bullet point, under 'Issues' (page 205) after the words: 'archaeological sites;' insert the words 'the adjacent Inner Hebrides and the Minches Special Area of Conservation (SAC), designated for harbour porpoise;'

8. In the third bullet point under 'Placemaking Priorities – Plockton' (page 206) delete the words: 'There is an adjacent Special Area of Conservation.'

Torridon

9. No modifications.

Issue 28	OTHER ISSUES RAISED (GENERAL, APPENDICES & OTHER)	
Development plan reference:	Other Issues Raised (General, Appendices & Other), Pages 1 - 5, Appendices and Plan as a whole	Reporter: Andrew Fleming
Body or person(s) submitting a representation raising the issue (including reference number):		
RSPB (1104965) Scottish Government (1101467) Scottish Natural Heritage (909933)		
Provision of the development plan to which the issue relates:	Introduction, Appendices, Plan as a whole, Miscellaneous	
Planning authority's summary of the representation(s):		
<p><u>Introduction: How To Use The Plan</u></p> <p>Scottish Government (1101467) - Seeks additional and particular reference to national marine planning policy because the Marine (Scotland) Act 2010 and UK Marine and Coastal Access Act 2009 requires that public authorities taking authorisation or enforcement decisions that affect or might affect the marine area must do so in accordance with the National Marine Plan and any subsequent regional marine plan once adopted, unless relevant considerations indicate otherwise. This includes decisions on terrestrial planning applications and enforcement action which affect the UK marine area. Also public authorities when making decisions which are capable of affecting the marine area which are not authorisation or enforcement decisions, must have regard to National and regional marine plans. This applies to the preparation and adoption of terrestrial development plans. The Highland wide Local Development Plan reflects the role the marine plans will have in informing decision making, but since it was published before the National Marine Plan, there is merit in making reference to marine planning policy.</p> <p><u>Appendix 2: Glossary of Terms</u></p> <p>RSPB (1104965) - Requests that: SAC Special Area of Conservation, SPA Special Protection Area and SSSI Site of Special Scientific Interest are added to the list of abbreviations/acronyms with a definition (supplied).</p> <p>Scottish Natural Heritage (909933) - Seeks additional glossary explanation of natural heritage designations and acronyms such as SAC, SPA, NSA, SSSI, particularly because these are referenced in an inconsistent manner throughout the proposed plan (e.g. sometimes SAC, sometimes Special Area of Conservation).</p>		
Modifications sought by those submitting representations:		
<p><u>Introduction: How To Use The Plan</u></p> <p>Scottish Government (1101467) - Under the section 'How to use the Plan' on page 2 add: "WestPlan takes account of a wide range of other factors which can also influence the outcome of planning decisions, including: National planning legislation, policy and guidance including marine planning policy."</p>		

Appendix 2: Glossary of Terms

RSPB (1104965) - Addition of abbreviations/acronyms for SAC: Special Area of Conservation, SPA: Special Protection Area and SSSI: Site of Special Scientific Interest and that these terms are defined as follows:

"Special Area of Conservation: A strictly protected site designated under the EC Habitats Directive (Directive 92/43/EEC). Special Areas of Conservation are classified for habitats and species (excluding birds) listed in Annexes of the Habitats Directive (as amended) which are considered to be most in need of conservation at a European level. These sites, together with Special Protection Areas, are called Natura sites."

"Special Protection Area: A strictly protected site classified in accordance with Article 4 of the EC Birds Directive (Directive 2009/147/EC). Special Protection Areas are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory bird species. These sites, together with Special Areas of Conservation, are called Natura sites."

"Site of Special Scientific Interest: Sites of Special Scientific Interest (SSSIs) are those areas of land and water (to the seaward limits of local authority areas) that Scottish Natural Heritage considers to best represent our natural heritage - its diversity of plants, animals and habitats, rocks and landforms, or a combination of such natural features. They are the essential building blocks of Scotland's protected areas for nature conservation. Many are also designated as Natura sites. SNH designates SSSIs under the Nature Conservation (Scotland) Act 2004."

Scottish Natural Heritage (909933) - Seeks additional glossary explanation of natural heritage designations and acronyms such as SAC, SPA, NSA, SSSI.

Summary of responses (including reasons) by planning authority:

Introduction: How To Use The Plan

Scottish Government (1101467) - The suggested addition is concise and would provide a useful update for Plan users pending a review of the Highland wide Local Development Plan. Accordingly, it is commended to the Reporter.

Appendix 2: Glossary of Terms

RSPB (1104965), Scottish Natural Heritage (909933) - The suggested additions and definitions would provide useful clarification for Plan users. Accordingly, they are commended to the Reporter.

Reporter's conclusions:

Introduction: How To Use The Plan

Scottish Government (1101467)

1. Given that regard must be had to National and regional marine plans in the preparation and adoption of local development plans and that terrestrial planning decisions can impact on marine areas, there is logic to the proposed plan referencing marine planning policy. I note that the Highland-wide Local Development Plan was published prior to the National Marine Plan and consider that reference to this subject matter, within the proposed plan, would be helpful to users of the plan, alerting them to its importance and relevance.

Appendix 2: Glossary of Terms

RSPB (1104965), Scottish Natural Heritage (909933)

2. I note that Special Areas of Conservation and Special Protection Areas are referenced throughout the proposed plan, and consider it logical to reference these designations, under Abbreviations/Acronyms, in Appendix 2 of the plan. I also consider that it makes sense to provide definitions of these designations to assist readers of the plan. The definitions provided by Royal Society for the Protection of Birds (RSPB) are sound in this regard and I am therefore recommending their inclusion in the plan. However, I consider RSPB's use of the term 'strictly protected' in its suggested definitions to be excessive as it should be obvious that if a site is protected by law then sufficient protection is afforded to it regardless of the particular type of designation. Accordingly, I am therefore recommending reference to these designations simply as being protected.

3. Whilst RSPB requested that 'SSSI: Site of Special Scientific Interest' was added to the list of abbreviations/acronyms, I note that this acronym is already included in the proposed plan. However, I note that there is no accompanying glossary definition and consider that a suitable definition should be included in order to assist readers of the plan. As above, the definition provided by RSPB is sound for this purpose.

4. SNH suggested that the glossary should also contain an explanation of the National Scenic Area designation albeit no definition has been provided. I note that paragraph 1.53 (page 29) of the proposed plan already describes National Scenic Areas as '...areas of nationally important landscape with special qualities that are designated for safeguarding and enhancement through national and local policy.' I consider this to represent a sound description of the National Scenic Area designation. In the absence of a suggested form of words for a glossary definition of this designation, I am recommending adopting this definition within the main text of the proposed plan.

Reporter's recommendations:

Introduction: How To Use The Plan

1. Under the section 'How to Use the Plan' on page 2, amend the first bullet point so that it reads: 'National planning legislation, policy and guidance including marine planning policy;'

Appendix 2: Glossary of Terms

2. In Appendix 2: Glossary of Terms, under the heading 'Abbreviations/ Acronyms' under 'NSA: National Scenic Area', insert the words '**SAC**: Special Area of Conservation' and under 'SNH: Scottish Natural Heritage', insert the words '**SPA**: Special Protection Area'.

3. In Appendix 2: Glossary of Terms, under 'National Planning Framework', insert the words: '**National Scenic Area** Areas of nationally important landscape with special qualities that are designated for safeguarding and enhancement through national and local policy.'

4. In Appendix 2: Glossary of Terms, under 'Settlement Development Areas', insert the words: '**Special Area of Conservation** A protected site designated under the EC Habitats Directive (Directive 92/43/EEC). Special Areas of Conservation are classified for habitats and species (excluding birds) listed in Annexes of the Habitats Directive (as amended) which are considered to be most in need of conservation at a European level. These sites, together with Special Protection Areas, are called Natura sites.'

5. In Appendix 2: Glossary of Terms, under 'Special Landscape Area', insert the words: **'Special Protection Area** A protected site classified in accordance with Article 4 of the EC Birds Directive (Directive 2009/147/EC). Special Protection Areas are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory bird species. These sites, together with Special Areas of Conservation, are called Natura sites.'

6. In Appendix 2: Glossary of Terms, under 'Special Landscape Area', insert the words: **'Site of Special Scientific Interest** Sites which are areas of land and water (to the seaward limits of local authority areas) that Scottish Natural Heritage considers to best represent our natural heritage - its diversity of plants, animals and habitats, rocks and landforms, or a combination of such natural features. They are the essential building blocks of Scotland's protected areas for nature conservation. Many are also designated as Natura sites. SNH designates SSSIs under the Nature Conservation (Scotland) Act 2004.'