

**The Highland Council**  
**Caithness Committee**  
**Sutherland County Committee**

**14 February 2017**  
**22 February 2017**

Agenda Item	<b>4.</b>
Report No	<b>CC/02/17</b>

**Caithness and Sutherland Local Development Plan (CaSPlan)**  
**Report by Director of Development and Infrastructure**

**Summary**

This report presents the outcome of consultation on the Modified Proposed Caithness and Sutherland Local Development Plan (CaSPlan) in order that each of the Local Committees can agree the Council's position on outstanding issues to enable progression to the Examination stage.

**1. Background**

- 1.1 Members will recall that, following public consultation on the Proposed Caithness and Sutherland Local Development Plan, the comments received were considered by the Sutherland County Committee and the Caithness Committee on 30 and 31 August 2016 respectively. The Council position agreed by these Committees was to defend the Proposed Plan in respect of most of the outstanding issues raised subject to a few minor modifications. However, the Caithness Committee decided to remove two site allocations in Thurso from the Proposed Plan: TS12 East of Burnside for Community/public park use and TS14 Land West of Caravan Park for Business, Tourism and Leisure which was intended to provide opportunity for hotel development. These more significant ('notifiable') modifications necessitated the publication of, and consultation on, a Modified Proposed Plan. This was accompanied by an updated version of the Proposed Action Programme. The consultation ran from 30 September to 11 November 2016. In our consultation materials we made it clear that:
- comments could be submitted on any part of the Modified Proposed Plan;
  - we were particularly interested to hear what people thought about the removal of site allocations TS12 and TS14 from the plan proposals; and
  - there was no need to resubmit comments provided during and as part of the Proposed Plan consultation, as any such comments would be carried forward to the Examination stage.
- 1.2 In response to the Modified Proposed Plan, 182 respondents made around 252 comments (including one late representation, received on 13 November 2016). Some comments relate to the broader Thurso West area TS04 as well as specific comments on sites TS12 and TS14. All the comments have been

published in full on the development plans consultation portal [consult.highland.gov.uk](http://consult.highland.gov.uk). In respect of sites TS12 and TS14, as they were not included in the Modified Proposed Plan the comments submitted on these sites have been logged against the introductory text for Thurso (or otherwise within comments on site TS04). In addition, one submission was received on the updated version of the Proposed Action Programme.

1.3 Just over 90% of the comments received on the Modified Proposed Plan relate to Thurso West (TS04, TS12, TS14), but there were also comments on other issues, some of which had received comments at earlier stages and some that were being raised for the first time. These are the outstanding issues that Committee is now asked to agree a position on, as set out in Section 2 of this report and the accompanying **Appendices** (which are available on the Council's website, in the Members' Library and at Caithness House and Drummuie), to allow the process to progress to the Examination stage. For all other outstanding issues, the Council's position agreed by the Local Committees in August 2016 will be the one referred to Examination. The documents that the Council prepares and submits for Examination include a 'Schedule 4' for each issue, summarising representations and the Council's response.

## **2. Issues raised in comments (ordered as in the Plan) and Recommended Council Position in response**

2.1 This section of the report sets out an overview of the issues raised in comments on the Modified Proposed Plan (and updated version of the Proposed Action Programme) and the recommended Council position in response. The intention is that subject to the Local Committees agreeing with the recommendations, the content of this section of the report and the associated **appendices** will be used by officers to amend and finalise the 'Schedule 4s' before submitting them for Examination.

### **2.2 Housing Numbers and Strategy**

One respondent (Kenneth Nicol, MPP977530) followed up on similar issues raised at the Proposed Plan stage by querying the justifications for the level of housing land allocated and asserted that new development should be directed more towards Wick rather than Thurso. The slight amendments are primarily: to specify that less housing would be required in the area due to an ageing population; and, in respect of the table of housing requirements in CaSPlan, to refer to the version in the Modified Proposed Plan rather than the version in the Proposed Plan.

*Recommended Council Position:* It is clear from paragraphs 15 to 23 of the Modified Proposed Plan on Housing Land Supply, and the associated background papers, that the 'ageing population' characteristic has been taken into account by the Council, concluding that new housing is required due to the continuing change in demographics. The housing supply target for Caithness for the period 2016-2035 remains at 530, not the figure quoted by the representor of 636 (which is the housing land requirement derived by adding a 20% flexibility allowance to the housing supply target). The remaining points

raised by the representor are addressed by the previously agreed Council position on the issue. No changes to the Plan are required in response to the representation.

### 2.3 Hinterland Boundary at Spinningdale

Creich Community Council (CCC) (MPP1031346) believes that Spinningdale should not form part of the Tain Hinterland, being over 10 miles away and not subject to any great demand for housing. CCC considers that development in this area should be encouraged and not be subject to "a more restrictive approach". CCC requests that the boundary should lie somewhere to the east of Larachan and not contain any of Creich parish.

*Recommended Council Position:* The recommended Council position is given in full in **Appendix 1**. This is the first time in the CaSPlan process that the methodology for any part of the Hinterland boundary has been queried. Having fully considered the suggestion we intend to indicate that, if the Reporter were so minded, the Council would be content for the Hinterland boundary to be amended to exclude the area covered by CCC, thereby excluding land at Spinningdale. A less restrictive approach may enable a greater range of housing proposals to be supported which could help strengthen the local community. Effective development management could still be applied by using other Development Plan policies, which would ensure that development was appropriate.

### 2.4 Connectivity and Transport – Rail

HITRANS (MPP1031672) submitted an updated version of their previous (late) representation to the Proposed Plan. Minor amendments were made to their submission which included highlighting that HITRANS are currently exploring the feasibility of a sleeper service to Caithness. In the context of their request for stronger reference to the trunk road network in the strategy map and in the connectivity and transport chapter, they sought similar emphasis in respect of the rail network.

*Recommended Council Position:* The Proposals Map (Ordnance Survey base) of the Highland-wide Local Development Plan and the diagrams depicting Vision and Spatial Strategy within that Plan all show the rail network. The remaining points raised by the representor are addressed by the already-agreed Council position on the issue. No changes to the Plan are required in response to the representation. However, we intend to indicate that we would be content if the Reporter is so minded to recommend adding in to the Plan and/or to the Action Programme references to HITRANS exploring feasibility of a sleeper service to Caithness and to Scottish Government's recent announcement of their intention to set up a Far North Line Review Group to co-ordinate activities and look at opportunities to improve performance on the line.

### 2.5 Thurso - General

One respondent (Mr Iain Black, MPP1032452) made in association with objections to the exclusion of TS12 and TS14, comments that: improving the harbour and water sport facilities is long overdue and would be appreciated by

residents and tourists; relocating industry from the water front to an industrial park would be a wise investment with environmental benefits; and improving the green areas of Thurso is essential and more people should be encouraged to take advantage of the outdoor walks and enjoy the scenery of the area.

*Recommended Council Position:* These points are taken as being in line with and broadly supportive of the Plan, including a number of the Placemaking Priorities for Thurso. These broadly supportive comments are noted and welcomed.

- 2.6 Supporting comments were received in relation to the strategy for Thurso (Mr Aaron McNicol, MPP1032856) and site TS07 Land at Sir Archibald Road (Mrs Ann Smith, MPP1032828).

*Recommended Council Position:* Comments noted and welcomed.

- 2.7 One respondent (Kenneth Nicol, MPP977530) objects to paragraph 112 which refers to opportunities to deliver improved transport infrastructure in Thurso West (paragraph 112) as he states that the relief road is unlikely to be developed in the medium term due to Highland Council budget reductions. This was an additional comment to those which he made during the Proposed Plan consultation in objection to paragraph 112 and the principal direction for growth of Thurso to the west.

*Recommended Council Position:* The points raised by the representor are addressed by the already-agreed Council position on the issue. No changes to the Plan are required in response to the representation.

- 2.8 Thurso – Thurso West

Most of the comments on this issue either support or object to the removal of TS12 and TS14. Approximately 20% of comments (31 individual comments) support the removal of the sites and the remaining 80% (129) object to their removal. Members are reminded that comments on this issue which were made during the Proposed Plan stage and these will also form part of the submission for Examination. Despite there being a number of new respondents the arguments for/against development of the sites remain largely the same as those in responses to the Proposed Plan. In addition, a number of representations were submitted on site TS04 Thurso West requesting either its removal (either in part or in its entirety), or the status of the 'long term' components being changed to allocated for development within the plan period and retail use being added to the allocation.

*Recommended Council Position:* The recommended Council position is given in full in **Appendices 3 and 4** covering site TS04 and sites TS12 & TS14 respectively. These new 'Schedule 4s' supersede the single Schedule 4 for Thurso West prepared at the Proposed Plan stage, and they carry forward all the content from these previous versions (including the previous recommendations) as well as the Council position now recommended to Committee. In response to the issues raised, the Council seeks to defend the position as set out in the Modified Proposed Plan, i.e. excluding from the Plan

sites TS12 and TS14 whilst retaining in the Plan site TS04, with more detailed issues to be considered as part of a development brief for the site). Although there were numerous comments on this site, no new issues or substantive evidence were raised which warrant the Council making any further amendments to this allocation. We are therefore not proposing any additional suggestions of amendments to the Plan for the Reporter to consider on this issue. In taking this position it should be noted that the Reporter would carefully consider the arguments both for and against components of development at Thurso West before reaching a final decision.

#### 2.9 Wick – Site WK14 – Hillhead Primary School

John Gunn & Sons Ltd (MPP 84009) is at present in negotiation with the Highland Council with a view to purchase and re-develop, for private housing, the area of the Hillhead Primary School. They have discussed the proposal with the Council's planners who are in agreement in principle but not for the former playing field area which has been shown as greenspace in the Modified Proposed Plan. The greenspace forms part of the sale, but they say will be of no benefit to the developer. They say there is an existing, quite substantial playpark, adjacent to the site which is very seldom used by children. Their representation requests that the greenspace be changed to form part of the Mixed Use allocation WK14.

*Recommended Council Position:* The recommended Council position is given in full in **Appendix 2**. In summary, due to the lack of formal greenspace in the area (which was highlighted by several local residents at Main Issues Report stage) and problems with ensuring sufficient provision as part of developments in recent decades we do not propose to include the Greenspace within site WK14. To clarify and strengthen the existing reference to open space provision within the Developer Requirements for WK14 we intend to indicate that the Council would be content if the Reporter was so minded to replace "Playground area should be retained for public access" with "The playing fields to the north of WK14 must be protected from development and, where possible, enhanced". We intend to also indicate that if the Reporter were to favour the Objector's position, then we would be pressing for the Reporter to strengthen the Developer Requirements.

#### 2.10 Economic Development Area (EDA) – Dounreay

Additionally there was one late representation (GVA Grimley, MPP1036880) received 13 November 2016, on behalf of the Nuclear Decommissioning Authority (NDA) and Dounreay Site Restoration Limited (DSRL), supportive of the modified plan's content for the Dounreay site and the linkage to Dounreay Planning Framework 2.

*Recommended Council Position:* The Local Committees are asked to agree to take the comments of NDA/DSRL into consideration and to ask the Reporter(s) holding the subsequent Examination to likewise consider them, although it may be noted that, in respect of Dounreay, we have received only supporting representations to the Proposed Plan and Modified Proposed Plan, which are welcomed.

### 2.11 Tongue – Site TG05 North of Fire Station

G Skene (Mr Peter Burr MPP 1036901) raised concerns about a site allocation in Tongue, TG05 North of Fire Station, that an industrial use on the site could compromise a gateway into the settlement and impact residential amenity and setting. The potential for a future use as a car mechanic's garage would require a large area of land including set down for vehicles and waste materials. It would also require further management of drainage of the site and affect traffic management. However, the representor does not seek any modifications to CaSPlan.

*Recommended Council Position:* Note concerns that the site has potential to impact on general amenity, gateway qualities, drainage and traffic management. However, the Developer Requirements for the site deal specifically with all of these issues through careful siting and design, Flood Risk Assessment and relocation of the 40mph speed limit signage. No changes required to Plan.

### 2.12 Proposed Action Programme

The one submission received on the updated version of the Proposed Action Programme was from the Coigach Assynt Living Landscape (CALL) project, providing corrections and clarifications in respect of the details of the project. A supplementary comment about the Strategy Map has not been submitted as a representation on CaSPlan itself and therefore cannot be considered at this advanced stage of the plan process. However, this is unlikely to significantly affect the CALL project.

*Recommended Council Position:* That the corrections and clarifications in respect of the details of the project be incorporated into the Action Programme, before it is finalised following adoption of CaSPlan.

## 3. **Next Steps**

3.1 In accordance with the Council's Scheme of Delegation it is now for the two Local Committees to consider the issues and agree the Council's response. Each Local Committee is asked to consider the general issues for the Plan as well as the issues, settlements and sites directly within their area.

3.2 As Members were advised at the Local Committees meetings in August 2016, Scottish Government's Planning Circular 6/2013: Development Planning explains the plan-making process including aspects that are covered by statute as well as good practice and Scottish Government expectations. In particular, the procedural advice that applied in August 2016 also applies to the current stage in that proposing any significant ('notifiable') modification to the Modified Proposed Plan would trigger a need for publication and consultation on a further Modified Proposed Plan.

3.3 Officers' recommendations, including the recommended Council position in Section 2 of this report and the associated **Appendices 1, 2, 3 and 4**, involve no further 'notifiable' modifications and therefore the next step would be for the Plan and the outstanding issues on it to be submitted to Scottish Ministers in

line with the timescales set out in our current Development Plan Scheme. Our target is to finalise the materials required by the end of March, to enable submission to Scottish Ministers around early April 2017. This would trigger the Examination process whereby the outstanding issues would be considered by independent Reporter(s). The Reporter(s) would then decide whether the Plan should be adopted as submitted to Scottish Ministers or adopted subject to further modifications being incorporated.

#### **4. Implications**

- 4.1 **Resource:** Resources to deliver the Local Development Plan are available from the Development and Infrastructure Service budget.
- 4.2 **Legal:** The Modified Proposed Plan is already treated as a material planning consideration for development management purposes, to be accorded appropriate weight in each case. Relevant representations to the Modified Proposed Plan and those to the previous Proposed Plan, together with the Council's response, would also be a material consideration.
- 4.3 **Equalities:** An Equalities Impact Assessment screening was undertaken for the MIR and was revisited for the Proposed Plan.
- 4.4 **Climate Change/Carbon Clever:** In combination with the HwLDP and SG, CaSPlan will help deliver the Carbon Clever initiative. Strategic Environmental Assessment has been integral to the production of CaSPlan and a Finalised Environmental Report and Post Adoption Statement will be produced at the end of the plan process. CaSPlan has also been informed by a Habitats Regulations Appraisal and we will seek SNH's sign-off of a revised HRA record in due course as we move towards the Examination. As part of finalising SEA and HRA we will need to consider any implications for the additional Natura sites recently proposed; however, we do not anticipate those raising need for any additional changes to CaSPlan.
- 4.5 **Risk:** If agreed, the recommendations expedite progression to Examination and to eventual Adoption of CaSPlan, limiting the period before full 'development plan' weight can be given to it as the up-to-date Plan to guide decision-making. Furthermore, this would reduce risk to the progression of other work by the Development Plans Team.
- 4.6 **Gaelic:** Main headings in the Modified Proposed Plan were provided in Gaelic.
- 4.7 **Rural:** CaSPlan will complement the Highland-wide Local Development Plan in addressing a range of development-related rural issues.

## **Recommendation**

The Local Committees are invited to:

- i. note the comments received on the Modified Proposed Plan and updated Proposed Action Programme and agree to take the joint submission of NDA and DSRL into consideration and, likewise, to ask the Reporter(s) holding the subsequent Examination to consider it;
- ii. consider the issues raised through representations on the Plan and agree the Council position as set out in **Section 2 of this report and Appendices 1, 2, 3 and 4**, also noting the decisions made previously by the Council's Committees on the proposed content for CaSPlan;
- iii. authorise officers to undertake the statutory procedures required to progress the Modified Proposed Plan to Examination, including the submission of all Schedule 4s for 'unresolved issues' to Scottish Ministers; and
- iv. authorise the Director of Development and Infrastructure, in consultation with the Chairs and Vice Chairs of the Local Committees, to make non-material changes to the Schedule 4s prior to their submission to the Directorate for Planning and Environmental Appeals.

Designation: Director of Development & Infrastructure

Date: 2 February 2017

Author: Scott Dalgarno (Development Plans Manager) 01463 702592  
David Cowie (Principal Planner) 01463 702827  
Julie-Ann Bain, Douglas Chisholm, Craig Baxter

**Appendices** (available on the Council's website, in the Members' Library and at Caithness House and Drummuie)

Appendix 1 – Hinterland boundary at Spinningdale – Content for addition to the "Growing Communities" Schedule 4

Appendix 2 – Playing field adjacent to Site WK14 Hillhead Primary School – Content for addition to the "Wick" Schedule 4

Appendix 3 – Thurso West – Updated and revised "Thurso West" Schedule 4: Site TS04

Appendix 4 – Thurso West – Updated and revised "Thurso West" Schedule 4: Sites TS12 & TS14

## **Background Papers:**

The following are all available on the consultation portal [consult.highland.gov.uk](http://consult.highland.gov.uk)

- CaSPlan Modified Proposed Plan + responses
- CaSPlan Updated Version of Proposed Action Programme + response

Documents relating to earlier stages in the plan process are available at the above link or on [www.highland.gov.uk/casplan](http://www.highland.gov.uk/casplan)

The agenda Reports to the Sutherland County Committee 30 August 2016 and Caithness Committee 31 August 2016 for consideration of comments on the Proposed Plan, together with Minutes of the Committees, are available at: [http://www.highland.gov.uk/info/695/council\\_information\\_performance\\_and\\_statistics/526/meetings\\_and\\_minutes](http://www.highland.gov.uk/info/695/council_information_performance_and_statistics/526/meetings_and_minutes)

Scottish Government Planning Circular 6/2013: Development Planning is available at <http://www.gov.scot/Publications/2013/12/9924/downloads>

**REPORT ON THE CAITHNESS AND SUTHERLAND LOCAL DEVELOPMENT PLAN TO  
CAITHNESS COMMITTEE 14 FEBRUARY 2017 AND  
SUTHERLAND COUNTY COMMITTEE 22 FEBRUARY 2017:**

**APPENDICES 1-4**

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**APPENDIX 1:**  
**HINTERLAND BOUNDARY AT SPINNINGDALE –**  
**CONTENT FOR ADDITION TO THE “GROWING COMMUNITIES” SCHEDULE 4**

<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>
Creich Community Council (Russell Smith) (MPP1032346)
<b>Planning authority’s summary of the representation(s):</b>
<p><b><u>Growing Communities – Wider Countryside</u></b>  <u>Creich Community Council (Russell Smith) (MPP1032346)</u>          Creich Community Council believes that Spinningdale should not form part of the Tain Hinterland. It is over 10 miles away and not subject to any great demand for housing. Development in this area should be encouraged and not be subject to "a more restrictive approach". The boundary should lie somewhere to the east of Larachan and not contain any of Creich parish.</p>
<b>Modifications sought by those submitting representations:</b>
<p><b><u>Growing Communities - Wider Countryside</u></b>  <u>Creich Community Council (Russell Smith) (MPP1032346)</u>          Alter the Tain Hinterland boundary by removing Spinningdale and redrawing the boundary to the east of Larachan.</p>
<b>Recommended summary of responses (including reasons) by planning authority:</b>
<p><b><u>Growing Communities - Wider Countryside</u></b>  <u>Creich Community Council (Russell Smith) (MPP1032346)</u>          The Hinterland boundary and associated Housing in the Countryside policy were developed in the Highland Structure Plan 2001, using policy context in National Planning Policy Guidance 3: Land for Housing and National Planning Policy Guidance 15: Rural Development. This represented a response to increasing pressure on rural areas around towns for commuter housing. This applied not only to pressures around Inverness but also the larger towns across the Highland area including Tain. The boundaries reflected: levels of development pressure, travel to work patterns, social and economic fragility, physical features, landscape, and settlement distribution.</p> <p>As currently found in Policy 35 of the Highland-wide Local Development Plan there is a presumption against housing in the open countryside of hinterlands around towns, apart from a list of exceptions. It is assumed that the Community Council see this policy as being too restrictive and would like any proposed housing to be determined under Policy 36 of the Highland-wide Local Development Plan - Development in the Wider Countryside - which takes a more permissive approach to housing (compared to hinterland areas), subject to proposals according with other policies in the plan.</p> <p>In the area around Spinningdale, the level of pressure from planning applications and pre-application advice is low. The Council does not know and it would be difficult to determine whether this is because the hinterland policy is working effectively and is discouraging people from applying for planning permission (or making formal pre-application enquiries) for general needs housing or if there is just little demand for such housing within the locality.</p> <p>The Main Issues Report indicated a preferred option of not proposing any changes to the hinterland. There was support received for this, saying it would help avoid inappropriate</p>

development in the countryside around Dornoch. There were no comments received about the area around Spinningdale. There has been no clear evidence provided during the preparation of the plan indicating that the hinterland boundary and consequently the policy approach applied in any given area, is inappropriate.

However, if the Reporter were so minded, the Council would be content for the Hinterland boundary to be amended to exclude the area covered by Creich Community Council, thereby excluding land at Spinningdale from the Hinterland. A less restrictive approach may enable a greater range of housing proposals to be supported which could help strengthen the local community. Effective development management could still be applied by using other existing plan policies, which would ensure that inappropriate development was not allowed.

**APPENDIX 2:**

**PLAYING FIELD ADJACENT TO SITE WK14 HILLHEAD PRIMARY SCHOOL –  
CONTENT FOR ADDITION TO THE “WICK” SCHEDULE 4**

<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>
John Gunn and Sons Ltd (David Sutherland) (MPP984009)
<b>Planning authority’s summary of the representation(s):</b>
<p><b>WK14 – Hillhead Primary School</b>  <u>John Gunn and Sons Ltd (David Sutherland) (MPP984009)</u>          John Gunn &amp; Sons Ltd is at present in negotiations with the Highland Council with a view to purchase and re-develop, for private housing, the area of the Hillhead Primary School. They have discussed the proposal with the planning department who are in agreement in principle but not for the former playing field area which has been shown as greenspace in the Modified Proposed Plan. The greenspace forms part of the sale, but will be of no benefit to the developer. There is an existing, quite substantial playpark, adjacent to the site, respondent states they have monitored its use since expressing their interest and it is very seldom used by children.</p>
<b>Modifications sought by those submitting representations:</b>
<p><b>WK14 – Hillhead Primary School</b>  <u>John Gunn and Sons Ltd (David Sutherland) (MPP984009)</u>          Request that the playing field area (shown as Greenspace) be changed to form part of the Mixed Use allocation WK14 Hillhead Primary School.</p>
<b>Recommended summary of responses (including reasons) by planning authority:</b>
<p><b>WK14 – Hillhead Primary School</b>  <u>John Gunn and Sons Ltd (David Sutherland) (MPP984009)</u>          The Hillhead Primary School site was included as a ‘preferred’ site within the Main Issues Report as it was identified by the Council to be surplus to requirements in early 2016. The playing field north of the primary school was included within the MIR site as it was considered to be beneficial to its prospects of being redeveloped. Several residents of Broadhaven submitted comments during the MIR consultation opposing residential development in the area. One of the main reasons cited was the lack of any formal greenspace delivered as part of the wider development of the North Head area. To address this issue the former playing fields north of Hillhead Primary School were shown as Greenspace and excluded from allocation WK14, as shown in the Proposed Plan and Modified Proposed Plan.</p> <p>During the consultation on the Proposed Plan the developer of the neighbouring land WK04 North of Coghill Street requested that the boundary of the site be extended to the area north of the school playing field as it had formed part of the original application. Investigation found that although the application appeared to be locked on (as development had commenced shortly after permission was granted) the developer had not delivered any openspace provision despite it being identified within the original Hillhead Development Brief (1991). As highlighted in WK04 above, to address this the Council would be content, should the Reporter be so minded, with a Developer Requirement being added to WK04 to ensure that “Open space to be provided in the next phase of development.”</p> <p>Due to the lack of formal greenspace in the area and problems with ensuring sufficient provision</p>

as part of developments in recent decades the Council does not propose to include the Greenspace within the Mixed Use allocation WK14. To clarify and strengthen the existing reference to openspace provision within the Developer Requirements for WK14 the Council would be content if the Reporter was so minded to replace "Play ground area should be retained for public access" with "The playing fields to the north of WK14 must be protected from development and, where possible, enhanced". The level of openspace provision relating to development of WK14 would therefore be decided against the standard criteria set out in Policy 75 of the HwLDP and the Open Space in New Residential Developments Supplementary Guidance.

As noted above, the Council wishes to encourage the redevelopment of the now vacant Hillhead Primary School building. Therefore, should the Reporter be so minded to agree more with the Objector and hence to include the Greenspace within WK14, then the Council would urge the Reporter to amend the Developer Requirement to read: "Should an application for development be forthcoming which development on the playing field then compensatory Greenspace (with no net loss in quality/quantity) must be provided which adequately serves the needs of the Hillhead area".

**APPENDIX 3:  
THURSO WEST –  
UPDATED AND REVISED “THURSO WEST” SCHEDULE 4: SITE TS04**

<b>Issue 11 (A)</b>	<b>THURSO - TS04 THURSO WEST</b>	
<b>Development plan reference:</b>	Thurso - TS04 Thurso West	<b>Reporter:</b>
<b>Body or person(s) submitting a representation at <u>Proposed Plan stage</u> raising the issue (including reference number):</b>		
Cartwright (979956)	Mr Michael Bowden (980202)	
CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (979063)	Mr Nick Russel (979216)	
David Lord (980210)	Mr Robert Falconer (980046)	
Donald Mackay (981995)	Mr Ronald Paterson (979807)	
Elizabeth Mackay (983255)	Mr Stuart Liddle (980236)	
Jason Ridgley (980223)	Mr Stuart Vines (967328)	
Lyndall Leet (983272)	Mr Walter Mclachlan (979426)	
Michelle Fraser (979884)	Mr William Marshall (941627)	
Miss Amanda Gunn (980290)	Mr William Walker (979718)	
Miss Eilidh Paterson (980233)	Mr Willie Steven (980239)	
Miss Emma Budge (980201)	Mrs Agnes Macdonald (980230)	
Miss Emma Gunn (979970)	Mrs Amelia Walker (931321)	
Miss Fiona Mackie (978748)	Mrs Carol Paterson (979637)	
Miss Gayle Rennie (980274)	Mrs Carol Taylor (971783)	
Miss Karen McLean (979677)	Mrs Caroline Steven (980245)	
Miss Katelin Mackenzie (979954)	Mrs Cecilia Brands (979454)	
Miss Rebecca Paterson (979904)	Mrs Cynthia Calder (980214)	
Mr & Mrs Tom Jackson (981229)	Mrs Donna Flowerday (979953)	
Mr Alan Loomes (980235)	Mrs Fiona Doohan (980015)	
Mr Alan Ritchie (980220)	Mrs Jacqueline Ridgley (930800)	
Mr Alastair Chisholm Christie (980596)	Mrs Jane Foster (980307)	
Mr Andrew Bremner (980248)	Mrs Jane Telfer (979224)	
Mr Andrew Fraser (983996)	Mrs Janetta Christie (975843)	
Mr Andrew Mackay (979985)	Mrs Karen Risbridger (980206)	
Mr Andrew Mackay on behalf of The Pentland Hotel (979985)	Mrs Linsey MacDougall (980035)	
Mr Anthony Ridgley (979975)	Mrs Margaret Smedley (930596)	
Mr Colin Paterson (979739)	Mrs Sheena Mclachlan (960835)	
Mr Danny Calder (983991)	Mrs Tanya Sutherland (979994)	
Mr David Doohan (980228)	Ms Amanda Robertson (983266)	
Mr Dean Craig (980100)	Ms Carol Murray (983145)	
Mr Don Mackay (979822)	Ms Elizabeth Mackay (983255)	
Mr Euan Sinclair (980244)	Ms Isabel Kay (983245)	
Mr Gary Angus (980227)	Ms Jean Alexander (981921)	
Mr Gary Parker (968625)	Ms Kathleen Faulds (983151)	
Mr Grant Maxwell (979898)	Ms Kirsten Murray (979696)	
Mr Hamish Robertson (979473)	Ms Lindsay Kay (983250)	
Mr Ian Walker (979716)	Ms Louise Smith-Dasar (981718)	
Mr Jamie Henderson (980168)	Ms Phyllis Nicol (980599)	
Mr Jamie Mackay (980254)	North Hotels Ltd (Miss Beverley Egan) (980280)	
Mr John Barkham (981629)	North Hotels Ltd (Mr James Buchanan) (980003)	

Mr John Faulds (983248)	Scottish Government (963027)
Mr Kenneth Nicol (977530)	Scottish Water (953627)
Mr Lee MacDougall (980312)	SEPA (906306)
Mr Lee Parnell (979688)	Sheila Finlayson (979790)
Mr Michael Arkley (960859)	SNH (909933)
Mr Sean Miller (980259)	Stephen Beckitt (980229)
Mr Stephen Anderson (983269)	Thurso Bay Trading Co (Mr Raymond Taylor) (980395)
Mr Steven Grant (980189)	Timothy Ridgley (979979)
Mr Stuart Andrew (980221)	

**Body or person(s) submitting a representation at Modified Proposed Plan stage raising the issue (including reference number):**

Carol Taylor on behalf of Pennyland House B&B (MPP971783)	Mr James Henderson (MPP1033472)
Cartwright (MPP979956)	Mr James Henderson (MPPjnr) (MPP1033475)
Eilidh Paterson (MPP980233)	Mr Jeremy Evans (MPP1031927)
Graeme Reid (MPP1032386)	Mr John Faulds (MPP983248)
GVA (Meg Nelson) (MPP1034140) on behalf of Thurso Bay Trading Co. (MPP980395)	Mr John Hart (MPP1031794)
Hamilton (MPP1032492)	Mr John McGeachie (MPP1034749)
Jason Ridgley (MPP980223)	Mr Keith Morrell (MPP1034784)
Lyndall Leet (MPP983272)	Mr Kenneth Nicol (MPP977530)
Miss Abbey Sutherland (MPP1033845)	Mr Martin Ross (MPP1033522)
Miss Abbie Wilson (MPP1032650)	Mr Michael Cowie (MPP1032425)
Miss Amanda Gunn (MPP1033818)	Mr Nicky Cowie (MPP1034161)
Miss Eilidh Paterson (MPP980233)	Mr Reece Smith (MPP1032849)
Miss Eilidh Sinclair Wright (MPP1032760)	Mr Robert Falconer (MPP980046)
Miss Ellie Spencer (MPP1034530)	Mr Ryan Cameron (MPP1034708)
Miss Hannah Johnston (MPP1034463)	Mr Sean Miller (MPP1033482)
Miss Jade Baikie (MPP1033831)	Mr Steven MacDonald (MPP1032713)
Miss Karen Henderson (MPP1034643)	Mr Steven Reid (MPP1032948)
Miss Kerrie Martin (MPP1034602)	Mr Thomas Watters (MPP1034436)
Miss Kerry Oag (MPP1033483)	Mr William Steven (MPP1033802)
Miss Megan Williamson (MPP1034717)	Mr William Walker (MPP979718)
Miss Megan Wilson (MPP1032832)	Mrs Alison Henderson (MPP1033471)
Miss Monika Carson (MPP1033507)	Mrs Amanda Robertson (MPP1034460)
Miss Rebecca Paterson (MPP979904)	Mrs Amelia Walker (MPP931321)
Miss Samantha Angus (MPP1034517)	Mrs Carol Paterson (MPP979637)
Miss Sharon Smith (MPP1034572)	Mrs Catherine Murray (MPP1033682)
Miss Yasemin Turanli (MPP1033545)	Mrs Catherine Stewart (MPP1034231)
Mr Aaron Taylor (MPP1032694)	Mrs Elizabeth Lawson (MPP1034442)
Mr Andrew Adamson (MPP1033812)	Mrs Elizabeth Mackay (MPP1034732)
Mr Andrew Mackay on behalf of The Pentland Hotel (MPP1034805)	Mrs Fiona McLean (MPP1034721)
Mr Angus Mackay (MPP1034300)	Mrs Helen Robbie (MPP1032179)
Mr Anthony Ridgley (MPP979975)	Mrs Jacqueline Ridgley (MPP930800)
Mr Brian Johnston (MPP1033820)	Mrs Jan Mackay (MPP1032499)
Mr Charles Henderson (MPP1033480)	Mrs Lynne Reid (MPP1034346)
Mr Colin Paterson (MPP979739)	Mrs Margaret Smedley (MPP930596)
Mr Danny Doohan (MPP929481)	Mrs Mary Paterson (MPP1034694)
Mr Derek Taylor (MPP980213)	Mrs Michelle Will (MPP1034160)
Mr Don Mackay (MPP1032343)	Mrs Nicola Arthur (MPP1034246)
Mr Fraser Steven (MPP1033806)	Mrs Tanya Sutherland (MPP979994)
	Mrs Valerie Moseley (MPP1031843)
	Ms Alison MacAdie (MPP1034158)

Mr Gary Parker (MPP968625)  
Mr Herbert Lawson (MPP1034148)  
Mr Iain Elder (MPP1032459)  
Mr Ian Cannop (MPP1032993)  
Mr Ian Westmorland (MPP1031981)  
Mr James Buchanan on behalf of St Clair Hotel  
(MPP980003)

Ms Kathleen Faulds (MPP983151)  
Ms Louise Smith-Dasar (MPP981718)  
Ms Phyllis Nicol (MPP980599)  
Sandra Isabelle Harris (MPP1034546)  
Timothy Ridgley (MPP979979)

**Provision of the development plan to which the issue relates:**

Thurso Strategic Transport Improvements and TS04

**Planning authority's summary of the representation(s):**

**Representation to the Proposed Plan (as previously reported to and considered by Committee on August 2016):**

Mr Andrew Mackay on behalf of The Pentland Hotel, (979985), Mr Ian Walker (979716), Mrs Amelia Walker (931321), Donald Mackay (981995), Elizabeth Mackay (983255)

The main company employed to draw up the MIR and facilitate the Charrettes on behalf of the council is then the company subsequently employed by the landowner at area TS14 to draw up the plans and proposals for the Hotel on this site - is this a conflict of interest.

**Thurso West distributor/relief road**  
Scottish Government (963027)

Objects to Thurso - Settlement Statement Text and Map. The Proposed Plan Settlement Statement Map for Thurso includes indicative lines for potential routes and road connections with the A9 trunk road. However, there is no information on the appraisal and rationale for the new links and neither are there details on funding, phasing or delivery provided in the Proposed Plan. The Proposed Plan and accompanying Action Programme do not give a clear understanding of what is required to provide access to the new development areas, what is being suggested to alleviate the issues highlighted in the town centre or what steps will be taken to better understand the options. The indication of potential routes and the policy protecting land at this early stage of considering options are therefore considered to be premature and does not accord with SPP paragraphs 274 / 275. Modifications Sought: Transport Scotland advises that the need for any alternative routes around Thurso connecting with the trunk road should be established through a robust appraisal exercise. This position was previously stated in response to the Main Issues Report consultation. This type of appraisal would assess all modes of travel as part of an objective led approach. The identification of transport interventions should result from the assessment of evidence based transport problems and opportunities of a specific area. A range of transport alternatives should be considered and not focussed on a particular solution.

Mr Stuart Liddle (980236)

The provision of a bypass route to Scrabster is laudable, but should not impinge upon the existing built up areas of the town, as this would only move potential areas of congestion and HGV traffic to closer proximity to schools, hospital and college.

Mr John Barkham (981629)

Objects to the inclusion of the Thurso West Distributor/Relief Road because it is not needed. During the construction and operation of Dounreay and Vulcan the road network has coped and the decommissioning of Dounreay has resulted in and will continue to see a decrease in traffic through the town. Harbour related traffic would not use a bypass. A bypass has the potential to remove vital tourist footfall from the town centre. The topography of the proposed bypass from Provost Cormack Drive is unsuitable as it will create a blind summit, close to existing junctions,

which faces due south into the midday sun.

Mrs Jane Telfer (979224)

The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the plan due to health and safety issues and expected high traffic levels. The proposed site access road runs past the Ormlie Community Playpark, and this will impact on the safety of children, especially if the proposed distribution road is not implemented. Since the purpose of the bypass is to remove traffic from the centre of the town, where is the forward thinking in proposing a bypass that encircles the town on two of its available sides, severely restricting any further expansion of the town. This would lead to there being a further need for a new bypass when this current new bypass has become absorbed into the town. Finally as the bypass requires a new bridge to be built over the river the fact that access to the A9 can be achieved without the need for a bridge, this would appear to be an extravagance in a time of austerity.

Mr Alastair Chisholm Christie (980596), Mrs Janetta Christie (975843)

Para 114, A by-pass has been promised for years. It should now be a priority as the roads in town can no longer cope with the heavy traffic passing regularly through the town.

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Para 114 states that there is opportunity for a relief road to be created. However this is misleading as the Council is not in a financial position to deliver it.

**TS04 Thurso West**

Mr Gary Parker (968625), Mr William Marshall (941627), Mr Michael Arkley (960859), Mr Hamish Robertson (979473), Mr Lee Parnell (979688), Mr Colin Paterson (979739), Sheila Finlayson (979790), Mrs Jane Telfer (979224), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mrs Linsey MacDougall (980035), Mr David Doohan (980228), Mr Stuart Andrew (980221), Mr Gary Angus (980227), Mr Alan Loomes (980235), Mrs Amelia Walker (931321), Miss Gayle Rennie (980274), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Agnes Macdonald (980230), Mrs Margaret Smedley (930596), Mr Stuart Vines (967328), North Hotels Ltd (Mr James Buchanan) (980003), Stephen Beckett (980229), David Lord (980210), Jason Ridgley (980223), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Janetta Christie (975843), Mrs Cecilia Brands (979454), Miss Karen McLean (979677), Ms Kirsten Murray (979696), Mrs Sheena Mclachlan (960835), Michelle Fraser (979884), Mrs Donna Flowerday (979953), Mr Michael Bowden (980202), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Mr John Barkham (981629), Ms Louise Smith-Dasar (981718), Ms Jean Alexander (981921), Donald Mackay (981995), Ms Carol Murray (983145), Ms Kathleen Faulds (983151), Ms Isabel Kay (983245), Mr John Faulds (983248), Ms Lindsay Kay (983250), Ms Elizabeth Mackay (983255), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Mrs Fiona Doohan (980015)

**Objects** to the inclusion of TS04 for one or more of the following reasons:

Housing

- Since the plan for the western expansion of Thurso was first put forward in the 1990s the case for such proposals has weakened significantly including the economic arguments, demographic projections and infrastructure requirements.
- There is no demand for the level of housing development being allocated for. The HNDA shows that housing demand in Caithness and Sutherland is at a negligible level. There is

also very little demand for affordable/ council houses in Thurso and the waiting list for them is very short. There are already a large number of empty and vacant houses available. Many houses stay on the market for long periods of time. House prices are already some of the lowest in the Highlands, approximately 60% of similar houses in Inverness.

- Demographic changes show that there is no need for further major housing development in Thurso. The latest census shows there has been a declining and ageing population in Thurso (4% decline between 1991 and 2011 and a 0.9% fall between 2001 and 2011 which is the 3<sup>rd</sup> highest rate of decline in Highland). Young people are moving away from the area and the school roll is declining (the High School roll declined 18% since 2009/10 and it is expected to decline a further 14% by 2020). The Council's Ward Information identifies that there is a low supply of new housing being built in Thurso and the overall supply is adequate. With the expected demographic changes this is likely to remain the same.
- All the new housing required could be accommodated on brownfield sites or on housing sites TS01, TS02 or TS03 instead of TS04.
- The allocation of housing land west of Pennyland House and a commercial allocation east of the business park would leave a gap site which would provide opportunity for complete discretion by the developer.
- Questions the reasons for reducing the number of houses located on land between High Ormlie and the Business Park by 50% but that a new allocation is identified for 20 houses to the west of Pennyland House.
- Housing development west of Pennyland House would not be viable after the necessary investment in services.
- The previous planning permission for 400 houses has expired which shows there is no real demand for more housing. Council figures show that there were only 170 houses built in Thurso between 2006 and 2010. The housing figures show that the majority of new housing is in Landward Caithness meaning people are choosing/wishing to live in the countryside, not in the main towns. Based on the Council's report from Feb 2014 only 95 houses are needed in Thurso. These could be located in other, more suitable sites than the proposed allocations alongside the A9 at Pennyland.

#### Economic Issues

- The economy is expected to decline due to the decommissioning of Dounreay and Vulcan facilities which will see the loss of hundreds of jobs. Marine renewables is put forward as driving growth in Caithness in the future but there has been a lack of progress in the industry. All the tidal companies have gone out of business or withdrawn their interest in the area. Marine renewables will not be a labour intensive industry and will provide little new employment opportunities. Any new employment opportunities from the marine renewables sector will be focused on Wick. With the dramatic fall in oil prices the oil and gas industry is shrinking.
- Another filling station is not needed in the town. There are already 3 in Thurso including one on the NC500 route. Another filling station would not be financially viable and would likely force one of the existing ones out of business. Two of the town's filling stations were recently for sale with the one at Pennyland being on the market for a very long period before it was bought by Lidl and cleared as part of their store expansion.
- A large proportion of the previous filling station customers were going to and from the harbour and therefore the siting of the proposed filling station would be against the flow of traffic. This would create unnecessary traffic issues, particularly during peak traffic times from Dounreay/Vulcan and ferry arrivals. The proposed location of the filling station would result in a higher risk of hydrocarbon pollution in the soil.
- A vacant site sits opposite TS04, next to the Weigh Inn, which was the location of the former garage. This site should be redeveloped instead of a greenfield site adjoining it

being developed. A better location for an additional filling station would be on the A9 on the east of the river (assumed).

- Commercial development should be focused on existing business parks or the identified Enterprise Area at Scrabster.
- There are already too many built up housing developments in Thurso which have resulted in the emergence of particular social problems. Development of TS04 would have adverse social impacts for the town.
- Without regeneration of the town centre it would result in a doughnut effect, with activity around the periphery and nothing in the middle.
- The existing Caithness Local Plan (2002) currently provides opportunity for commercial development related to the renovation of the B-Listed steading.

#### Planning history

- There have been strong objections to developing the site for almost two decades. Previous Public Local Inquiries of 1994, 2001 (as part of the preparation of the Caithness Local Plan) and 2007 have concluded that the area should be protected as openspace as development would diminish the amenity and character of the area. It is highlighted that one Inquiry Reporter concluded that “*Available land and a willing owner does not justify development through either local plan use allocation or the granting of planning permission.*”

#### Environmental and Heritage Issues

- The sense of openness of the area and the green spaces are important to the setting of the town. The area adds character to the north west of Thurso and the approach into the town and through to the centre. It will create an overdeveloped feel which will destroy what makes the place attract people who want to relocate to the area. The entry point into the town from the west will become increasingly important given its position on the NC500 route. Thurso needs to retain its openspaces to make the town attractive. The land could be opened up for amenity and recreational based tourism purposes, e.g. footpaths and cycle tracks. The land is green belt and must be protected. There will be no open spaces left in Thurso.
- The ground between Pennyland and Burnside is prime agricultural land and as such should be protected from adhoc development.
- The current Amenity allocation must be preserved. The current local plan states that the Council will explore the availability of funding to develop open land to the north of Pennyland Farm as a public park and playing fields.
- It will result in the coalescence between Burnside and Thurso. A reason being provided for joining Burnside to Thurso is that there is a lack of amenities in Burnside. However, on close inspection of the new CaSPlan, it would actually appear that there are no plans to build any new amenities once the two areas are joined.
- The areas shown as Expansion of the Green Network would not stand up to the harsh weather conditions. The best land use for practical maintenance is agricultural/grazing. There is no detail on who is to provide and maintain the openspace proposed on TS04, particularly around the A9 and A836.
- The moors contain a wide range of flora and fauna, many of which are endangered species. Since grazing on the moors has stopped a natural woodland is beginning to be established. The moors provide an easily accessible outdoor and recreational asset to the town.
- Reference to positive environmental and recreational features at Wolf Burn are not clear and the expansion of greenspace on the map appears to be placed away from the burn.
- The site is highly exposed and is not suitable for housing as it is on a north west slope facing the prevailing winds from the north coast.

- The moorland at High Ormlie is an important tourism and recreational asset as it has uninterrupted views across the Pentland Firth and out towards Sutherland.
- The ground conditions north of Provost Cormack Drive have been deemed unsuitable for development so the Plan should indicate what additional works would be required by a developer to ensure development is structurally secure. Land at High Ormlie contains a number of underground natural springs which would increase problems of any construction undertaken as well as contribute to increased localised flooding and exacerbate drainage issues for existing householders in High Ormlie. Drainage – Rainfall water flows down the moors towards the houses at Pennyland. Development of TS04 could make this worse.
- There is at least one archaeologically significant site which could provide a potential heritage/tourism attraction.
- The housing site west of Pennyland House is not suitable for modern house building given it adjoins the B-Listed steading and house (which the landowner has allowed the steading to significantly deteriorate and has now become an eyesore). Proposed development would adversely impact the cultural heritage of the area, including the B-Listed Pennyland House and commemorative plaque to Sir William Alexander Smith.
- Development west of Rockwell Crescent would cause a reduction in light to the existing neighbouring houses.
- One respondent requests that if development was to go ahead then there should be at least a 30 metre setback from properties at Pennyland Estate and housing should be restricted to single storeys.

### **Infrastructure**

- Access to the proposed houses west of Pennyland House would cause major traffic problems involving Pennyland School, Castlegreen Road, Pennyland Drive and Forss Road. There are no suitable access points via Castlegreen Road as only one very narrow passage exists, next to the houses for the elderly, which is not wide enough nor acceptable given its adjoining use. It is also very close to both the junction to the A9 and the junction into Lidl. As a result it would add significantly to congestion in the area.
- The proposed access from Forss Road is currently too narrow with no option to widen it. The entrance into Forss Road is used by residents to park their cars and further development off it would result in major safety issues. Pennyland Drive is also a narrow, congested road and there are existing traffic issues due to the proximity to the primary school. Previous proposals on the site have shown that Forss Road is too narrow for access.
- Proposed access from Pennyland Drive would result in the loss of an important playpark.

### **Other issues raised**

- Modernising the town should focus on redeveloping vacant buildings and brownfield sites. All new development should be restricted to suitable brownfield sites.
- The Town Centre First Policy directs all new housing and commercial development towards the town centre, not on the outskirts.
- One of reasons for purchasing the house was open views over Thurso Bay.
- There is enough justification for the land at Pennyland to be given Special Landscape Areas status.

### **Other concerns raised:**

- If this draft CaSPlan goes through, the development of houses and a hotel will be given outline planning permission. This rules out the local community being able to object in the future before the development begins.
- Questions the reasons for developer requirements referring to TS01, TS02 and TS03 which does not appear to make sense.

- The indicative capacity identifies 180 houses but the Developer Requirements show 180 at High Ormlie and another 20 west of Pennyland House.

Miss Fiona Mackie (978748), Mr Nick Russel (979216), Mrs Carol Paterson (979637), Mr Colin Paterson (979739), Mr Don Mackay (979822), Miss Rebecca Paterson (979904), Miss Katelin Mackenzie (979954), Cartwright (979956), Mr Dean Craig (980100), Mr Jamie Henderson (980168), Mr Steven Grant (980189), Mrs Carol Taylor (971783), Mr Grant Maxwell (979898), Mrs Karen Risbridger (980206), Mr Alan Ritchie (980220), Miss Eilidh Paterson (980233), Mr Willie Steven (980239), Mr Jamie Mackay (980254), Mr Sean Miller (980259), Mrs Caroline Steven (980245), Mr Andrew Bremner (980248), Miss Amanda Gunn (980290), Mr Ronald Paterson (979807), Miss Emma Gunn (979970), Mr Euan Sinclair (980244), Miss Emma Budge (980201)

**Supports** the inclusion of TS04 for one or more of the following reasons:

- There is a need for quality new housing in Thurso. More choice is needed in the housing market.
- There is growing demand for commercial space at the business park due to the success of the existing businesses. Development of TS04 will increase capacity for the future growth of the business park and stimulate the local economy.
- It provides a natural expansion of the town's existing residential and business areas.
- It will provide a stimulus to the rest of the town, including its retail profile.
- Supportive of the return of a petrol station at Thurso West.
- A mix of land uses would form a good approach to the town.
- The area is within walking distance of the town centre and its amenities.
- The planned enhancement of Ormlie moors and creation of a community woodland would be very useful recreational areas.
- There are few existing amenities within walking distance for residents of Gills and Burnside and it would give them a greater sense of community. It would provide better connections between Thurso and Scrabster.

CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (979063)

Tulloch Homes Ltd are joint owners of a major portion of the Thurso west site and confirm their intention to participate in the future master planning of the area and the development of same. Tulloch Homes note that the south west boundary of the site to include phase VIII per the Thurso Western Expansion Framework Plan (page 65 of the current adopted Caithness Local Plan) appears to have been amended providing a lesser extent of development land although from discussions with the Council's planning officials understand the line to be indicative and the boundaries and uses will be borne out through a proper master planned approach. With regards indicative housing and business capacities along with locations of uses the plans comments should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

The landowner states that the points raised in his submission to the MIR are still relevant. These focused on: Thurso Charrette providing a good basis for CaSPlan; community debate on and general support of the sites over recent years; mix of housing, commercial and greenspaces providing a long term strategy for the town; and commercial interest in the proposals.

The energy and positivity taken from the Charrette, with the input from John Thompson & Partners, was a breath of fresh air. This vision, which the town contributed to, was carried forward to the MIR and now the planning officials' recommendations. Landowner agrees wholeheartedly with the ambition and holistic approach adopted through the Charrette process, especially as it was run by an independent team that had no prior involvement or interest in the planning of the area. Planning at a local level should be inclusive and set like this in the future, as was the case

at the Thurso and Wick Charrettes. This was a positive step forward in Scottish planning policy.

Supportive of the general vision for Thurso as it will transform Thurso into a sustainable, ecologically friendly area, where outside space is as important as inside space, an area to be enjoyed by residents and visitors alike.

Landowner provides following reasons in support of TS04 and TS14:

- Development in this western part of Thurso will help make the town a more diverse, exciting, healthy and great place to live and work.
- Sensibly scaled and well connected mixed-use development will serve existing residents and those who will settle here in the future.
- The landowner has commissioned John Thompson & Partners to prepare a first phase masterplan to be submitted during the summer of 2016.
- The proposed hotel and leisure facility and park, would go a long way to reversing the isolation and lack of amenity that is evident in these communities - adding new places for people to meet and enjoy indoor and outdoor activities – and hopefully strengthening the sense of local community in the process.

Objects to Retail and Hotel not being included as allocated uses of TS04.

#### SEPA (906306)

Add the following developer requirement “The Wolf Burn should be protected by a 25 m development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable.”

#### SNH (909933)

The “Developer Requirements” text for the TS04 allocation is confusing as it refers to TS01 – TS03, but not TS04. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed. This is due to the distance and lack of connectivity to the SAC/SSSI, meaning it is extremely unlikely that there would be impacts on either protected area.

#### Scottish Water (953627)

Scottish Water ask that should the Council become aware of the potential non-domestic usages upon these mixed-use sites, that Scottish Water Development Planning be made aware to augment our Growth Modelling activities and to inform our investment programme where applicable. Again, any site with a contaminated land designation will require a similar report prior to any connection to the water supply being approved.

### **Representation to the Modified Proposed Plan:**

#### **TS04 - Thurso West**

GVA (Meg Nelson) (MPP1034140) on behalf of Thurso Bay Trading Co. (MPP980395)

The landowner of TS04 objects to the Long Term status of specified housing sites within the allocation. The Plan needs to be flexible, responsive to market conditions and should encourage development in all economic circumstances, in accordance with SPP. If the ‘long term’ references continue to be used, we have concerns that this would hinder developer interest in the TS04 site. This is an unnecessary burden on the site.

Mr Jeremy Evans (MPP1031927), Mr Ian Westmorland (MPP1031981), Mrs Helen Robbie (MPP1032179), Mr Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Mr Michael Cowie (MPP1032425), Mr Iain Elder (MPP1032459), Mrs Valerie Moseley (MPP1031843), Miss Abbie Wilson (MPP1032650), Mrs Carol Paterson (MPP979637), Mr Aaron Taylor (MPP1032694), Miss Eilidh Sinclair Wright (MPP1032760), Miss Megan Wilson (MPP1032832), Mr Reece Smith (MPP1032849), Mr Ian Cannop (MPP1032993), Hamilton (MPP1032492), Mr Steven Reid (MPP1032948), Mrs Alison Henderson (MPP1033471), Mr James Henderson (MPP1033472), Miss Monika Carson (MPP1033507), Mr Colin Paterson (MPP979739), Miss Yasemin Turanli (MPP1033545), Mr Andrew Adamson (MPP1033812), Mrs Jan Mackay (MPP1032499), Mr Sean Miller (MPP1033482), Miss Abbey Sutherland (MPP1033845), Miss Kerry Oag (MPP1033483), Mr Martin Ross (MPP1033522), Miss Amanda Gunn (MPP1033818), Miss Jade Baikie (MPP1033831), Miss Samantha Angus (MPP1034517), Mr James Henderson (MPPjnr) (MPP1033475), Mr Charles Henderson (MPP1033480), Cartwright (MPP979956), Mr John Hart (MPP1031794), Mr Fraser Steven (MPP1033806), Mrs Michelle Will (MPP1034160), Mr Nicky Cowie (MPP1034161), Miss Karen Henderson (MPP1034643), Mrs Mary Paterson (MPP1034694), Mr Thomas Watters (MPP1034436), Mr Derek Taylor (MPP980213), Mr Ryan Cameron (MPP1034708), Miss Megan Williamson (MPP1034717), Miss Sharon Smith (MPP1034572), Mrs Fiona McLean (MPP1034721), Carol Taylor on behalf of Pennyland House B&B (MPP971783), Miss Ellie Spencer (MPP1034530), Mr John McGeachie (MPP1034749), Mr William Steven (MPP1033802), Mrs Carol Paterson (MPP979637), Mr Colin Paterson (MPP979739), Mrs Lynne Reid (MPP1034346), Miss Kerrie Martin (MPP1034602), Sandra Isabelle Harris (MPP1034546), Mrs Nicola Arthur (MPP1034246), Miss Rebecca Paterson (MPP979904), Miss Eilidh Paterson (MPP980233)

These representors are broadly supportive of the principle of development at TS04. However, they object to the Long Term status of site TS04 and would like to see it being allocated for development within the Plan period, with some requesting that the area should be allocated for Retail, Business, Sport Centre and Housing. The reasons provided included:

- The Plan should be flexible and open for potential development opportunities. The allocation must be adaptable as future development opportunities in Thurso for business, tourism, housing, retail or other development are unknown at present.
- It is a logical place and direction for growth of the town.
- There is increasing demand for such land uses with both the growth of the food and drink industry and promotion of the area's rich cultural heritage, e.g. Caithness Broch Project.
- Retail development is needed in Thurso as there isn't enough choice; many people travel to Wick for shopping.
- New housing would be attractive to young people as the current stock is not suitable.
- It will help to support the growth of the local economy, creating new employment opportunities and boosting the construction industry,
- The long term status will only result in the neighbours which overlook the site attempting to block development proposals in the future.
- Development would be in keeping with the Charrette outcomes. Green networks should be formed through the site as part the masterplan which was envisaged at the Thurso Charrette.

Mr Gary Parker (MPP968625), Mr Steven MacDonald (MPP1032713), Mrs Margaret Smedley (MPP930596), Mr Danny Doohan (MPP929481), Mr Brian Johnston (MPP1033820), Mrs Catherine Murray (MPP1033682), Ms Kathleen Faulds (MPP983151), Ms Alison MacAdie (MPP1034158), Mr Kenneth Nicol (MPP977530), Timothy Ridgley (MPP979979), Mrs Jacqueline Ridgley (MPP930800), Jason Ridgley (MPP980223), Mr Anthony Ridgley (MPP979975), Mrs Catherine Stewart (MPP1034231), Mr Angus Mackay (MPP1034300), Mr William Walker (MPP979718), Mrs Elizabeth Lawson (MPP1034442), Miss Hannah Johnston (MPP1034463), Ms

Louise Smith-Dasar (MPP981718), Mr John Faulds (MPP983248), Mr James Buchanan on behalf of St Clair Hotel (MPP980003), Mrs Amanda Robertson (MPP1034460), Mr Robert Falconer (MPP980046), Mrs Elizabeth Mackay (MPP1034732), Mr Keith Morrell (MPP1034784), Mrs Amelia Walker (MPP931321), Mrs Tanya Sutherland (MPP979994), Mr Andrew Mackay on behalf of The Pentland Hotel (MPP1034805), Lyndall Leet (MPP983272), Ms Phyllis Nicol (MPP980599), Mr Herbert Lawson (MPP1034148)

Representors are opposed to development of the section of TS04 west of Pennyland House and/or TS04 as a whole for one or more of the following reasons:

### **Economy**

- The National Review of Town Centres recommended that Council's should support development in the centres before considering developments elsewhere. This includes working with housing providers to bring empty properties back into use as affordable housing.
- New housing or commercial development should be restricted to brown field sites which could be redeveloped. There are numerous empty properties and redundant brownfield sites (e.g. the Thurso Mart and Bridgend) in the Thurso town centre area which could be developed.
- The priority should be on developing other sites first. Other sites would have a significantly less impact on the landscape. The focus should be on smaller sympathetic development which are more in tune with the wishes of the community rather than a developer driven scheme.
- The development of the wave and tidal renewables industry is slower than originally anticipated. Scottish Government has set up a task force for the wave industry but there is unlikely to be any major developments in this sector before 2020 and limited, if any development, in the Caithness area. Any development is likely to be directed to Wick rather than Thurso.
- Even if all the jobs were replaced from Dounreay, and Vulcan there is unlikely to be a need for major housing demand or major commercial (office) accommodation.
- The length of time that units in the Business Park have lain empty, and the availability of ground at Janetstown which has not been built on, is testament to the fact that no big businesses are coming here in the near future
- There is no requirement for a fourth filling station in Thurso. One filling station was for sale for a long time and was not sold as a going concern. It would result in the closure of at least one of the three existing filling stations. Another filling station would result in higher fuel prices. Given the topography of the area, a petrol station will create a high risk of hydrocarbon pollution in the soil.

### **Environment**

- It will create another built up area resulting in a loss of the sense of openness. This would damage the first impression for those entering the town from the east. Development would destroy the beautiful western approaches.
- The land has been shown to be some of the best arable land in Caithness.
- The land should be safeguarded for recreational use rather than retail, housing or hotel.
- The current Amenity allocation as shown in the Caithness Local Plan must be preserved. The local plan states that the Council will explore the availability of funding to develop open land to the north of Pennyland Farm as a public park and playing fields.
- The moorland is well used amenity/recreational area enjoyed by runners, walkers, children, dog walkers. The area is of natural beauty with a variety of wild flora and fauna. The area could be a permanent green belt and a wildlife reserve. The area could be safeguarded for much needed walking area for the community and as a tourist facility.

- The original recreational plans were not implemented due to a lack of finances yet there are no details about who is going to maintain the proposed green network/corridors.
- The aim of creating green network areas from the sea through Pennyland to the moorland at High Ormlie and out past the golf course contradict the allocations which encourage development of the area.
- The area currently helps to protect houses from the weather coming in from the north.
- Holiday makers often feedback that the approach into Thurso via the Mount Vernon estate is not particularly pleasant so it would be good to keep the other approach more open.
- Questions the reason why there is no planning law or regulation which protect the panoramic views. Requests that the coastline at Thurso should be given the same protected status as that from Durness eastwards. Safeguard the areas as a Special Landscape Area.
- Local resident states that if any development is to take place, given the close proximity to the houses at Forss Road, Brim Road, Hoy Terrace, Rockwell Terrace and Rockwell Crescent as a minimum there should be at least a 30 metre amenity/open space corridor alongside the current field boundary (similar to the requirement alongside the A836) and housing restricted to bungalows.

### **Planning issues**

- There have been 3/4 public inquiries in respect to this land. In all the reports different Reporters state in similar words that the character and amenity of this part of Thurso and of the general western approaches to the town will be diminished by any development. They all reached the same conclusion and the circumstances have not changed. These endorsements undoubtedly should be a major consideration. The Council assert that these are new developments but they are the same proposals in the same place.
- Stating what should go where is tantamount to bypassing the Outline planning application stage. This should not be allowed. A site's inclusion in the Local Development Plan is 'better than outline planning permission' as it remains the Council's position for the duration of the adopted plan. People cannot then object to the principle of the development but only comment on the detail.
- The Council amalgamated TS04 into a single large allocation. This is too large and should be split between land west of Pennyland House and the area between Ormlie and the Business Park (as per the Caithness Local Plan).
- Concerns that leaving it to "future plan reviews [to] confirm the mix of development across the site" could result with a miscellany of buildings of various sizes.
- There should be no coalescence of Thurso and Burnside. The requirement for services was never a consideration when the current local plan was approved in 2002, and there nothing in the CaSPlan for the inclusion of services, so why all of a sudden has this become a problem and they now need to be joined.
- Questions how can there be "appropriate mitigation to minimise the visual impact" when any building on this green field site would absolutely desecrate one of the most iconic views in the North of Scotland especially when approaching from the West.
- A third option should have been presented to Councillors at Committee for the removal of the 20 house allocation and land for the filling station.
- The Caithness Local Plan (2002) allocated land for a hotel to the West of Pennyland House. The landowner has confirmed he will not build it on that site. Therefore the site should be removed from the Plan. All the sites at Thurso West which were in the Local Plan are still available.
- The landowner of TS12/14 also owns Pennyland House which was the birth place of Sir William Alexander Smith, founder of the Boy's Brigade, and all the buildings on the site are B Listed. Despite continued assurances from the landowner that it would essential building maintenance would be carried out nothing has happened and they are now in a

very poor state of disrepair. How can the requirement by the developer to have “sensitive siting and design due to the proximity of the Listed Building” for these 20 houses be relied upon?

- It is claimed that in 2005 the landowner and his partner, Tulloch Homes, instigated the move of ASDA from the Mart Site to Pennyland but the application was rejected by a Government Reporter. This resulted in Thurso losing out on a new supermarket which the community wanted.
- Council planners appear to have backed Pennyland as a key growth area while unjustly eliminated others.

### **Community/Demographics**

- Demographic changes show that there is no need for further major housing development in Thurso. The Council have already stated that there is an over provision of housing in Thurso. The latest census shows there has been a declining and ageing population in Thurso (4% decline between 1991 and 2011 and a 0.9% fall between 2001 and 2011 which is the 3<sup>rd</sup> highest rate of decline in Highland). Young people are moving away from the area and the school roll is declining (the High School roll declined 18% since 2009/10 and it is expected to decline a further 14% by 2020). The HNSA shows there is no short-medium term demand. The Council's Ward Information identifies that there is a low supply of new housing being built in Thurso and the overall supply is adequate. With the expected demographic changes this is likely to remain the same.
- No need for the volume of houses proposed. The decommissioning of Dounreay and NRTE will lead to a decline in population and in turn a surplus of available housing. The HNSA shows there is no short-medium term demand.
- The previous planning permission for 400 houses has expired which shows there is no real demand for more housing. The Council have also reduced the housing figure from 400 to 200 in the Plan which indicates the lack of demand. Council figures show that there were only 170 houses built in Thurso between 2006 and 2010. The housing figures show that the majority of new housing is in Landward Caithness meaning people are choosing/wishing to live in the countryside, not in the main towns. Based upon the Director of Planning & Developments 2014 Report, if the Council required 530 houses to be built, then based upon past history 67% will be required in the landward areas. Probably only 95 will be required in the Thurso area. These could be located in other, more suitable sites than the proposed allocations alongside the A9 at Pennyland.

### **Infrastructure**

- Access to the proposed houses west of Pennyland House would cause major traffic problems involving Pennyland School, Castlegreen Road, Pennyland Drive and Forss Road. There are no suitable access points via Castlegreen Road as only one very narrow passage exists which is not wide enough nor acceptable given its adjoining use. It is also very close to both the junction to the A9 and the junction into Lidl. As a result it would add significantly to congestion in the area.
- During 2015 an area of land adjacent to Pennyland House was used as a turning area for long loads coming out of Scrabster Harbour and heading West. Any development in this area will restrict the business operation of Scrabster and industrial development to the West of the area.
- The proposed "site access" road from Burnside through the proposed housing/mixed development site will spoil the enjoyment of the area and result in a bottleneck at the junction between Provost Cormack Drive and Ormlie Road, which is used by a pedestrians including many children. Traffic would also have to double back through the town or divert through Halkirk.
- New housing development should be accessed off the proposed relief road.

## **Modifications sought by those submitting representations:**

### **Modifications sought at Proposed Plan stage:**

#### **Thurso West distributor/relief road**

Scottish Government (963027), Mr John Barkham (981629)

Removal of the indicative lines shown in the Thurso Settlement Plan and the settlement text for potential routes and road connection with the A9 trunk road.

Mrs Jane Telfer (979224)

The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the plan.

#### **TS04 Thurso West**

Mr Gary Parker (968625), Mr William Marshall (941627), Mr Michael Arkley (960859), Mr Hamish Robertson (979473), Mr Lee Parnell (979688), Mr Colin Paterson (979739), Sheila Finlayson (979790), Mrs Jane Telfer (979224), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mrs Linsey MacDougall (980035), Mr David Doochan (980228), Mr Stuart Andrew (980221), Mr Gary Angus (980227), Mr Alan Loomes (980235), Mrs Amelia Walker (931321), Miss Gayle Rennie (980274), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Agnes Macdonald (980230), Mrs Margaret Smedley (930596), Mr Stuart Vines (967328), North Hotels Ltd (Mr James Buchanan) (980003), Stephen Beckett (980229), David Lord (980210), Jason Ridgley (980223), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Janetta Christie (975843), Mrs Cecilia Brands (979454), Miss Karen McLean (979677), Ms Kirsten Murray (979696), Mrs Sheena Mclachlan (960835), Michelle Fraser (979884), Mrs Donna Flowerday (979953), Mr Michael Bowden (980202), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Mr John Barkham (981629), Ms Louise Smith-Dasar (981718), Ms Jean Alexander (981921), Donald Mackay (981995), Ms Carol Murray (983145), Ms Kathleen Faulds (983151), Ms Isabel Kay (983245), Mr John Faulds (983248), Ms Lindsay Kay (983250), Ms Elizabeth Mackay (983255), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Mrs Fiona Doochan (980015)

Respondents sought one or more of the following modifications to the Plan:

- Removal of the allocation for 20 houses west of Pennyland House
- Removal of the allocation for a filling station

Some respondents want the complete removal of the Mixed Use allocation TS04.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Add Retail/Leisure to the list of uses in TS04.

SEPA (906306)

Add the following developer requirement: "The Wolf Burn should be protected by a 25 m

development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable.”

#### SNH (909933)

Amend the Developer Requirements text for the TS04 allocation with regards to reference to sites TS01 – TS03. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed.

#### Scottish Water (953627)

Any site with a contaminated land designation will require a similar report prior to any connection to the water supply being approved.

### **Modifications sought at Modified Proposed Plan stage:**

#### **TS04 – Thurso West**

Mr Jeremy Evans (MPP1031927), Mr Ian Westmorland (MPP1031981), Mrs Helen Robbie (MPP1032179), Mr Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Mr Michael Cowie (MPP1032425), Mr Iain Elder (MPP1032459), Mrs Valerie Moseley (MPP1031843), Miss Abbie Wilson (MPP1032650), Mrs Carol Paterson (MPP979637), Mr Aaron Taylor (MPP1032694), Miss Eilidh Sinclair Wright (MPP1032760), Miss Megan Wilson (MPP1032832), Mr Reece Smith (MPP1032849), Mr Ian Cannop (MPP1032993), Hamilton (MPP1032492), Mr Steven Reid (MPP1032948), Mrs Alison Henderson (MPP1033471), Mr James Henderson (MPP1033472), Miss Monika Carson (MPP1033507), Mr Colin Paterson (MPP979739), Miss Yasemin Turanli (MPP1033545), Mr Andrew Adamson (MPP1033812), Mrs Jan Mackay (MPP1032499), Mr Sean Miller (MPP1033482), Miss Abbey Sutherland (MPP1033845), Miss Kerry Oag (MPP1033483), Mr Martin Ross (MPP1033522), Miss Amanda Gunn (MPP1033818), Miss Jade Baikie (MPP1033831), Miss Samantha Angus (MPP1034517), Mr James Henderson (MPPjnr) (MPP1033475), Mr Charles Henderson (MPP1033480), Cartwright (MPP979956), Mr John Hart (MPP1031794), Mr Fraser Steven (MPP1033806), Mrs Michelle Will (MPP1034160), Mr Nicky Cowie (MPP1034161), Miss Karen Henderson (MPP1034643), Mrs Mary Paterson (MPP1034694), Mr Thomas Watters (MPP1034436), Mr Derek Taylor (MPP980213), Mr Ryan Cameron (MPP1034708), Miss Megan Williamson (MPP1034717), Miss Sharon Smith (MPP1034572), Mrs Fiona McLean (MPP1034721), Carol Taylor on behalf of Pennyland House B&B (MPP971783), Miss Ellie Spencer (MPP1034530), Mr John McGeachie (MPP1034749), Mr William Steven (MPP1033802), Mrs Carol Paterson (MPP979637), Mr Colin Paterson (MPP979739), Mrs Lynne Reid (MPP1034346), Miss Kerrie Martin (MPP1034602), Sandra Isabelle Harris (MPP1034546), Mrs Nicola Arthur (MPP1034246), Miss Rebecca Paterson (MPP979904), Miss Eilidh Paterson (MPP980233)

Expand the range of uses allocated within Mixed Use site TS04 Thurso West to include Retail and allocate Long Term sites for development within the Plan period.

Mr Gary Parker (MPP968625), Mr Steven MacDonald (MPP1032713), Mrs Margaret Smedley (MPP930596), Mr Danny Doochan (MPP929481), Mr Brian Johnston (MPP1033820), Mrs Catherine Murray (MPP1033682), Ms Kathleen Faulds (MPP983151), Ms Alison MacAdie (MPP1034158), Mr Kenneth Nicol (MPP977530), Timothy Ridgley (MPP979979), Mrs Jacqueline Ridgley (MPP930800), Jason Ridgley (MPP980223), Mr Anthony Ridgley (MPP979975), Mrs Catherine Stewart (MPP1034231), Mr Angus Mackay (MPP1034300), Mr William Walker (MPP979718), Mrs Elizabeth Lawson (MPP1034442), Miss Hannah Johnston (MPP1034463), Ms Louise Smith-Dasar (MPP981718), Mr John Faulds (MPP983248), Mr James Buchanan on behalf of St Clair Hotel (MPP980003), Mrs Amanda Robertson (MPP1034460), Mr Robert Falconer (MPP980046), Mrs Elizabeth Mackay (MPP1034732), Mr Keith Morrell (MPP1034784),

Mrs Amelia Walker (MPP931321), Mrs Tanya Sutherland (MPP979994), Mr Andrew Mackay on behalf of The Pentland Hotel (MPP1034805), Lyndall Leet (MPP983272), Ms Phyllis Nicol (MPP980599), Mr Herbert Lawson (MPP1034148)

Remove the section of TS04 which is west of Pennyland House and/or remove the whole of TS04 from the Plan.

**Recommended summary of responses (including reasons) by planning authority:**

**Position presented to Committee in August 2016 for consideration following consultation on the Proposed Plan:**

**Conflict of Interest**

The Council followed all the correct procedures and do not accept that there has been any conflict of interest. The Council applied to the Scottish Government's Charrette Mainstreaming Programme in 2012 to carry out whole town charrettes for Wick and Thurso. It was intended that the charrettes would support and inform the Main Issues Report (MIR) and be a key element in the preparation of the Local Development Plan.

The consultant team was selected by a mini-competition to work with the Scottish Government and the local project delivery team at The Highland Council to provide the expertise and organisation required to facilitate and deliver the charrettes in line with pre agreed timetables and the programme outputs. As part of the tendering process the Scottish Government acted as Contract Manager for the Council to establish the most suitable consultant team for the project, and following an interview John Thomson & Partners were appointed.

After the Wick and Thurso Charrettes had concluded a private landowner in Thurso subsequently approached John Thomson & Partners to carry out consultancy work. John Thomson & Partners then contacted the Council to check if there were any issues. We established at that stage that there was no conflict of interest as there was no ongoing or outstanding work to be carried out in regard to the charrette nor was there any anticipation that JTP would be commissioned to carry out any further work on this matter for the Council. As a private sector consultancy, JTP was available to anyone that wished to employ their services.

**Thurso West distributor/relief road**

Support for the Thurso West distributor/relief road is noted.

With advice from the Council's Transport Planning Team, it is established that there is a clear rationale for the inclusion of the distributor/relief road in the local development plan:

- One of the main constraints within Thurso is the reliance on a single road crossing of the River Thurso. This leads to congestion problems during particular situations.
- It would help relieve traffic congestion in the town centre. The A9 Trunk Road runs through the centre of the town. However the town centre is not suitable for HGVs or transporting large haulage items due to the narrow roads and sharp corners. Traffic is regularly forced to stop or roads closed when large vehicles move through the town centre.
- The traffic congestion and HGV movement is likely to increase due to the expansion of commercial activities at Scrabster Harbour and at the Enterprise Area at Scrabster Mains Farm which the Scottish Government is actively promoting in the National Planning Framework 3. The expansion of the marine renewables industry and increase in business from the oil and gas industry in the area will also put greater pressures on local roads.
- Developments such as that proposed at Pennyland and Scrabster may require further

access points off the A9 trunk road and other proposed development will increase traffic onto the A9 via existing junctions. Together these will contribute to traffic congestion moving through the town on the trunk road.

- The creation of a distributor road is required to open up housing and employment allocations in the west of Thurso. Although these are some of the most suitable expansion sites many have been held back due to the need for investment in transport infrastructure. It is important that the road is designed to be potentially upgraded to relief road status and sufficient land is safeguarded.
- Identifying potential routes for strategic improvements will help to ensure that they are safeguarded from development which may impact on the feasibility of its delivery in the future. The bypass route identified in the Caithness Local Plan was challenged in the past. A Public Local Inquiry was carried out in 1995 which concluded that the route should be preserved and confirmed the western edge of the housing estate at Upper Burnside.

The potential relief road route was a topic of discussion during the charrette. A general consensus was reached that the preferred route should continue (as per the Caithness Local Plan 2002) to connect with the B784 immediately south of Dunbar Hospital but pass on the west of the Business Park rather than the gap to the east (i.e. as per the Caithness Local Plan and Development Brief). However given that no technical assessment has been prepared to identify the suitability of the route the line shown in the existing Development Plan has also been shown to ensure it remains as an option. Developers of TS04 will be required to deliver the early phases of the distributor road which will service the western expansion areas and help to connect up several areas in Thurso West. Sections of the distributor road should be designed to be able to be readily upgraded to provide additional capacity.

In relation to the connections with the A9, Transport Scotland highlighted that SPP states that spatial strategies should be deliverable. Although it is recognised by the Council that there is no commitment by the organisations who may deliver such strategic transport improvements this position is also widely understood by other stakeholders. Despite this there is a strong desire by the Council and the local community (shown during the charrette and in response to the Main Issues Report) for the routes to be shown in the Plan, and to address transport issues highlighted above.

The Council's Transport Planning Team note that the Caithness Local Plan indicated that ultimately the western distributor road could connect to the A9 via a new river bridge to the south of the town. The construction of the bridge would inevitably be dependent on the availability of public funding. The construction of a new bridge would provide an alternative access from the A9 to the development areas to the west avoiding the town centre and would also provide an alternative route for traffic heading to/from the harbour at Scrabster or places to the west such as Dounreay. The road would therefore act as a 'relief road' removing traffic from the town centre, rather than a 'bypass'.

It was also noted that CaSPlan shows a major area of proposed development at Pennyland, to the west of Thurso. While some of the eastern parts of this area could be accessed from existing residential streets this will not be possible for areas to the west. Additionally Business allocations in the western part of the site will require additional access. A road network will therefore be required from the existing A836 into the site and this could form the basis of the type of western distributor envisaged in the 2002 Local Plan.

The Transport Planning Team concluded that the approach set out in the 2002 Local Plan is reasonable. It allows the provision of a western distributor road to serve the development areas to the west funded by the developers and in the longer term can form the basis of a new river crossing and connection over the railway line to the A9 to the south. This will inevitably require

public funding but when completed will provide an alternative route to the town centre for heavy traffic. In the meantime it is recommended that land is not being allocated on the route or. The connection to complete the route to Scrabster will require safeguarding of route options each side of the long term housing site as shown in the Proposed Plan.

If the route is not included within the Development Plan then there is no framework in place for protecting land for a potential relief/distributor road in the future. The result of this could be hugely detrimental to the future growth and sustainability of the area, especially considering the expectations at both regional and national levels for the expansion of the offshore renewables sector.

In view of the comments seeking removal of the indicative distributor/relief road from the Plan, from the reasons set out above we do not consider this modification to be necessary. However, if the Reporter agrees then the Council would be content with removing the section east of the B784 (Ormlie Road) which connects with the A9. This would remove the relief road/bypass element of the road with only the distributor connection remaining and be potentially deliverable without funding from Transport Scotland. As a result this would also remove any conflict with SPP paragraphs 274 and 275. Whilst such an approach would not necessarily prevent future consideration of linkage to the A9, it may reduce expectation for such a connection and may make it more difficult to maintain options for such future connections.

#### **TS04 Thurso West**

The allocation of sites TS04, TS12 and TS14 was the most controversial component during the plan consultation. It is recognised that valid points both for and against development were raised during the consultation. The full responses to each of the issues raised, including the recommended position on any modifications which were sought to the Plan, are set out below and grouped under headings relating to the issues raised. Whilst taking account of the issues raised in relation to TS04 the recommended position is to retain the set as is set out in the Proposed Plan. However, to ensure that a clear agreement is reached by Committee on the preferred outcome several options for sites TS04, TS12 and TS14 are presented at the end of this Schedule 4 Issue.

The comments made in support of the inclusion of TS04 are noted, including: support for the charrette process in providing a vision for the area; provision for more business space adjoining the Business Park; and, the enhancement of amenity greenspaces and entrances into the town.

#### Housing

In respect to the range of issues raised in regard to housing supply and demand please see Issue 3 Growing Communities under the Housing Land Supply section. This sets out the reasons why we consider there to be need for the amount of housing land identified in the Plan.

#### *Housing site west of Pennyland House*

The area between the housing site west of Pennyland House and the commercial allocation east of the Business Park is identified as a Long Term Mixed Use site within the Developer Requirements. As explained at paragraph 25 in the Plan sites identified as "Long Term" indicate the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject to consideration through the preparation of this Plan. However, they are not being phased for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered. During future reviews of the Plan the Council will consider bringing forward any of those sites as allocations (subject to further assessment and identification of developer requirements) or remain as long term sites.

Concerns over the effectiveness of the Housing allocation on land west of Pennyland House appear unjustified as the SEA site assessment did not show any major constraints which would be limiting factors to development. If over time the site proves to be ineffective then the site's inclusion in the Plan can be reconsidered at future Plan reviews.

#### *Indicative Housing Capacity Figure*

In relation to comments on the indicative housing capacity for TS04, the figure reflects the strategic nature of the site and the extent of infrastructure needed to open up the site that will be delivered within the plan period. The areas identified as Long Term Housing sites are dependant on the allocated sites being developed beforehand. Consequently the indicative housing capacity figure of 180 reflects the amount of land which is considered to be available within the Plan period.

#### Economic Issues

In respect to the range of issues raised in regard to the current and future economic prospects for the area please see Issue 4 Employment. This outlines the main industries which are considered to have significant growth potential and are supported by the strategy and land allocations in the Plan.

#### *Allocation of land for Filling Station*

The filling station allocation is in a strategic position for the western expansion of Thurso, including being located next to the new distributor road and close to the Enterprise Area. Should these developments be delivered there may be greater need for an additional filling station in that area. The filling station together with expansion of the Business Park provides for greater scope to enable wider development of TS04 by contributing towards infrastructure provision..

Although the former filling station on Ormlie Road has recently been bought over and re-opened the filling station at Castlegreen Road was recently demolished to make way for Lidl's supermarket expansion. This means there are three filling stations in Thurso: on Ormlie Road, Mansons Lane and the A9 at Bridgend.

There would be a presumption in favour of redeveloping the former garage site next to the Weigh Inn as it is located within the Settlement Development Area boundary and classified as a brownfield site. However, given that it was not suggested by the landowner or potential developer the site may not be effective in the short term. The Council considers that the site should remain unchanged and no modification is proposed.

#### *Commercial allocation at Pennyland Steading*

The allocation in the existing Caithness Local Plan identifies the area west of Pennyland House for a hotel with the B-Listed Pennyland House and Steading forming part of the allocation. Since then Pennyland House has been established as a successful B&B and there has been no interest in progressing with development on the hotel allocation (site reference 21 in the Caithness Local Plan). This was taken into account when proposing to reallocate the land for Housing. Although the Council remains in favour of retaining and incorporating the steading into other proposals, e.g. tourism or housing, it is not considered appropriate to be part of the allocation. The Council is not minded to make any modification to the Plan.

#### *Town Centre Regeneration*

Objections to the inclusion of TS04 on the grounds that development must be directed to the town centre are not considered as appropriate. The Plan promotes the regeneration of Thurso town centre and enhancing its vitality and vibrancy is shown as one of the key Placemaking Priorities. The introduction of the Town Centre First Policy also directs all significant footfall generating uses within the identified town centre boundary. The Council recognises, however,

that it is not appropriate to direct all development to the town centre. Also due to the potentially high additional costs involved in redeveloping town centre sites alternative opportunities outwith the town centre need to be identified to ensure that important investment in the area is not discouraged. As a result no modification is proposed to the Plan.

#### *Directing commercial development to existing centres*

The Plan already focuses commercial development towards existing or recognised future commercial centres. For example, the Business components of TS04 are located next to the Business Park and the only Industrial allocations in Thurso are at Scrabster Harbour and the Enterprise Area. Business uses form part of several other Mixed Use allocations in Thurso (e.g. TS05 and TS06) but these provide greater flexibility for the redevelopment of brownfield sites which are also relatively close to the town centre. As a result no modification is proposed to the Plan.

#### Planning History

Planning history, including previous decisions, is relevant background and provides context for the current situation in Thurso west. However, the citing of previous planning decisions as a reason for not allocating land is not appropriate. The development plan review allows for the opportunity to look at new development proposals, including those being put forward on sites where previous decisions were unfavourable to particular development proposals. The previous Public Local Inquiries, held in 1996 and 2001, examined the suitability of development on the fields at Pennyland and have been fully considered in the preparation of the Proposed Plan.

The sites at Pennyland were put forward for discussion during the Thurso Charrette in 2013. The land south of the A9 was envisaged as having potential for residential and mixed use development given its proximity to the town centre and fine northerly views. The land north of the A9 was also considered at the charrette which looked at potential hotel locations in Thurso West with options on land west of Pennyland House and to the north of the A9, west of the caravan park. The final Charrette Report envisaged a mixed use development south of the A9 (with potential for a hotel) and the area north of the A9 was recognised as being a high amenity cliff-top site.

The sites were also suggested to the Council during the CaSPlan Call for Sites (Aug – Oct 2014), for development by the landowner for safeguarding as openspace by members of the public. As with all sites that were suggested during this stage the Council reassessed the suitability of each of them. Following careful consideration it was agreed that some forms of development could be accommodated at Pennyland with appropriate mitigation to minimise the visual impact while also maximising public benefits. Many of the proposals are important for economic development, improving access to quality public open space and delivering strategic transport improvements.

Overall, the planning history of the site provides useful background information but the site is considered suitable for development for the reasons outlined in this document. As a result the Council are not minded to make any modifications to the Plan.

#### Environmental Issues

##### *Sense of Openness*

The concerns expressed over the impact on the sense of openness in the west of Thurso are recognised. However, it is considered that certain areas of Pennyland could be acceptable if sufficient land is safeguarded to form high quality of accessible amenity spaces and areas of natural environment are protected/enhanced. Areas have been identified as Expansion to the Green Network alongside the A9/A836 with corridors running continuously through the site to the east and south. The moors at High Ormlie are an important feature but some parts have suffered from a lack of investment/maintenance and anti-social behaviour. Development of TS04 can help

to improve the recreational and environmental quality of the area.

As shown in the Developer Requirements, the areas of development alongside the A9/A836, will also be expected to provide a particularly high quality of siting and design. This will ensure that it presents an attractive entrance into the town from the west and is well integrated with the areas shown as forming part of the green network. Any developer would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This will ensure that any landscaping will be suitable to the weather conditions and is well maintained.

#### *Coalescence*

The objections over coalescence between Burnside and Thurso are not justified as Burnside is considered as a suburb of Thurso rather than an established or historic stand-alone community. Burnside is a relatively modern housing estate (built during the 1990s and 2000s) and has never had any facilities/services such as shops, school, post office, library or community hall. As a result the coalescence between the two areas does not raise significant planning concerns.

Despite this, the proposed Expansion of the Green Network on the section of TS04 immediately south of the A9/A836 and the proposed public park on TS12 will mean that a sufficient gap remains between the two areas to maintain a sense of openness. These areas will also serve as parts of the green network serving as a continuous green, active travel corridor from the sea, through Pennyland, to the moorland at High Ormlie and out past the golf course. No modifications are proposed to the Plan on the grounds of coalescence.

#### *Improving Amenity Value*

Other than being open agricultural fields with views across Pennyland and out over Thurso Bay the land itself has limited amenity value for residents or visitors. The Caithness Local Plan sets out aspirations for the areas marked as 'Amenity' for enhancing the public amenity of land north and south of the A9 at Pennyland including the creation of a public park, playing field and pitch and putt course. It also noted that "where possible, the siting of all ancillary building will be rigorously controlled to ensure that the panoramic view across this area is maintained in its entirety." Over the past 15 years since the existing local plan was adopted there has been no attempt to deliver these facilities by the landowner, community or the Council. The delivery of the scheme was also not tied to any of the proposals set out in the Thurso West expansion strategy (as identified in the Caithness Local Plan or Thurso West Development Brief). The proposals set out in CaSPlan present a mechanism for achieving the delivery of greater public access to and provision of amenity space in the area.

#### *Impact on Listed Buildings*

Concerns over the impact of development on the adjoining the B-Listed Pennyland House (which includes the commemorative plaque to Sir William Alexander Smith) have already been addressed with Developer Requirements to provide a high quality siting and design and any development to be low level/density. However, to provide greater clarity and reflect other sites adjoining Listed Buildings, if the Reporter is so minded, the Council would be content with the following Developer Requirement being added: "Sensitive siting and design required due to proximity to Listed Building".

#### *Prime Agricultural Land*

Whilst this site does involve some loss of Caithness' prime agricultural land (rated 3.2 within the Land Capability for Agriculture classification), it lies close to the town centre, and is considered the most appropriate option for strategic growth. It therefore forms a component of the settlement strategy and accords with Scottish Planning Policy with regard to loss of prime agricultural land. Therefore no modifications are proposed to the Plan on the grounds of impact on prime

agricultural land.

#### *Development Setback*

The Expansion to the Green Network notation on the map shows that a setback from properties at Pennyland Drive will form part of the proposals for TS04. It is considered more appropriate to set the specific separation distance as part of the preparation of the Development Brief or developer led masterplan (which ever comes first). The Plan already identifies as a Developer Requirement that the houses should be a 'low level' development. Therefore no change is felt necessary to the Plan.

#### *Enhancing Wolf Burn for Wildlife and Recreation*

Concerns raised about the clarity of proposals for Wolf Burn are noted. However, the Plan identifies that as part of the development of TS04 the area along Wolf Burn should be made into a positive environmental and recreational area. On the map the notation for the Expansion of the Green Network covers a wider area to show that this is expected to be a wide corridor including not just the burn itself and the footpath. Further detail of the greenspaces and expansions of the green network will be identified as part of the proposed Development Brief or by a masterplan if it is taken forward in advance of the Development Brief. No modification is proposed to the Plan.

#### *Prevailing Wind*

The impact from the prevailing wind is considered as part of the SEA site assessment. However it forms part of a wide range of factors which are taken into account in assessing the suitability of a site. In this case, as the site adjoins the town to the south and east the existing built environment provides some level of protection for much of the site. The site also provides an important role in the strategic expansion and delivery of improved transport infrastructure in Thurso. As a result no modification is proposed to the Plan.

#### *Ground conditions*

Concern over the unsuitable ground conditions and underground natural springs at the south eastern section of TS04 is noted. However, no evidence has been provided to back this up and it was not raised by any internal or external agency which we consulted in the preparation of the SEA Environmental Report and the Plan itself. As a result no modification is proposed to the Plan.

#### *Archaeology*

The Council's Historic Environment Team (HET) and Historic Environment Scotland (HES) were both consulted during the preparation of the SEA Environmental Report. As some historic environment records were identified on the site a Programme of Archaeological works was included as a Developer Requirement. As a result no modification is proposed to the Plan.

#### *Protected Species*

The potential impact on protected species such as otters is recognised and a Protected Species Survey is already included as a Developer Requirement. The developer of the site will be required to provide additional appropriate information at planning application stage to demonstrate that proposals meet the general policies set out in HwLDP, including Policy 57 Natural, Built and Cultural Heritage and Policy 63 Water Environment. In relation to concerns about 'endangered' species in Ormlie moors no modification is proposed to the Plan.

#### Infrastructure

##### *Housing West of Pennyland House*

Concerns regarding the potential access from Forss Road and Castlegreen Road to serve the Housing allocation west of Pennyland House are noted. To ensure that the level of housing development is suitable the Council would be content with the existing reference in the Developer

Requirements (“...accessed via Castlegreen Road or Forss Road”) being replaced with the following text “Access from Castlegreen Road and/or Forss Road, with scale of development dependant upon the access arrangements that can be achieved.”

#### *Access from Pennyland Drive*

The Plan identifies potential road access points to TS04 including an access south westwards from Pennyland Drive. This is only indicative and a Transport Assessment will be required to inform the final road layout. Should a road access to be taken from Pennyland Drive, resulting in the removal of the existing children’s play park, then a new facility of equal or better quality would be required nearby to meet Policy 75 Open Space in HwLDP. As a result no modification is proposed to the Plan.

#### *Impact on Residents of Rockwell Crescent*

The impact on neighbouring residents was considered as part of the site assessment process. As the area between Rockwell Crescent and the Business Park slopes downwards from the existing houses development should not impinge on daylight levels of neighbouring residents. Amenity issues such as these will also be addressed in further detail at planning application stage and possibly at Development Brief/masterplan stage. Therefore no modification is proposed to the Plan.

#### Other Issues Raised

##### *Social Problems Resulting from Housing Developments*

Public sector housing developments from around the 1960s and 1970s, such as at Pennyland, were often large, single tenure estates which have since been shown to lead to certain social issues. However, new housing developments are designed to provide sustainable communities where there is mix of house types and tenures and residents have appropriate access to facilities and amenities that help bring communities together and reduce social problems.

##### *Redeveloping Brownfield Land*

The Council supports the principle of redeveloping brownfield land and promotes, where possible, suitable brownfield development opportunities. The Plan aims to reduce the pressure on greenfield sites and achieve regeneration by identifying key brownfield sites, such as TS06, TS07, TS08 and TS09, and directing development to town centres. However, due to the potentially high additional costs involved some greenfield sites need to be identified to ensure that important investment in the area is not discouraged and in order to provide sufficient supply of land and range of development opportunities.

##### *Promoting Town Centre Development*

The Town Centre First Policy seeks to direct all significant footfall generating uses towards designated town centres. The policy also supports the conversion of buildings providing there is no loss of existing or potential viable footfall generating use. The Plan recognises that it is not appropriate or feasible to direct all housing or commercial development to town centres. As a result the Plan allocates land outwith the town centre.

##### *Impact on Private View*

Whilst the Council consider the impact on neighbouring residents, the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity, through the HwLDP general policy 28 Sustainable Design and at the Development Brief/masterplan stage. As a result no modification is proposed to the Plan.

See Issue 6 Environment and Heritage for the response to the request for Pennyland to be designated as a Special Landscape Area.

## **Other Concerns**

### *Implications of an Allocation in the LDP*

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted outline planning. Although the allocation in the Plan does show that the Council would support in principle the allocated land uses a developer would still be required to submit an application, either for planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application.

### *Indicative Housing Capacity*

The 20 house allocation next to Pennyland House was included in the total allocated housing land figure shown in the Growing Communities section (paragraph 24). However it is recognised that the indicative housing capacity figure shown for TS04 (180) only included that for the Housing component south west of Pennyland Drive. The total figure for TS04 should have been 200 and therefore it is agreed to amend this as a non-notifiable modification.

### *Protecting Wolf Burn Water Quality*

The site is upstream of the recently constructed Wolf Burn Distillery which takes its water from the burn. Therefore, to protect the integrity of the distillery business, if the Reporter is so minded, the Council is content for the suggestion made by SEPA to be made, namely to add the following developer requirement: "The Wolf Burn should be protected by a 25 metre development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable".

### *Incorrect Site Referencing*

The site references included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). It is therefore agreed to amend this as a non-notifiable modification.

### *South Western Boundary of TS04*

The south western boundary of TS04 takes a slightly tighter line than that identified as part of the existing Development Brief. As a result it excludes a small section of the field adjoining Ormlie moors which was previously allocated. Although this section of TS04 is identified for Long Term Housing the site forms part of the wider strategic expansion of Thurso and is expected to be developed in the future. However, if the Reporter is so minded the Council would be content for the boundary to be moved outwards to include the whole field. This would provide greater clarity over the extent of development supported and better reflect the existing Thurso West Development Brief (2003) and subsequent planning permission (now lapsed).

### *Other Land Uses Suggested*

Retail is not considered to be a suitable use as part of the Mixed Use allocation TS04 as it does not accord with the Town Centre First Policy which directs all significant footfall generating uses towards the town centre. Given the topography and prominent nature of the land south of the A9 large retail development would also have a significant impact on the landscape. The Council do not propose to modify the Plan to include Retail as one of the uses.

An additional Hotel allocation near the Business Park is also not supported as it is arguably a less appealing location for attracting a quality hotel given the adjoining uses and a more restricted view. If a budget hotel was to take the site forward then it could present significant direct competition with town centre hotels. The Council do not propose to modify the Plan to include Hotel as one of the uses.

### *Scottish Water*

The request for the Council to make Scottish Water aware if and when potential non-domestic usages are known on the sites is noted. In terms of a similar study to accompany a contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water. No modification proposed to the Plan.

## **Recommended Council position in response to representation on the Modified Proposed Plan:**

### **TS04 – Thurso West**

On the 31<sup>st</sup> August 2016 in agreeing the response to comments on the Proposed Plan the Caithness Committee considered options for site allocations TS04 Thurso West alongside TS12 East of Burnside for Community and TS14 Land West of Caravan Park for Business. Please see Issue 11(b) for details on the options considered by Committee relating to Thurso sites TS04, TS12 and TS14. For TS04 the Committee agreed to retain the site as a single allocation as shown within the Proposed Plan rather than to separate TS04 into its key components on the Proposals Map.

Many of the points raised during the Modified Proposed Plan consultation have already been considered and the response agreed by Committee on 31 August 2016 still applies. We are not therefore reconsidering these issues again here. Instead, below is a summary of the new issues raised during the Modified Proposed Plan consultation and the suggested Council response:

### *Allocate the Long Term Sites/Expand Range of Uses*

A large number of representations were made which are supportive of the principle of development at Thurso West but object to aspects of TS04, and more specifically the land west of Pennyland House, requesting that the whole site is allocated for development within the Plan period and that the range of allocated uses should be expanded. The Plan, however, already identifies a range of development opportunities in Thurso including land for major business development adjacent to the existing Thurso Business Park and retail and office opportunities within the town centre, at the former mart and sites along the riverside. The Plan also allocates land with indicative capacity totalling 363 houses on a number of different sites in Thurso within the Plan period.

With reference to requests for Retail to be added to the mix of allocated uses for TS04, the Council does not consider the site and more specifically the land west of Pennyland House, suitable for such uses. As outlined in Policy 1 Town Centre First of CaSPlan, significant footfall generating uses such as Retail are directed towards town centres. Proposals for significant footfall generating retail uses which are outwith town centres must produce a retail impact assessment to demonstrate that there would be no adverse impact on the vitality or vibrancy of the town centre. No such evidence has been submitted in support of the request that Retail is added to the mix of uses. Whilst the Long Term status of land west of Pennyland House indicates that the Council considers that some development may be accommodated on the site the Plan is clear that it is housing development that is being referred to as opposed to large retail units which could have a significant impact on the landscape.

In reference to more specific requests for the inclusion of a proposed supermarket within allocation TS04, this was an issue posed at Main Issues Report stage and it was apparent that there was no significant desire within the community or developer interest in such a proposal. At no stage in the CaSPlan preparation process have we received any formal representations from

a supermarket retailer interested in developing land at Pennyland. Comments made to the Modified Proposed Plan have not raised substantial rationale or evidence that demonstrate that there is need for a new supermarket in Thurso. Furthermore, Lidl have recently expanded their store at Pennyland to almost 1,350m<sup>2</sup> in sales area and the former mart site, which remains the preferred choice over Pennyland, has a current application pending consideration for two retail units on the site.

As highlighted above, a range of commercial and housing development opportunities have already been identified within the Plan for Thurso and the Council is not minded to expand the range of uses or bring the Long Term area forward as an allocation. As a result no change is proposed to allocation TS04.

#### *Separation of TS04 into Separate Components*

With reference to requests that site TS04 should be separated into its component parts, it is considered that it is best taken forward as a single allocation as it would better reflect the extent covered by the forthcoming review of the Thurso West Development Brief. During the preparation of the Development Brief or at future plan reviews the suitability of development can then be assessed and the potential mix of development across the site can be identified. This position was agreed by Councillors as part of the Proposed Plan and reaffirmed at Caithness Committee in August 2016. As no reasons were provided to challenge this position we therefore do not propose any amendments to allocation TS04.

#### *Decision Making for Sites West of Pennyland House*

Following consideration of the representations at the Proposed Plan stage it was not considered necessary to include the removal of the sites west of Pennyland House as one of the options suggested to the Committee. The Committee was not limited to considering the options outlined in the report. The Council's agreed position is the inclusion of this area within TS04 and as a result no change is proposed to the allocation.

#### *Setting Appropriate Mitigation*

Concerns raised over the sensitivity of the site are recognised, however, the Plan sets out a range of mitigation to minimise the visual impact from development on TS04. This includes expansion areas for the green network, a buffer strip of at least 30 metres along the A836, high quality siting and design especially around more prominent areas; and requiring the housing development west of Pennyland House to be low level/density. These Developer Requirements identified in the Plan are considered sufficient to mitigate any potential impacts. Therefore no change is proposed to allocation TS04.

#### *Enforcement of Development Requirements*

The Council's Development Plan is of particular importance when making planning decisions. When the Council deals with planning applications for proposed development it has regard to the Development Plan (comprising Local Development Plans and Supplementary Guidance) and material considerations. The Highland Council's area local development plans set out site allocations including any Developer Requirements which need to be addressed (see the CaSPlan Glossary for more information) either as part of the application or set out in the conditions. The law states that unless material considerations indicate otherwise, an application is to be determined in accordance with the development plan. Therefore, no change is proposed to allocation TS04.

#### *Pennyland Landowner and Asda Proposal*

In relation to the point raised about the landowner of Pennyland and Tulloch Homes enticing Asda from pursuing the mart site, the private negotiations and commercial decisions made

between private companies, developers and landowners is not a material consideration. The purpose of the Development Plan is to identify effective development sites and suitable land uses. As a result no change is proposed to allocation TS04.

*Lack of proper assessment of alternative sites*

The Council disputes the claim that sites in Pennyland were identified as the key growth area while other sites were unjustly eliminated. Through the preparation of the Main Issues Report and as part of the SEA process each site was assessed both individually and in combination with others to identify the general strategy for Thurso and which sites were most suitable to be allocated for development. As a result no change is proposed to allocation TS04.

*Pennyland turning area*

The turning area opposite the Weigh Inn was created to allow for HGVs to more easily transport wind turbine components from the harbour to development sites. As this section of TS04 is identified for Long Term potential development there is no threat to the turning area during the plan period. Should the site be recommended for allocation in future plan reviews and the turning area is still required then a Developer Requirement can be added to protect/formalise it as part of the development proposals. As a result no change is proposed to allocation TS04.

*Bottleneck at Ormlie Road/Provost Cormack Drive*

The access point from Provost Cormack Drive will serve development at High Ormlie until the distributor road which will connect to the A836 is delivered. As part of the Developer Requirements for TS04 a Transport Assessment will need to be carried out which will address concerns regarding impacts on the road network. As a result no change is proposed to allocation TS04.

**CONCLUDING REMARKS**

Although there was a relatively large number of comments on site allocation TS04 Thurso West during the Modified Proposed Plan consultation, no new issues or substantive evidence were raised which warrant the Council making amendments to the Plan. Furthermore, we are not minded to propose any additional suggestions of amendments to the Plan for the Reporter to consider. Therefore, the Council proposes to take site TS04 forward to Examination unchanged from that shown in the Modified Proposed Plan.

**Reporter's conclusions:**

**Reporter's recommendations:**

**APPENDIX 4:  
THURSO WEST –**

**UPDATED AND REVISED “THURSO WEST” SCHEDULE 4: SITES TS12 & TS14**

<b>Issue 11 (B)</b>	<b>SITES TS12 AND TS14</b>	
<b>Development plan reference:</b>	Thurso - TS12 and TS14	<b>Reporter:</b>
<b>Body or person(s) submitting a representation at <u>Proposed Plan stage</u> raising the issue (including reference number):</b>		
<p>Caithness Chamber of Commerce (CCC) (Mr David Swanson) (983321) Donald Mackay (981995) Jason Ridgley (980223) London and Scottish Investments Limited (979770) Lyndall Leet (983272) Michelle Fraser (979884) Miss Amanda Gunn (980290) Miss Eilidh Paterson (980233) Miss Fiona Mackie (978748) Miss Gayle Rennie (980274) Miss Katelin Mackenzie (979954) Miss Rebecca Paterson (979904) Mr &amp; Mrs Tom Jackson (981229) Mr Alan Loomes (980235) Mr Alan Ritchie (980220) Mr Alastair Chisholm Christie (980596) Mr Andrew Bremner (980248) Mr Andrew Fraser (983996) Mr Andrew Mackay (979985) Mr Anthony Ridgley (979975) Mr Colin MacDonald (980226) Mr Colin Paterson (979739) Mr Danny Calder (983991) Mr David Doohan (980228) Mr Dean Craig (980100) Mr Derek Taylor (980213) Mr Don Mackay (979822) Mr George Mitchell (983251) Mr Grant Maxwell (979898) Mr Ian Mackay (978586) Mr Ian Walker (979716) Mr Jamie Henderson (980168) Mr John Faulds (983248) Mr Kenneth Nicol (977530) Mr Lee MacDougall (980312) Mr Lee Parnell (979688) Mr Michael Bowden (980202) Mr Nick Russel (979216) Mr Robert Falconer (980046) Mr Ronald Paterson (979807)</p>	<p>Mr Stephen Anderson (983269) Mr Steven Grant (980189) Mr Stuart Andrew (980221) Mr Stuart Liddle (980236) Mr Walter Mclachlan (979426) Mr William Walker (979718) Mr Willie Steven (980239) Mrs Amelia Walker (931321) Mrs Carol Paterson (979637) Mrs Carol Taylor (971783) Mrs Caroline Steven (980245) Mrs Cecilia Brands (979454) Mrs Cynthia Calder (980214) Mrs Fiona Doohan (980015) Mrs Jacqueline Ridgley (930800) Mrs Jane Foster (980307) Mrs Jane Telfer (979224) Mrs Janetta Christie (975843) Mrs Jill Falconer (979729) Mrs Karen Risbridger (980206) Mrs Linsey MacDougall (980035) Mrs Margaret Smedley (930596) Mrs Marjory Lord (980210) Mrs Sheena Mclachlan (960835) Mrs Tanya Sutherland (979994) Ms Amanda Robertson (983266) Ms Carol Murray (983145) Ms Kathleen Faulds (983151) Ms Kirsten Murray (979696) Ms Lindsay Kay (983250) Ms Louise Smith-Dasar (981718) Ms Phyllis Nicol (980599) North Hotels Ltd (Miss Beverley Egan) (980280) North Hotels Ltd (Mr James Buchanan) (980003) Park Hotel (Mr Richie Campbell) (980293) Royal Hotel (Mr Andrew Mackay) (979985) SEPA (906306) SNH (909933) Thurso Bay Trading Co (Mr Raymond Taylor) (980395)</p>	

Mr Sean Miller (980259)

Timothy Ridgley (979979)

**Body or person(s) submitting a representation at Modified Proposed Plan stage raising the issue (including reference number):**

Carol Taylor on behalf of Pennyland House B&B (MPP971783)  
Cartwright (MPP979956)  
GVA (Meg Nelson) (MPP1034140) on behalf of Thurso Bay Trading Co. (MPP980395)  
Hamilton (MPP1032492)  
Lyndall Leet (MPP983272)  
Miss Abbey Sutherland (MPP1033845)  
Miss Abbie Wilson (MPP1032650)  
Miss Amanda Gunn (MPP1033818)  
Miss Amelia Mackay (MPP1032516)  
Miss Anna Wilson (MPP1034499)  
Miss Chelsey Trueman (MPP1034446)  
Miss Colette Kidd (MPP1034715)  
Miss Connie Doyle (MPP1034730)  
Miss Eilidh Paterson (MPP980233)  
Miss Eilidh Sinclair Wright (MPP1032760)  
Miss Ellie Spencer (MPP1034530)  
Miss Emily Eadie (MPP1034605)  
Miss Fiona Mackie (MPP978748)  
Miss Georgina Mackenzie (MPP1034374)  
Miss Hannah Johnston (MPP1034463)  
Miss Jade Baikie (MPP1033831)  
Miss Karen Henderson (MPP1034643)  
Miss Kerrie Martin (MPP1034602)  
Miss Kerry Oag (MPP1033483)  
Miss Laura Davidson (MPP1032852)  
Miss Lauren Robb (MPP1034783)  
Miss Lucinda Sutherland (MPP1032850)  
Miss Marcela McMillan (MPP1034738)  
Miss Megan Williamson (MPP1034717)  
Miss Monika Carson (MPP1033507)  
Miss Rachel Dickson (MPP1034576)  
Miss Rebecca Paterson (MPP979904)  
Miss Samantha Angus (MPP1034517)  
Miss Sasha Carroll (MPP1032647)  
Miss Sharon Lennie (MPP1032200)  
Miss Sharon Smith (MPP1034572)  
Miss Stephanie Whelan (MPP1034173)  
Miss Yasemin Turanli (MPP1033545)  
Miss Zoe Kerr (MPP1034727)  
Mr Aaron Taylor (MPP1032694)  
Mr Adam Cairns Paterson (MPP1034614)  
Mr Alan Dykes (MPP1034712)  
Mr Alan Lobban (MPP1034166)  
Mr Alan Ritchie (MPP980220)

Mr Ian Ross (MPP1032817)  
Mr Ian Walker (MPP979716)  
Mr Ian Westmorland (MPP1031981)  
Mr Isaac Johnson (MPP1032661)  
Mr Jack Drummond (MPP1034747)  
Mr Jack Dunnett (MPP1032498)  
Mr Jack Floydd (MPP1032423)  
Mr James Buchanan on behalf of St Clair Hotel (MPP980003)  
Mr James Henderson (MPP1033472)  
Mr James Henderson (MPPjnr) (MPP1033475)  
Mr Jamie Mackay (MPP980254)  
Mr Jeremy Evans (MPPMPP1031927)  
Mr John Faulds (MPP983248)  
Mr John Hart (MPP1031794)  
Mr John McGeachie (MPP1034749)  
Mr Kieran McKenzie (MPP1034174)  
Mr Liam Dykes (MPP1032658)  
Mr Martin Ross (MPP1033522)  
Mr Michael Cowie (MPP1032425)  
Mr Mike Lunan (MPP1034651)  
Mr Nicky Cowie (MPP1034161)  
Mr Robert Falconer (MPP980046)  
Mr Ross Dignan (MPP1032656)  
Mr Ryan Cameron (MPP1034708)  
Mr Ryan Wade (MPP1033508)  
Mr Sean Miller (MPP1033482)  
Mr Steven Grant (MPP980189)  
Mr Steven MacDonald (MPP1032713)  
Mr Steven Reid (MPP1032948)  
Mr Stuart Andrew (MPP980221)  
Mr Thomas Watters (MPP1034436)  
Mr Tony Carroll (MPP1034724)  
Mr William Arif (MPP1033711)  
Mr William Lipka (MPP1034146)  
Mr William Miskelly (MPP1033534)  
Mr William Steven (MPP1033802)  
Mr William Urquhart (MPP1034181)  
Mr William Walker (MPP979718)  
Mr Willian James Stewart (MPP1034252)  
Mrs Alison Henderson (MPP1033471)  
Mrs Amelia Walker (MPP931321)  
Mrs Amelia Walker (MPP931321)  
Mrs Carol Lobban (MPP1034177)  
Mrs Carol Paterson (MPP979637)

Mr Alastair Chisholm Christie (MPP980596)	Mrs Catherine Murray (MPP1033682)
Mr Alexander Wilson (MPP1034726)	Mrs Catherine Stewart (MPP1034231)
Mr Allan Sutherland (MPP1032228)	Mrs Claire Cairns (MPP1034178)
Mr Andrew Adamson (MPP1033812)	Mrs Claire Mclean (MPP1034634)
Mr Andrew Hare (MPP1033535)	Mrs Diana Johnston (MPP1034710)
Mr Andrew Mackay on behalf of The Pentland Hotel (MPP1034805)	Mrs Elizabeth Balfour (MPP1034729)
Mr Andrew Martin (MPP1034735)	Mrs Elizabeth Lawson (MPP1034442)
Mr Angus Cowap (MPPMPP970363)	Mrs Elizabeth Mackay (MPP1034732)
Mr Angus Mackay (MPP1034300)	Mrs Fiona McLean (MPP1034721)
Mr Ben Gordon (MPP1034569)	Mrs Gillian McGill (MPP1034660)
Mr Bruce McConnell (MPP1031719)	Mrs Helen Robbie (MPP1032179)
Mr Charles Henderson (MPP1033480)	Mrs Janetta Christie (MPP975843)
Mr Clive Meikle (MPP980256)	Mrs Karon MacGregor (MPP1034719)
Mr Colin McLean (MPP1034744)	Mrs Kim McColm (MPP1034441)
Mr Colin Paterson (MPP979739)	Mrs Lynne Reid (MPP1034346)
Mr Derek Taylor (MPP980213)	Mrs Lynsey Mackay (MPP1033501)
Mr Don Mackay (MPP1032343)	Mrs Margaret Smedley (MPP930596)
Mr Donald Mackay (MPP1034740)	Mrs Marlene Lipka (MPP1034152)
Mr Euan Munro (MPP1034728)	Mrs Mary Paterson (MPP1034694)
Mr Euan Sinclair (MPP980244)	Mrs Michelle Will (MPP1034160)
Mr Fraser Steven (MPP1033806)	Mrs Nicola Arthur (MPP1034246)
Mr Gary Parker (968625)	Mrs P McDonald (MPP1034620)
Mr Gary Reid on behalf of Reids of Caithness (MPP1033983)	Mrs Pam Bain (MPP1033586)
Mr George Mitchell (MPP983251)	Mrs Paula Fisher (MPP1031813)
Mr George Robertson (MPP1034736)	Mrs Samantha Lovett (MPP1031902)
Mr Gordon McConnell (MPP1034718)	Mrs Tanya Sutherland (MPP979994)
Mr Graeme Reid (MPP1032386)	Mrs Valerie Moseley (MPP1031843)
Mr Gregor Clunie (MPP1034175)	Mrs Veronica Mackay (MPP1033807)
Mr Hamish Mackinnon on behalf of Royal Hotel (MPP1034816)	Mrs Yvonne Martin (MPP1033504)
Mr Herbert Lawson (assumed) (MPP1034148)	Ms Alison MacAdie (MPP1034158)
Mr Iain Black (MPP1032452)	Ms Kathleen Faulds (MPP983151)
Mr Iain Elder (MPP1032459)	Ms Lynne Lynne Glover (MPP1034603)
Mr Ian Cannop (MPP1032993)	Ms Meghann Ashpool (MPP1034155)
Mr Ian Mackay (MPP1034447)	Ms Phyllis Nicol (MPP980599)
Mr Ian Mackay (MPP978586)	Samantha Lovett (MPP1037485)
	Sandra Isabelle Harris (MPP1034546)
	Val Ashpool (MPP1034162)

<b>Provision of the development plan to which the issue relates:</b>	TS12 and TS14
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**Planning authority's summary of the representation(s):**

**Representation to the Proposed Plan (as previously reported to and considered by Committee on August 2016):**

Mr William Walker (979718), Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321), Mr Michael Bowden (980202), Mr Stuart Liddle (980236), Mr Stephen Anderson (983269), Mrs Sheena Mclachlan (960835), Mr Walter Mclachlan (979426)

**Objects** to the inclusion of TS12 for Community uses for one or more of the following reasons:

- Weather conditions would be a constant issue for the maintenance of any landscaping which would result in a high financial burden.
- The area should be protected from any development.
- Key finding from the Charrette Report page 68 states “Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west.” This land should remain open aspect.
- The views over Thurso Bay should be protected.
- It will add to the coalescence of Thurso and Burnside.
- The MIR stated it would “Safeguard land for open amenity”. Respondent questions why this has changed.
- There is no need for a public park in this area. It will not get used by local residents.
- The park area has only been added to enhance the Plan.

Mr Kenneth Nicol (977530), Miss Rebecca Paterson (979904), Mr Don Mackay (979822), Mrs Marjory Lord (980210), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

**Supports** the allocation for Community/Public Park for one or more of the following reasons:

- Will be of benefit to the community.
- Preserve the view out over Thurso Bay.
- Will form part of future development plans for the area.

Mrs Carol Taylor (971783)

Supports the proposal for a public park as it would make more of one of the town’s greatest assets by allowing people to enjoy the area rather than simply drive past it. As a local B&B owner she knows there is demand for greater number of quality bed spaces. There is also the new ‘North Coast 500’ tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Mr Alastair Chisholm Christie (980596)

There is an attractive structure built (near Burnside) by the late George Wylie. It was without using mortar yet manages to stand up to the frequent gales in the area. Unfortunately, it is almost hidden by an overgrowth of weeds. When plans are being drawn up for this area this structure should be given a prominent position for all to see.

SNH (909933), Mr Ian Walker (979716), Mr David Doohan (980228)

Similar to TS04, the text for allocation TS12 also refers to TS01 – 03, which is also confusing. The text would benefit from revision to refer only to TS12/make it clear why reference to TS01 – 03 is being made.

#### **TS14 – Land West of Caravan Park**

Mr Alan Loomes (980235), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Margaret Smedley (930596), Mr Lee Parnell (979688), Mrs Sheena Mclachlan (960835), Mrs Jane Telfer (979224), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay on behalf of the Pentland Hotel (979985), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), North Hotels Ltd (Mr James Buchanan) (980003), Mr William Walker (979718), Mrs Marjory Lord (980210), Mr Ian Walker (979716), Jason Ridgley (980223), Mr David Doohan (980228), Mr Kenneth Nicol (977530), Mrs Amelia Walker (931321), Mr Colin MacDonald (980226), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Cecilia Brands (979454), Ms Kirsten Murray (979696), Michelle Fraser (979884), Mrs Fiona Doohan (980015), Mrs Jill Falconer (979729), Mrs Karen Risbridger (980206), Mr

Robert Falconer (980046), Mr Stuart Liddle (980236), Mr Alastair Chisholm Christie (980596), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Ms Louise Smith-Dasar (981718), Donald Mackay (981995), Ms Carol Murray (983145), Mrs Linsey MacDougall (980035), Ms Kathleen Faulds (983151), Mr John Faulds (983248), Mr George Mitchell (983251), Ms Lindsay Kay (983250), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996)

**Objects** to the inclusion of TS14 for one or more of the following reasons:

Planning history

- The hotel proposal on the site has been dismissed by Government Reporters previously (1994, 1996, 2001 and 2007) and the circumstances have not changed since. One Reporter, in reasons for rejection stated “*approval of the proposal would represent an unacceptable intrusion into an area of established character and identity*” and goes on to say “*a precedent would also be set for the development of the remaining area between Thurso and Burnside.*” Claims in the PDI Report from Nov 2015 that previous PLIs were not relevant to the decision today are disputed as they were site specific not site comparisons as stated. Decisions made against the proposal should remain no matter how many years pass.
- It will lead to the coalescence of Thurso and Burnside which has been a defining factor in previous PLIs and there is a presumption against it in planning decisions today.
- It was a flawed approach to base the planning strategy on the outcome of a charrette. Most Thurso residents had no idea this was taking place and were unaware of the likely impact on the drawing up of a new local Plan.

Economic issues

- There is no demand for further hotels in the area. There are 8 hotels in Thurso (with 2 closing during the winter months) and several luxury hotels in the wider area. Many of the existing hotels are currently for sale and currently operate on a seasonal basis. One hotel is in the centre of Thurso and is in a poor state of repair. This should be rectified before a new hotel is built.
- Creation of another hotel would result in at least one of the existing hotels going out of business causing another empty building in the town centre. This would then have an adverse impact on the tourism market.
- Whether it is a high quality hotel or a budget hotel the impact would be the same on the existing businesses. The existing businesses should be supported not destroyed.
- The reported upsurge in demand for hotel accommodation in Caithness is only temporary and linked to current construction projects such as energy related developments.
- A high quality hotel on its own does not attract tourists. It is other attractions such as the attractiveness of the town, scenery and landscapes.
- The proposals for a high quality hotel with spa would result in a decrease in tourism to the town. It would encourage people to stay within the facility and not venture into the town. It would damage the landscape which people come to see.
- The adjacent uses to the site (caravan park, supermarket and disused commercial unit) do not lend themselves to the setting of a luxury hotel.
- The allocation for a hotel contradicts Policy 1 of CaSPlan, Town Centres First. There are existing hotels/sites within the town centre where development and investment should be directed.
- New hotel developments tend to be located close to business parks rather than in very prominent locations such as TS15, e.g. near Thurso Business Park or the former mart site TS05.
- The landowner had planning permission to convert the former steading but it has been left to fall into disrepair.

- The proposal for the hotel, spa and park are not financially viable. The landowner has expressed that to help fund the hotel development a housing development on land west of Pennyland House is needed.

#### Environmental issues

- The view across Thurso Bay towards the Orkney Islands is one of Thurso's outstanding features and presents an attractive gateway into the town. The landscape will be darkened by the building and the open views to the west and to Dunnet Head, a beautiful feature of Caithness, will be largely blocked. It would be a clear breach of Highland Council declared policy on land providing open views to seascapes.
- The MIR stated it would "Safeguard (the TS14) for open amenity". Questions why this has changed.
- Despite the developer requirement for sensitive siting and design, any development on the site would have a massive adverse impact on the landscape. Concerns expressed over the height proposed when it comes to planning application stage.
- It is too close to the cliff edge with unstable ground conditions and which is constantly being eroded. The rock formation around the site is sensitive and should not be jeopardised by development. The following is a quote from the "Coastal Planning" paper (page 9) from the Scottish Office(Aug 1997) "*Development which does not require a coastal location shall not be permitted on the coast*". TS14 should therefore be permanently protected.
- A key finding from the 'Charrette' page 68 states '*Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north*'. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west. We should not be building on important greenfield sites if there is no need to.
- Information from a local RSPB representative states that Curlews are nesting in this particular field. The two fields on Pennyland Farm, which are adjacent to the Victoria Walk are important wintering areas for Curlew and as such should not be considered for development. The Curlew has recently been given Red List Status because of its dramatic decline in numbers and some experts consider that it may be heading for extinction unless a concerted effort is made to halt this decline. Loss of habitat is the most serious threat to these birds and even a small site such as this is important in maintaining and stabilising this population.
- There is enough justification for the land at Pennyland to be given Special Landscape Area (SLA) status.
- There is a nearby residential care home and the building of a hotel on TS14 would adversely impact on the elderly residents.
- Drainage issues should be addressed as heavy rain showers result in water running over Victoria Walk and causing large puddles.

#### SEPA (906306)

The boundary of the site is adjacent to the Coastal Flood Map and there is a small watercourse adjacent to the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to

be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Caithness Chamber of Commerce (CCC) (Mr David Swanson) (983321)

CCC object to the allocation of TS14 for a hotel development. They are concerned that this may have a negative impact on existing businesses in the region. CCC feel it is important to get a better understanding of the potential demand for hotel rooms in the area before any additional development is approved. CCC note that Highlands and Islands Enterprise are currently carrying out a study on accommodation needs in Caithness, and would urge the Highland Council to hold off on any decision relating to this matter until the results of this study are available.

Mrs Janetta Christie (975843)

Not opposed to the development of a new hotel (if it is really needed) but respondent objects to the positioning of it, i.e. near the cliff edge.

Park Hotel (Mr Richie Campbell) (980293)

The hotelier does not in theory object to the provision of more hotel rooms in Thurso but does have reservations that after the land is designated as having planning permission for a hotel to be erected it will end up in the hands of a large hotel chain. This won't have the effect of providing any more jobs in the town as it will simply 'replace' other hotels. This in turn may lead to a large vacant building somewhere else in the town. If there were some kind of guarantee of a "quality" hotel then respondent would not have any objection. If a mass produced hotel were to pop up on this site then all it would lead to is further rate depression in Thurso, which in turn would lead to cost cutting by hoteliers. The single biggest cost in hospitality? Staff. Easy to see where the cost cutting would arise.

Mrs Amelia Walker (931321)

It is strange that the designations of all the sites in Thurso have more or less remained as they were in the MIR, apart from the areas at Pennyland. To specifically state where a hotel, houses and a filling station are to be located, is tantamount to handing outline planning permission to the developer. The general public could comment on the size, shape etc., of the hotel, but they cannot say there should be NO hotel as the plan determines the area.

London and Scottish Investments Limited (979770)

The owners of the mart site (TS05) object to the allocation of TS14 for a hotel and argue that TS05 presents a better site for a hotel as it is a brownfield site which is adjacent to the train station. TS14 is a prominent coastal greenfield site which is detached from the town centre.

Mr Andrew Mackay on behalf of the Pentland Hotel (979985)

Operator of the Pentland Hotel in Thurso wholeheartedly agrees with one of the Plans main aims in improving the tourism experience however disagreed that a hotel at TS14 would achieve this objective. Respondent agrees that the development of John O'Groats and the success of our North Coast 500 have helped to move the offering for tourists visiting the area forward but it does not equate to the plan of building a 55 bedroom hotel in a town where there is a rich offering of accommodation, where two hotels cannot make profit in the winter months to warrant staying open. The Royal Hotel has a 50% occupancy in 2014 and 57% in 2015, no hotel occupier would be willing to invest in a new hotel at these levels and the challenges extra bedspace in the market would bring. The other hotel that closes is the St Clair and they monitor the business levels closely as they operate the Station Hotel in Thurso and would be well placed to open the St Clair if there was enough sustained demand. Believe the development of a new hotel in Thurso would pose a serious threat to the existence of at least one of our town's hotels if not two. At these

occupancy levels it would be unsustainable and a new hotel will not bring more tourists. Hotels alone do not bring extra visitors to an area. The proposal would be anti-competitive rather than fostering keen competition. If a brand new hotel comes into a saturated market and cannot achieve its target of attracting luxury guests to enjoy its expensive offering it will reset its target market to a lower spend market and would achieve this target as it would offer better value for the guest's pound so it would then be competing in the lower end of the hotel sector. This would result in more empty properties in the town centre and contradict the aim of the town centre first policy. Respondent claims neither him nor Visit Scotland can identify the reference in paragraph 111 to need for quality hotels in Caithness. Ackergill Tower, which is a luxury 5 star hotel, has dwindling occupancy, cannot make a sufficient profit and is currently also on the market. Respondent seeks clarification on the definition of a 'quality' hotel.

The hotel operator is concerned for the viability of the business which he has recently invested in. As a Caithnessian and a tourist professional he has worked hard to improve the quality of the experience the visitor gets when coming to this beautiful area of the Highlands but this is not a proposal that does this, it is a proposal that jeopardises livelihoods, Thurso town centre, the quality of living for local residents and a gorgeous greenfield site that has a long history of being an asset to Thurso.

Mr George Mitchell (983251)

Opposed to the allocation but if it gets approved then any building should be located close to the A9 and not by the cliff.

Miss Amanda Gunn (980290), Mr Ian Mackay (978586), Miss Fiona Mackie (978748), Mr Nick Russel (979216), Mrs Carol Paterson (979637), Mr Colin Paterson (979739), Mr Don Mackay (979822), Miss Rebecca Paterson (979904), Miss Katelin Mackenzie (979954), Mr Dean Craig (980100), Mr Jamie Henderson (980168), Mr Steven Grant (980189), Mrs Carol Taylor (971783), Mr Grant Maxwell (979898), Mr Stuart Andrew (980221), Miss Eilidh Paterson (980233), Mr Willie Steven (980239), Mr Sean Miller (980259), Mrs Caroline Steven (980245), Mr Andrew Bremner (980248), Miss Gayle Rennie (980274), Mr Ronald Paterson (979807), Mr Derek Taylor (980213), Mr Alan Ritchie (980220)

**Supports** the inclusion of TS14 for one or more of the following reasons:

- There are not enough bed spaces in the town during the peak tourist season. There is a demand for better quality business/conference space.
- A new hotel would attract more people and encourage people to stay in the town and county. Lodges and a leisure spa would cater for different markets than just the hotel further attracting people to the area.
- As someone working in local hospitality, the respondent states there is a chronic shortage of quality accommodation for visitors in Thurso.
- Tourism is becoming increasingly recognised as a key component of the economy.
- It is an ideal site for a high quality hotel and lodges.
- If the hotel was high quality, sensitively designed, low level and does not obscure the view of Thurso Bay it would be a real asset to the town. A low level design with a grass roof is important to minimise the visual impact of the building. The town needs development such as this to progress and to deliver the vision set out in CaSPlan.
- It should have been allocated in the previous local plan.
- Good infrastructure and amenities attract inward investment and so then create jobs - not the other way around.
- Improvements to Victoria Walk would be beneficial.

Mrs Carol Taylor (971783)

As a local B&B owner, respondent knows there is demand for greater number of quality bed

spaces. There is also the new 'North Coast 500' tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

The landowner states that the points raised in the submission to the MIR are still relevant. Respondent refers to social media and Caithness.org forums to highlight public comment on the proposals. The Council understands the importance of tourism to the future of the town. This site is within easy walking distance of the town centre and will be "open" for all to use, tourist and resident alike. The hotel facilities and public park will make this area the lungs of the town. A fantastic site for the proposed uses. It's an "amenity" at present only enjoyed by a few walkers, passing traffic and some sheep. Visit Scotland's tourism strategy identifies the need for more quality "hotels" in Caithness.

**Representation to the Modified Proposed Plan relation to TS12 East of Burnside for Community and TS14 Land West of Caravan Park for Business:**

GVA (Meg Nelson) (MPP1034140) on behalf of Thurso Bay Trading Co. (MPP980395)

The landowner of TS12 and TS14 objects to the removal of the sites from the Plan.

The agent, on behalf of the landowner, states that the Caithness Area Committee subsequently decided at its meeting on 31 August 2016 to remove the two sites, against the recommendation of Highland Council Planning Officers, without referring to any representations or to consultation responses (absent in the Minutes) and without recording any specific reasons for doing so (absent from the Minutes). Many of the discussion points raised by Councillors within these Minutes had already been fully addressed within the Planning Officers' Report (August 2016), within Appendix A.

They now fully support, and highlight as relevant, the Planning Officers' recommendation and analysis set out at pages 93-95 and 131-135 of Appendix A, as well as the Reports relating to tourism referred to therein by Visit Scotland (2013) and Highlands and Islands Enterprise (2011).

The landowner requests that the points raised in previous representations are considered as they are still relevant. These focused on: Thurso Charrette providing a good basis for CaSPlan; community debate on and general support of the sites over recent years; mix of housing, commercial and greenspaces providing a long term strategy for the town; and commercial interest in the proposals. Previous representations have successfully presented the sites as effective and deliverable, with an appropriate level of material submitted to support an allocation in the LDP.

Both sites are considered to be good opportunities (through their allocation in the Plan) to deliver and make positive contributions to the future sustainable economic growth of Thurso, creation of new jobs and supporting tourism in the area, as well as to high quality placemaking in Thurso, and to improving the existing green network by providing a new, significant area of public amenity open space as a park located at the seafront and adjacent to the North Coast 500 Route, on land which is not presently accessible to the public being used privately to graze sheep. This is in accordance with the Sustainability Principal Policy within Scottish Planning Policy (SPP), which states, 'This SPP introduces a presumption in favour of development that contributes to sustainable development... This means that policies and decisions should be guided by the

following principles ...Improving health and well being by offering opportunities for social interaction and physical activity, including sport and recreation...Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.' (8th and 11th bullet points of paragraph 29, SPP).

Further, they consider that reallocation of sites TS12 and TS14 will directly support the LDP strategy for Thurso which states that it aims to 'maintain its position as the principal market, service and social centre for west and central Caithness and an area reaching into north Sutherland, and strengthen the range of services and facilities which it provides.'

They consider that reallocation of site TS14 for Business (Tourism and Leisure) will provide a clear opportunity towards meeting one of the Plan's main aims which is stated as follows specifically within the Thurso section, 'Improving the tourism experience is one of the Plan's main aims. Although there have been many improvements in Caithness over recent years, such as the redevelopment of John O'Groats and the successful promotion of the North Coast 500, there are many opportunities which still exist.'

The North Coast 500 route passes through Thurso along the A9 Smith Terrace road to the adjacent south of the sites. They consider that Site TS12 community park will directly enhance the environmental amenity along the route enabling public access at a prime seafront location.

Provision of the new park will also contribute towards the Plan's 'Placemaking Priorities' for Thurso, specifically it will help, 'Establish a green network stretching from the coastline at Victoria Walk, through Pennyland and the Ormlie moors and out to a new community woodland north of the golf course.'

Landowner considers that TS14 will enhance the visitor experience and potential hotel accommodation offer along this stretch of the North Coast 500 route, which will in turn supports Thurso town centre.

They consider that the reallocation of sites TS12 and TS14 represent a good example of 'locating the right development in the right place,' which is a clear aspiration of SPP (paragraph 15 of SPP).

They emphasise that matters of siting, design, masterplanning, landscape and visual impact and developer requirements etc (some of the concerns discussed by Councillors at the 31 August 2016 Committee) will be fully addressed and controlled through the Development Management process.

Mr George Mitchell (MPP983251), Mr Steven MacDonald (MPP1032713), Mrs Margaret Smedley (MPP930596), Mr William Arif (MPP1033711), Mrs Catherine Murray (MPP1033682), Ms Kathleen Faulds (MPP983151), Ms Alison MacAdie (MPP1034158), Mr William James Stewart (MPP1034252), Mrs Catherine Stewart (MPP1034231), Mr Angus Mackay (MPP1034300), Miss Georgina Mackenzie (MPP1034374), Mr Ian Walker (MPP979716), Mr William Walker (MPP979718), Mrs Elizabeth Lawson (MPP1034442), Miss Hannah Johnston (MPP1034463), Ms Lynne Lynne Glover (MPP1034603), Mr John Faulds (MPP983248), Mr James Buchanan on behalf of St Clair Hotel (MPP980003), Mrs Diana Johnston (MPP1034710), Mr Robert Falconer (MPP980046), Mrs Elizabeth Mackay (MPP1034732), Mr Donald Mackay (MPP1034740), Mrs Amelia Walker (MPP931321) Mr Hamish Mackinnon on behalf of Royal Hotel (MPP1034816), Mrs Tanya Sutherland (MPP979994) Mr Andrew Mackay on behalf of The Pentland Hotel (MPP1034805), Lyndall Leet (MPP983272), Mr Alastair Chisholm Christie (MPP980596), Mrs Janetta Christie (MPP975843), Ms Phyllis Nicol (MPP980599), Mrs Amelia Walker (MPP931321),

Respondents support the non-inclusion of sites TS12 and TS14 and the removal of the reference to it in paragraph 111 for the following reasons:

### **Economy**

- The high hotel occupancy rates experienced in Caithness during 2016 were only due to major infrastructure works and is therefore not sustainable. There are already two high-end hotels in the area (Gills and Forse) and there is not a proven need for more.
- There is no demand for another hotel in Thurso. It would only act to draw staff and customers away from the existing hotels. The creation of a new hotel, whether it be budget or high-end, would likely lead to the closure of at least one existing hotel business in Thurso which would have an adverse impact on the vibrancy of the town centre. Already some hotels close for the winter months and others have been for sale for a long time.
- A hotelier argues that as a Thurso hotel operator who operate on less than 60% occupancy over the year the consent for a new hotel would have seriously jeopardized the business and not benefit the business community in Thurso.
- Top-end hotels are located in secluded areas, not next to business parks and housing schemes.
- A hotel itself does not attract tourists. Thurso needs a different type of attraction.
- There is no expansion space for the well kept business park.

### **Environment**

- The ground near Victoria Walk is not free draining. Sites TS12 & TS14 are very wet near the main road being at the bottom of a steep slope especially at the business park end, where a lake can form in a wet winter.
- These are the last undeveloped areas of the coast between Burnside and Thurso and provide an attractive entrance to the town. These are unparalleled panoramic views and are an important part of the character of the town. Development would destroy the beautiful western approaches.
- Victorian Walk is an important asset of Thurso which is used regularly and should be safeguarded.
- A key finding from the 'Charrette' was that the "wider masterplan starts with designated open amenity area at the cliff top that bounds the A9 to the north. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west."
- It will result in ribbon development along the main route to the west would not enhance the entrance into the town from the west.
- There are no details about who is going to maintain the proposed public park.

### **Planning Issues**

- Stating what should go where is tantamount to bypassing the Outline planning application stage
- There have been 3 public inquiries in respect to this land. In all the reports different reporters state in similar words that the character and amenity of this part of Thurso and of the general wester approaches to the tow will be diminished by any development.
- The Councillors and local community are against development of the sites.

Miss Fiona Mackie (MPP978748), Mr Colin Paterson (MPP979739), Mr Bruce McConnell (MPP1031719), Mrs Paula Fisher (MPP1031813), Mrs Samantha Lovett (MPP1031902), Mr Angus Cowap (MPPMPP970363), Mr Jeremy Evans (MPPMPP1031927), Mr Ian Westmorland

(MPP1031981), Mrs Helen Robbie (MPP1032179), Miss Sharon Lennie (MPP1032200), Mr Don Mackay (MPP1032343), Mr Graeme Reid (MPP1032386), Miss Eilidh Paterson (MPP980233), Mr Michael Cowie (MPP1032425), Mr Jack Floydd (MPP1032423), Mr Iain Black (MPP1032452), Mr Iain Elder (MPP1032459), Mrs Valerie Moseley (MPP1031843), Miss Amelia Mackay (MPP1032516), Mr Jamie Mackay (MPP980254), Miss Rebecca Paterson (MPP979904), Miss Abbie Wilson (MPP1032650), Mr Steven Grant (MPP980189), Mr Euan Sinclair (MPP980244), Mr Liam Dykes (MPP1032658), Mr Ross Dignan (MPP1032656), Mr Isaac Johnson (MPP1032661), Mrs Carol Paterson (MPP979637), Mr Aaron Taylor (MPP1032694), Miss Eilidh Sinclair Wright (MPP1032760), Mr Ian Ross (MPP1032817), Miss Lucinda Sutherland (MPP1032850), Mr Ian Cannop (MPP1032993), Hamilton (MPP1032492), Mr Steven Reid (MPP1032948), Mrs Alison Henderson (MPP1033471), Mr James Henderson (MPP1033472), Mr Allan Sutherland (MPP1032228), Mr Alan Ritchie (MPP980220), Mrs Lynsey Mackay (MPP1033501), Mrs Yvonne Martin (MPP1033504), Miss Monika Carson (MPP1033507), Mr Ryan Wade (MPP1033508), Miss Sasha Carroll (MPP1032647), Mr Jack Dunnett (MPP1032498), Mr William Miskelly (MPP1033534), Miss Yasemin Turanli (MPP1033545), Mr Andrew Adamson (MPP1033812), Mrs Pam Bain (MPP1033586), Mr Sean Miller (MPP1033482), Miss Abbey Sutherland (MPP1033845), Miss Kerry Oag (MPP1033483), Mr Martin Ross (MPP1033522), Miss Amanda Gunn (MPP1033818), Mr Clive Meikle (MPP980256), Mr Gary Reid on behalf of Reids of Caithness (MPP1033983), Mr Andrew Hare (MPP1033535), Ms Meghann Ashpool (MPP1034155), Val Ashpool (MPP1034162), Miss Stephanie Whelan (MPP1034173), Miss Jade Baikie (MPP1033831), Mr Gregor Clunie (MPP1034175), Mr Alan Lobban (MPP1034166), Mrs Claire Cairns (MPP1034178), Mrs Carol Lobban (MPP1034177), Mr Kieran McKenzie (MPP1034174), Mrs Nicola Arthur (MPP1034246), Mr William Urquhart (MPP1034181), Miss Chelsey Trueman (MPP1034446), Mr Ian Mackay (MPP1034447), Mrs Kim McColm (MPP1034441), Miss Samantha Angus (MPP1034517), Mrs Veronica Mackay (MPP1033807), Mr James Henderson (MPPjnr) (MPP1033475), Mr Ben Gordon (MPP1034569), Mr Charles Henderson (MPP1033480), Miss Rachel Dickson (MPP1034576), Cartwright (MPP979956), Miss Laura Davidson (MPP1032852), Mr John Hart (MPP1031794), Mr Adam Cairns Paterson (MPP1034614), Mr Fraser Steven (MPP1033806), Mrs Claire Mclean (MPP1034634), Mrs Michelle Will (MPP1034160), Mr Mike Lunan (MPP1034651), Mr Nicky Cowie (MPP1034161), Miss Karen Henderson (MPP1034643), Mrs Mary Paterson (MPP1034694), Mr Thomas Watters (MPP1034436), Sandra Isabelle Harris (MPP1034546), Mr Derek Taylor (MPP980213), Miss Anna Wilson (MPP1034499), Mr Ian Mackay (MPP978586), Mr Stuart Andrew (MPP980221), Mr William Lipka (MPP1034146), Mrs Marlene Lipka (MPP1034152), Miss Colette Kidd (MPP1034715), Mr Ryan Cameron (MPP1034708), Miss Megan Williamson (MPP1034717), Mrs Karon MacGregor (MPP1034719), Mr Gordon McConnell (MPP1034718), Mr Tony Carroll (MPP1034724), Miss Zoe Kerr (MPP1034727), Mr Alexander Wilson (MPP1034726), Mr Alan Dykes (MPP1034712), Mrs Elizabeth Balfour (MPP1034729), Miss Connie Doyle (MPP1034730), Miss Sharon Smith (MPP1034572), Mrs Fiona McLean (MPP1034721), Carol Taylor on behalf of Pennyland House B&B (MPP971783), Mr George Robertson (MPP1034736), Mr Euan Munro (MPP1034728), Mr Andrew Martin (MPP1034735), Miss Marcela McMillan (MPP1034738), Mr Colin McLean (MPP1034744), Mrs Carol Paterson (MPP979637), Miss Ellie Spencer (MPP1034530), Mr Jack Drummond (MPP1034747), Mr John McGeachie (MPP1034749), Mr William Steven (MPP1033802), Miss Lauren Robb (MPP1034783), Miss Emily Eadie (MPP1034605), Mrs Lynne Reid (MPP1034346), Miss Kerrie Martin (MPP1034602), Mrs P McDonald (MPP1034620), Mrs Gillian McGill (MPP1034660), Samantha Lovett (MPP1037485)

Representors object to the removal of sites TS12 and TS14 from the Proposed Plan for one or more of the following reasons:

### **Economy**

- Tourism has been identified as a key growth sector for the regeneration of the area and

there are many attractions for visitors which need to be exploited, including the aurora borealis, whisky distillery, LEJOG route, fishing, surfing, cultural heritage and archaeology and natural heritage. Most visitors currently pass through the County on their way to Orkney (reference is made to Rough Guide which advises travellers that Thurso is a jumping off point for the Orkneys).

- Thurso needs to diversify its economy and attract new job opportunities to retain young people and families. Dounreay and Vulcan Naval Reactor Test Establishment (NRTE) are closing in the near future and new job opportunities are needed to prevent an exodus of people from the area. The situation in Annan since Chapel Cross must be avoided.
- There is increasing demand for a new modern hotel, lodge and leisure facility in Thurso and in Caithness. The proposed hotel and park will entice people to stay for an extended period of time in Thurso rather than passing through as they do at present. This would be beneficial to all the other shops and businesses in the area and encourage events and other businesses to Thurso.
- During periods of 2016 there were no spare bedspaces in Thurso and visitors were forced to look for accommodation elsewhere in Caithness or split parties up between hotels across the county. During the peak season booking need to be made months in advance.
- There is a type of visitor that Thurso just does not cater for at present. The quality of visitor accommodation has risen across Scotland over recent years but in Thurso it is still at a relatively low standard.
- Holiday lodges or glamps are becoming an increasingly popular holiday experience.
- The North Coast 500 initiative is a phenomenal success with international press coverage and is resulting in huge numbers of tourists visiting the area with the route passing through the town. The existing visitor accommodation does not meet modern expectations, including in appearance, location, type of accommodation and parking facilities. The existing campsite and static homes on land adjoining TS12/14 is drab, uninviting and an eyesore. Without suitable accommodation the NC500 will lose its appeal to visitors.
- The hotel proposal would attract more people to the town which would benefit local shops and other hotels/guest houses and encourage business start-ups. It will also help to attract business locate/invest in the area. Less reliance of having to travel to Wick for goods/services.
- A new hotel could host weddings and provide a hub for business
- The proposal offers the prospect of new long term jobs being created including apprenticeships within the hospitality industry which would also ties in with the management/hospitality courses at UHI North Highland College in Thurso.
- Another hotel would help to increase competition amongst hotel business and result in higher standards. The current hotel inventory is old fashioned and could put off potential visitors from staying in Thurso.
- Councillors suggested that a suitable site for a hotel would be near the business park. However this would only attract a budget level rather than a high quality hotel.
- The site is in close proximity to the town centre and visitors can use Victoria walk which is an asset to both the proposed hotel and businesses in the town.

### **Community**

- There is widespread community support for the proposal and there has been for many years. Councillors made the wrong decision to remove the sites.
- There is currently a lack of amenities available to people visiting the area.
- The proposal would allow Thurso to re-market itself, breathe new life back into the town, improve the town's image; make the local community proud of Thurso again; represent a step in the right direction of achieving a bigger goal for the area. The opportunity to build a new hotel and public park facilities should not be missed.

- The park would be a great area for multi uses. Creation of a public park would be a great addition to the community and much needed for community events, e.g. Thurso Gala. Its location would also make a great setting for a public park where visitors can stop to enjoy the view. The car park with picnic benches will attract visitors to stop and enjoy the vista and park.
- The main objectors to the proposals are neighbours who do not want any development in Thurso West.
- The Report to Committee was 235 pages in total with many pages of planning argument on the benefits of the hotel and park project for the town and community including a series of Developer Requirements to be met before permission could be granted.
- Concerns that full consideration was not made by the Councillors of the consequences of the decision for the Plan area in terms of the loss of jobs etc. Need for deeper consideration. The minutes of the Committee on the 31<sup>st</sup> August show that there were not strong reasons for removal of the sites with the point raised being already addressed within the Officer's Recommendations.

### **Environment**

- Thurso's seafront is underused and underutilised. Other sea-side towns in the UK exploit their natural setting with promenades, seafront tourist accommodation, cycle facilities, shops and tourist attractions. Disagreement with the need to protect the 'view' and considers it should be used to generate income for the town like many other countries across the world. The best public place to stop and enjoy the view out over Thurso Bay is a Lidl supermarket carpark.
- This is the perfect location for such a hotel and park. The hotel proposed is well designed, low lying and would not compromise the landscape. It could be an iconic project for the town and raise its profile.
- The area between Scrabster and Castletown has uninterrupted views. There are never any groups of tourists stopped on Orlig Road to admire the view.
- The proposal would not have a significant impact on the view. There will be little if any adverse impact on the view out over Thurso Bay as the site slopes downwards and will allow people to see right over the top of the hotel, especially if it has a flat grass roof.
- Landowner could choose to do anything with his land but is choosing to promote it for visitors.
- The site is in walking distance of the main attractions, including the town centre and beach.
- There is no amenity value at present as the fields are only used for sheep grazing.
- The visual impact from onshore and offshore windfarms (which the respondent supports) will have a significantly greater impact on the coastline than the proposed hotel.

#### Mr Gary Parker (968625)

Does not object in principle if the height of the building could be restricted, it is well designed and does not affect neighbouring properties during construction.

#### **Modifications sought by those submitting representations:**

#### **Modifications sought at Proposed Plan stage:**

#### **TS12 – East of Burnside**

SNH (909933), Mr Ian Walker (979716), Mr David Doohan (980228)

Amend the Developer Requirements text for the TS12 allocation with regards to reference to sites TS01 – TS03.

Mrs Sheena Mclachlan (960835), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321), Mr Michael Bowden (980202), Mr Stuart Liddle (980236), Mr Stephen Anderson (983269)

Removal of allocation TS12 from the Plan.

#### **TS14 – Land West of Caravan Park for Business**

Mr Alan Loomes (980235), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Margaret Smedley (930596), Mr Lee Parnell (979688), Mrs Sheena Mclachlan (960835), Mrs Jane Telfer (979224), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), North Hotels Ltd (Mr James Buchanan) (980003), Mr William Walker (979718), Mrs Marjory Lord (980210), Mr Ian Walker (979716), Jason Ridgley (980223), Mr David Doohan (980228), Mr Kenneth Nicol (977530), Mrs Amelia Walker (931321), Mr Colin MacDonald (980226), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Cecilia Brands (979454), Ms Kirsten Murray (979696), Michelle Fraser (979884), Mrs Fiona Doohan (980015), Mrs Jill Falconer (979729), Mrs Karen Risbridger (980206), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Mr Alastair Chisholm Christie (980596), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Ms Louise Smith-Dasar (981718), Donald Mackay (981995), Ms Carol Murray (983145), Mrs Linsey MacDougall (980035), Ms Kathleen Faulds (983151), Mr John Faulds (983248), Mr George Mitchell (983251), Ms Lindsay Kay (983250), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Caithness Chamber of Commerce (CCC) (Mr David Swanson) (983321), London and Scottish Investments Limited (979770)

Removal of allocation TS14 from the Plan. Some respondents requested that the area should be safeguarded as Greenspace.

Mrs Janetta Christie (975843), Mr George Mitchell (983251)

Requests that if allocated then the hotel be positioned close to the road and not by the cliff edge.

SEPA (906306)

Add the following as a Developer Requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

#### **Modifications sought at Modified Proposed Plan stage:**

##### **TS12 - East of Burnside for Community and TS14 - Land West of Caravan Park for Business**

Miss Fiona Mackie (MPP978748), Mr Colin Paterson (MPP979739), Mr Bruce McConnell (MPP1031719), Mrs Paula Fisher (MPP1031813), Mrs Samantha Lovett (MPP1031902), Mr Angus Cowap (MPP970363), Mr Jeremy Evans (MPP1031927), Mr Ian Westmorland (MPP1031981), Mrs Helen Robbie (MPP1032179), Miss Sharon Lennie (MPP1032200), Mr Don Mackay (MPP1032343), Mr Graeme Reid (MPP1032386), Miss Eilidh Paterson (MPP980233), Mr Michael Cowie (MPP1032425), Mr Jack Floyd (MPP1032423), Mr Iain Black (MPP1032452), Mr Iain Elder (MPP1032459), Mrs Valerie Moseley (MPP1031843), Miss Amelia Mackay (MPP1032516), Mr Jamie Mackay (MPP980254), Miss Rebecca Paterson (MPP979904),

Miss Abbie Wilson (MPP1032650), Mr Steven Grant (MPP980189), Mr Euan Sinclair (MPP980244), Mr Liam Dykes (MPP1032658), Mr Ross Dignan (MPP1032656), Mr Isaac Johnson (MPP1032661), Mrs Carol Paterson (MPP979637), Mr Aaron Taylor (MPP1032694), Miss Eilidh Sinclair Wright (MPP1032760), Mr Ian Ross (MPP1032817), Miss Lucinda Sutherland (MPP1032850), Mr Ian Cannop (MPP1032993), Hamilton (MPP1032492), Mr Steven Reid (MPP1032948), Mrs Alison Henderson (MPP1033471), Mr James Henderson (MPP1033472), Mr Allan Sutherland (MPP1032228), Mr Alan Ritchie (MPP980220), Mrs Lynsey Mackay (MPP1033501), Mrs Yvonne Martin (MPP1033504), Miss Monika Carson (MPP1033507), Mr Ryan Wade (MPP1033508), Miss Sasha Carroll (MPP1032647), Mr Jack Dunnett (MPP1032498), Mr William Miskelly (MPP1033534), Miss Yasemin Turanli (MPP1033545), Mr Andrew Adamson (MPP1033812), Mrs Pam Bain (MPP1033586), Mr Sean Miller (MPP1033482), Miss Abbey Sutherland (MPP1033845), Miss Kerry Oag (MPP1033483), Mr Martin Ross (MPP1033522), Miss Amanda Gunn (MPP1033818), Mr Clive Meikle (MPP980256), Mr Gary Reid on behalf of Reids of Caithness (MPP1033983), Mr Andrew Hare (MPP1033535), Ms Meghann Ashpool (MPP1034155), Val Ashpool (MPP1034162), Miss Stephanie Whelan (MPP1034173), Miss Jade Baikie (MPP1033831), Mr Gregor Clunie (MPP1034175), Mr Alan Lobban (MPP1034166), Mrs Claire Cairns (MPP1034178), Mrs Carol Lobban (MPP1034177), Mr Kieran McKenzie (MPP1034174), Mrs Nicola Arthur (MPP1034246), Mr William Urquhart (MPP1034181), Miss Chelsey Trueman (MPP1034446), Mr Ian Mackay (MPP1034447), Mrs Kim McColm (MPP1034441), Miss Samantha Angus (MPP1034517), Mrs Veronica Mackay (MPP1033807), Mr James Henderson (MPPjnr) (MPP1033475), Mr Ben Gordon (MPP1034569), Mr Charles Henderson (MPP1033480), Miss Rachel Dickson (MPP1034576), Cartwright (MPP979956), Miss Laura Davidson (MPP1032852), Mr John Hart (MPP1031794), Mr Adam Cairns Paterson (MPP1034614), Mr Fraser Steven (MPP1033806), Mrs Claire Mclean (MPP1034634), Mrs Michelle Will (MPP1034160), Mr Mike Lunan (MPP1034651), Mr Nicky Cowie (MPP1034161), Miss Karen Henderson (MPP1034643), Mrs Mary Paterson (MPP1034694), Mr Thomas Watters (MPP1034436), Sandra Isabelle Harris (MPP1034546), Mr Derek Taylor (MPP980213), Miss Anna Wilson (MPP1034499), Mr Ian Mackay (MPP978586), Mr Stuart Andrew (MPP980221), Mr William Lipka (MPP1034146), Mrs Marlene Lipka (MPP1034152), Miss Colette Kidd (MPP1034715), Mr Ryan Cameron (MPP1034708), Miss Megan Williamson (MPP1034717), Mrs Karon MacGregor (MPP1034719), Mr Gordon McConnell (MPP1034718), Mr Tony Carroll (MPP1034724), Miss Zoe Kerr (MPP1034727), Mr Alexander Wilson (MPP1034726), Mr Alan Dykes (MPP1034712), Mrs Elizabeth Balfour (MPP1034729), Miss Connie Doyle (MPP1034730), Miss Sharon Smith (MPP1034572), Mrs Fiona McLean (MPP1034721), Carol Taylor on behalf of Pennyland House B&B (MPP971783), Mr George Robertson (MPP1034736), Mr Euan Munro (MPP1034728), Mr Andrew Martin (MPP1034735), Miss Marcela McMillan (MPP1034738), Mr Colin McLean (MPP1034744), Mrs Carol Paterson (MPP979637), Miss Ellie Spencer (MPP1034530), Mr Jack Drummond (MPP1034747), Mr John McGeachie (MPP1034749), Mr William Steven (MPP1033802), Miss Lauren Robb (MPP1034783), Miss Emily Eadie (MPP1034605), Mrs Lynne Reid (MPP1034346), Miss Kerrie Martin (MPP1034602), Mrs P McDonald (MPP1034620), Mrs Gillian McGill (MPP1034660), Samantha Lovett (MPP1037485)

Re-allocate sites TS12 East of Burnside for Community (public park) and TS14 Land West of Caravan Park for Business (Tourism and Leisure).

**Recommended summary of responses (including reasons) by planning authority:**

**Position presented to Committee in August 2016 for consideration following consultation on the Proposed Plan:**

## **TS12 - East of Burnside for Community and TS14 - Land West of Caravan Park for Business**

Comments in support of the allocation TS12 East of Burnside are noted, including: the benefits a public park could bring to the community and provide for a rise in tourists, ensuring that part of the vista over Thurso Bay is preserved and that it forms part of a wider vision for Thurso.

Comments in support of the allocation TS14 Land West of Caravan Park are noted including: the continuing growth in the tourism industry; demand for additional higher quality tourist accommodation and business/conference space; an appropriately designed building could fit well on the site and be an asset to the town; the hotel creating employment opportunities; and it close to the town centre.

In respect to issues raised in regard to the planning history of sites at Pennyland and the coalescence between Thurso and Burnside see the response to site allocation TS04 above.

In respect to issues raised in regard to the role of the tourism industry, the hotel market in Caithness and the implications of allocating land for a new hotel in Thurso see Issue 11 Thurso.

### *Role of the Charrette*

The Council disputes that not enough was done to publicise the Charrette and its role in the preparation of the Plan. The Charrette was intended to provide an additional means of gaining community involvement in the early stages of the preparation of the local development plan. It provided a chance for local people to shape the future of their community and aimed at reaching consensus over preferred and alternative land use strategies to feed into the CaSPlan Main Issues Report. The Council and the consultant team adopted a range of methods to publicise the charrettes. Event invitations were distributed to various people and provided supplies of leaflets at key locations. The events were advertised in local newspapers and banners, posters and leaflets were displayed at key locations within the town. Meetings were also held with local community groups and other key stakeholders in the lead up the event. Local schools, the North Highland College (UHI) and members of the Highland Youth Voice and Scottish Youth Parliament were also targeted. As a result the Council continue to believe that the outcomes of the Charrette are appropriate to form a strong basis for the strategy in the Plan.

Concerns regarding the apparent change in position from that shown in the Charrette Report are noted. The Charrette played a key role in supporting and informing the Main Issues Report (which is the key discussion stage in the plan making process), however, a wide range of issues were discussed at the Charrette. The Post-It Workshops “Thurso Today” & “Thurso Tomorrow” highlighted issues such as the lack of good quality hotels, an untapped tourism potential and with coalescence between Scrabster and Thurso. The views along the coast and the greenspaces were also raised during the charrette. The Hands-On Planning workshop ‘Thurso Western Expansion’ discussed site options for a new hotel. This focused on land south of the A9 at Pennyland House and land north of the A9 which was also marked as being cliff-top open amenity land.

Through further analysis of the sites at Pennyland it was considered that the land north of the A9 was suitable for a hotel if the majority of the land was safeguarded for a public park. The hotel has been allocated on the east of the site to minimise the visual impact and protect vistas out over Thurso Bay, including out towards Dunnet Head from the western approach and Scrabster/Holborn Head from the east. This would ensure that TS12 is safeguarded from development and with provision of a public park that a greater level of public access and amenity value is achieved. Opening up TS12 as a public park with car parking would encourage more people to stop and enjoy the space and the spectacular vistas.

### *Impact on existing businesses*

The general response to the hotel market is outlined within Issue 10 Thurso. This refers to the expected growth of the tourism sector, continued demand from business visitors and the need to continue to improve the tourism product and accommodation on offer in Caithness. Whilst the concerns for the hotel proposal on TS14 are noted the Council does not believe the proposal will lead to undue competition with existing town centre businesses. Although the site is outwith the Town Centre Boundary the proposal for a high quality hotel, spa and restaurant on TS14 are considered as being mainly location dependant. It is expected that a specific selling point of a hotel, spa and restaurant would be its cliff top location, looking over Thurso Bay. Together with the Developer Requirements for high quality, low level siting and design the proposal would likely appeal more to the higher end of the market which is not being properly provided for at present. There are also footpaths along the A9 and Victoria Walk which lead directly (less than 350 metres) to the town centre. As a result the Council do not propose to make any modifications to the Plan. However, if the Reporter is so minded the Council would be content with amending range of uses from "Tourism, Leisure" to "Hotel and ancillary leisure facilities" to be more specific about what the Council would support on the site. The inclusion of lodges/chalets as part of the allocation has been referenced by the landowner and members of the public. Although the allocation as shown in the Proposed Plan is for 'Business (Tourism, Leisure)' uses the Developer Requirement text and paragraph 111 refers specifically to a hotel development. The Council does not believe a strong case has been made to support the inclusion of chalet development and if brought forward on its own the scale of development may not be sufficient to deliver the public park elements of the proposal. In addition, given its prominent location the site is considered to be more suitable to a well designed hotel development. As a result the Council does not propose to modify the Plan to specify reference to support for lodges/chalets development.

In addition, to help provide greater protection to existing businesses if the Reporter was so minded the Council would be content with "Town centre impact assessment" being added to the list of Developer Requirement as this can be used to ensure that the development would not have undue competition on the existing businesses.

Concerns over the ability to ensure a high quality hotel is delivered are noted. Although the Council has the ability to influence the quality of the siting and design of any building on the site it is recognised that there is no control over specific hotel operators. The range of Developer Requirements, particularly those relating to the siting and design, landscaping and other environmental improvements, are considered to discourage more budget level and chain brands and appeal more to a higher quality/boutique type hotel which requires an attractive setting and greater investment in the surrounding area.

### *Impact on landscape and views of Thurso Bay*

The views out over Thurso Bay to Scrabster, Dunnet Head and Orkney are recognised as being important features and valuable assets of Thurso. To ensure a higher quality hotel development which minimises the impact on the landscape, the developer will be required to produce a masterplan for the site which will address issues, including the siting and design of the hotel, provision of a public park area, landscaping, access from the A9, enhanced active travel connections and coastal walk improvements. High quality, low level design is essential and the inclusion of features such as stone dykes can also help to integrate the development within its surroundings. The visual impact is minimised by the hotel allocation being located on the eastern side of TS14, adjoining the existing caravan park. The hotel allocation is also restricted to 3ha which includes an area identified for Expansion of the Green Network along the coastal edge. This will allow for the protection of 6.5ha of land at TS12 for the provision of a public park which will preserve open views to Dunnet Head and Scrabster Harbour. The public park and hotel

development could help to provide a more attractive entrance into the town centre and remove the focus of the buildings on the seaward side of the A9 being mainly centred on the existing caravan park. Overall the Council believes that the allocation and the Developer Requirements are sufficient to ensure that any hotel proposal will have an acceptable impact on the landscape. As a result no modification to the Plan is proposed.

To provide greater clarity over the Council's expectation that a high quality of siting and design is required on the site, if the Reporter is so minded, the Council would be content with adding in the following text to paragraph 111: "*Visit Scotland's Tourism Strategy identifies a need for more quality hotels in Caithness and to help meet this land is allocated at Pennyland. Given its prominent and sensitive location it is essential that a hotel in this location is delivered to the highest of standards. A low level building with features such as a green roof would help reduce the visual impact. The development....*"

In response to concerns over the resilience of any planting on TS12 or TS14, the developer of the hotel would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This will ensure that any landscaping will be suitable to the weather conditions and is well maintained. To provide greater clarity of what will be expected of a developer, if the Reporter is so minded, the Council would be content with the existing Developer Requirement "Landscaping" being replaced with "High quality landscaping set out within a Landscaping Management Plan".

The Council recognise the George Wylie sculpture as being an important feature of the local area but it is not appropriate to require the adjoining developer to maintain/enhance access to it. Despite this, landscaping and improvements to the coastal walk are noted as part of the Developer Requirements for TS12. Therefore, there may be opportunity to consider potential enhancement of the George Wylie sculpture at planning application stage. No modification is propose to the Plan.

The Council believes that SEPA's request for an additional Developer Requirement is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

#### *Concluding remarks on TS12 and TS14*

The development of a high quality hotel, spa, restaurant and safeguarding land for a public park could help to deliver the Plan's aim of supporting the growth of the tourism industry. As shown above the impacts on the landscape can be mitigated through siting and design and landscaping. There also appears to be sufficient demand in the hotel market for higher quality accommodation with associated facilities and that competition with existing town centre businesses is not as severe as suggested when taking account of appropriate mitigation. Consequently it is recommended that the Council maintain the allocations TS12 and TS14 as set out within the Proposed Plan without modification.

#### Other Hotel site suggestions

Suggestions of other possible sites for a new hotel were submitted. The Landowner of Pennyland Farm suggested that, as well as the hotel allocation on TS14, land should be allocated for another hotel closer to the Business Park. It was suggested that this would be targeted more towards national chain hotels. However it is considered that this type of proposal would be more suitable within the town centre. The allocation of land at TS14 was mainly due to its attractive

cliff top location and that Developer Requirements could be added which ensure that a high quality development is delivered. A development next to the Business Park, however, would not be location dependant and would likely attract a budget hotel. This would then compete more directly with the existing town centre businesses. Therefore the suggested hotel allocation near the Business Park is not supported and no modification is proposed to the Plan.

Several other sites were suggested to the Council including TS07 and TS08. The respondents who suggested these sites appear to do so as alternatives to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses or limited views. Of the sites suggested to the Council TS14 was considered as the most suitable for a hotel as it would appeal more towards the higher end of the hotel market which in turn would not present significant direct competition with town centre budget hotels.

For the response to the suggestion of a hotel allocation on TS05 Former Mart Site see Issue 10 Thurso.

### Other Issues Raised

#### *Implications of an Allocation in the LDP*

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted planning in principle. Although the allocation in the Plan does show that the Council would support in principle the allocated land uses a developer would still be required to submit an application, either a planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application. The hotel development is specifically identified in the site allocation table as to clearly set out the type of development which the Council would support and thereby discourage any other proposals coming forward on the site.

#### *Incorrect Site Referencing*

The site references included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). It is therefore agreed to amend this as a non-notifiable modification.

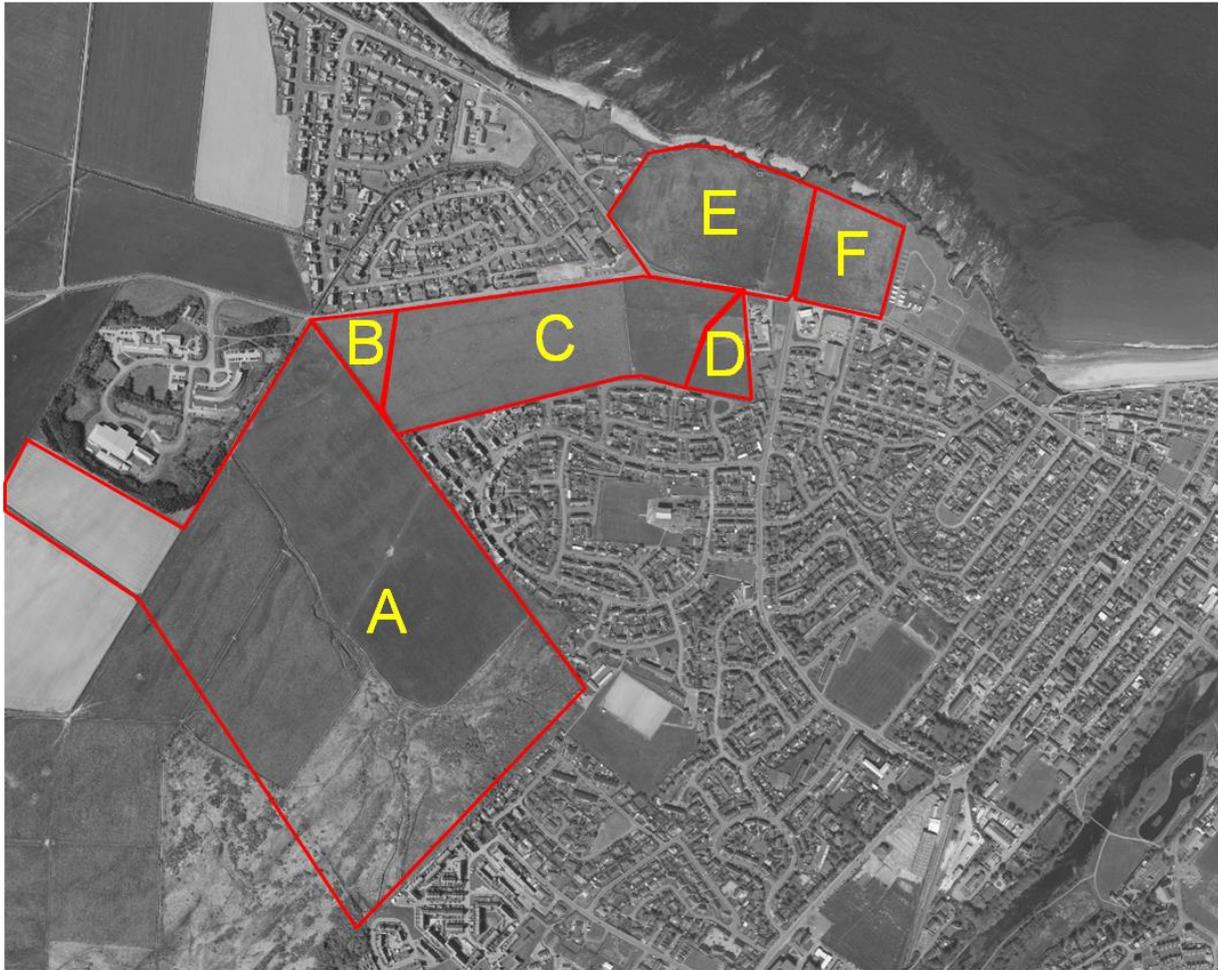
## **DECISIONS FOR (31<sup>st</sup> August 2016) COMMITTEE**

This section presents two decisions that need to be made on the site allocations in the Thurso West area. It sets out options for two particular issues for consideration and decision by Committee. The options presented respond to a wide range of issues raised during the Proposed Plan consultation. It is important that clear decisions are reached by Committee on the Council's proposed strategy and development allocations in the area. It should be noted that, depending upon which options are chosen, this could lead to significant modifications to the Plan.

To assist the discussion and decisions for this area the map below shows the relevant areas:

- Area A – Mixed use allocation in the Proposed Plan, predominately reflecting the existing Local Plan (2002) allocations
- Area B – Allocated in the Proposed Plan for a filling station and small business units
- Area C – Identified in the Proposed Plan as Long Term Housing and Amenity land
- Area D – Allocated in the Proposed Plan for up to 20 houses
- Area E – Community allocation (public park) in the Proposed Plan
- Area F – Allocated in the Proposed Plan for Business (Tourism, Leisure), with specific

reference to an opportunity for a hotel



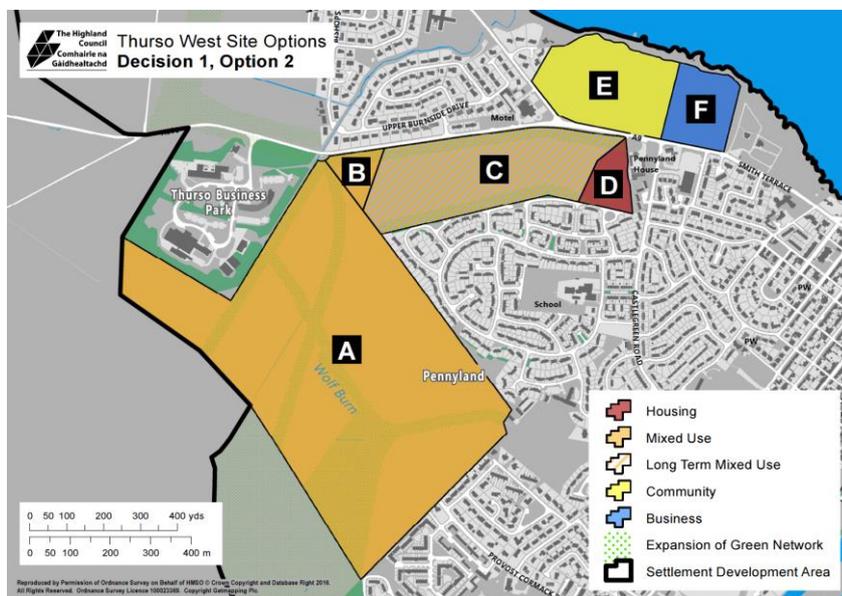
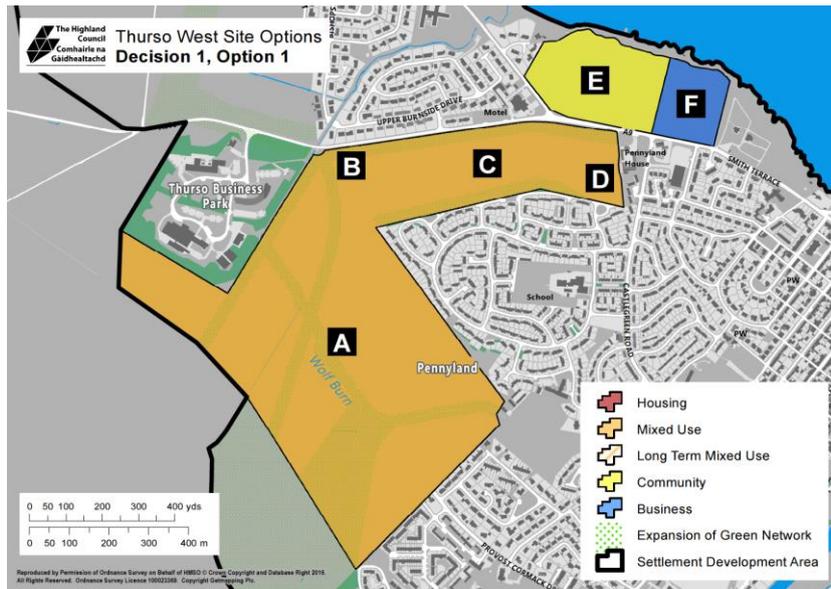
**DECISION 1 – Presentation of TS04 (Areas A, B, C and D)**

The first decision relates to how site TS04 is presented in the Plan.

The large single site boundary of allocation TS04 (covering A, B, C and D) was identified to reflect the extent of the proposed review of the Thurso West Development Brief and/or developer-led masterplan. Although this remains the recommended position there is an option to break down TS04 into the components shown in the map below, identifying these as such in the Plan itself.

Committee is being asked to choose between two options:

- Option 1 – retain TS04 as a single large allocation as shown in the Proposed Plan; or
- Option 2 - separate TS04 into its key components as shown in the map below.



It is recommended that (31<sup>st</sup> August 2016) Committee chooses Option 1 to retain TS04 as a single allocation as it would better reflect the extent covered by the forthcoming review of the Thurso West Development Brief. Future plan reviews can then confirm the mix of development across the site.

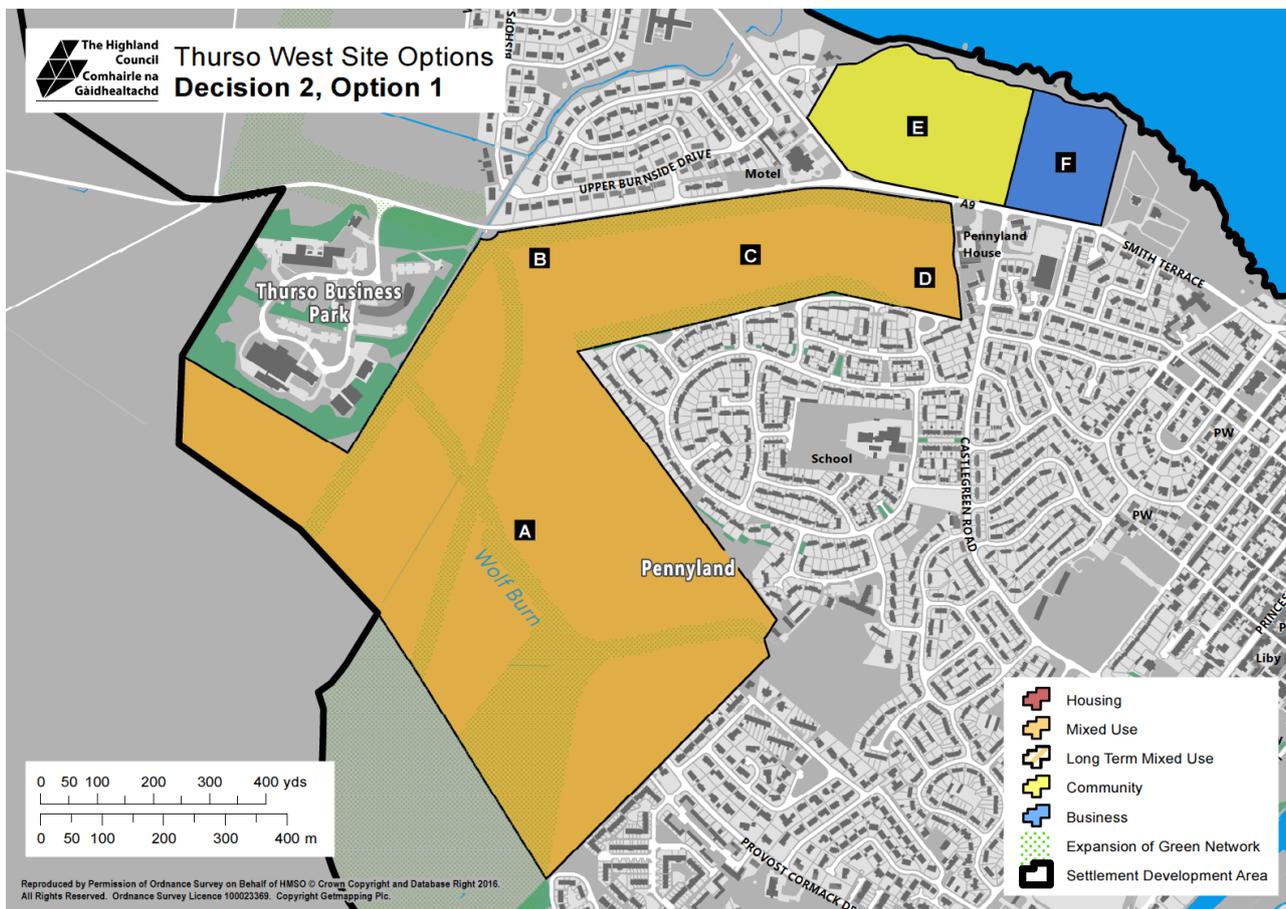
If Committee decides on Option 2 then we would ask the Reporter to accept this as essentially a presentational change rather than a significant modification to the Plan's proposals.

### **DECISION 2 – Fields north of the A9 at Pennyland (Areas E and F)**

Decision 2 presents the following three options for how land at Pennyland (areas E and F) is shown in the Plan.

#### Option 1 – Position presented in the Proposed CaSPlan (E and F)

This option represents the strategy and site allocations identified in the Proposed Plan and agreed at Committee in November 2015 as the settled view of the Council. On balance this is considered to be the most suitable option for the future of the area.



The arguments both for and against this option have been fully considered. The proposals will result in a change to the landscape and reduce views from particular positions out towards Thurso Bay. There are also concerns from existing hotel operators about potential impacts on the hotel market in Thurso and local residents about a change in standpoint from previous planning decisions. However, as set out in the recommended response above the proposal offers a range of potential benefits. The allocation forms part of a long term vision for Thurso and the hotel allocation would provide a mechanism for helping to deliver and safeguard land for a public park. The tourism market is continuing to grow (particularly within initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel inventory and extend the duration of visits.

It is **recommended that (31<sup>st</sup> August 2016) Committee agrees with Option 1** (as shown in the map above) and retain the proposals as set out in the Proposed Plan. On balance the proposals have the potential to deliver wider benefits to the area and the impacts of development can be suitably mitigated.

Choosing this option would not involve significant modifications to the Plan. This would mean moving straight to preparing for the submission to Scottish Ministers for Examination rather than face delay in the process. The Reporter(s) would consider and decide on the outstanding issues.

Option 2 – Retain areas E and F but amend uses

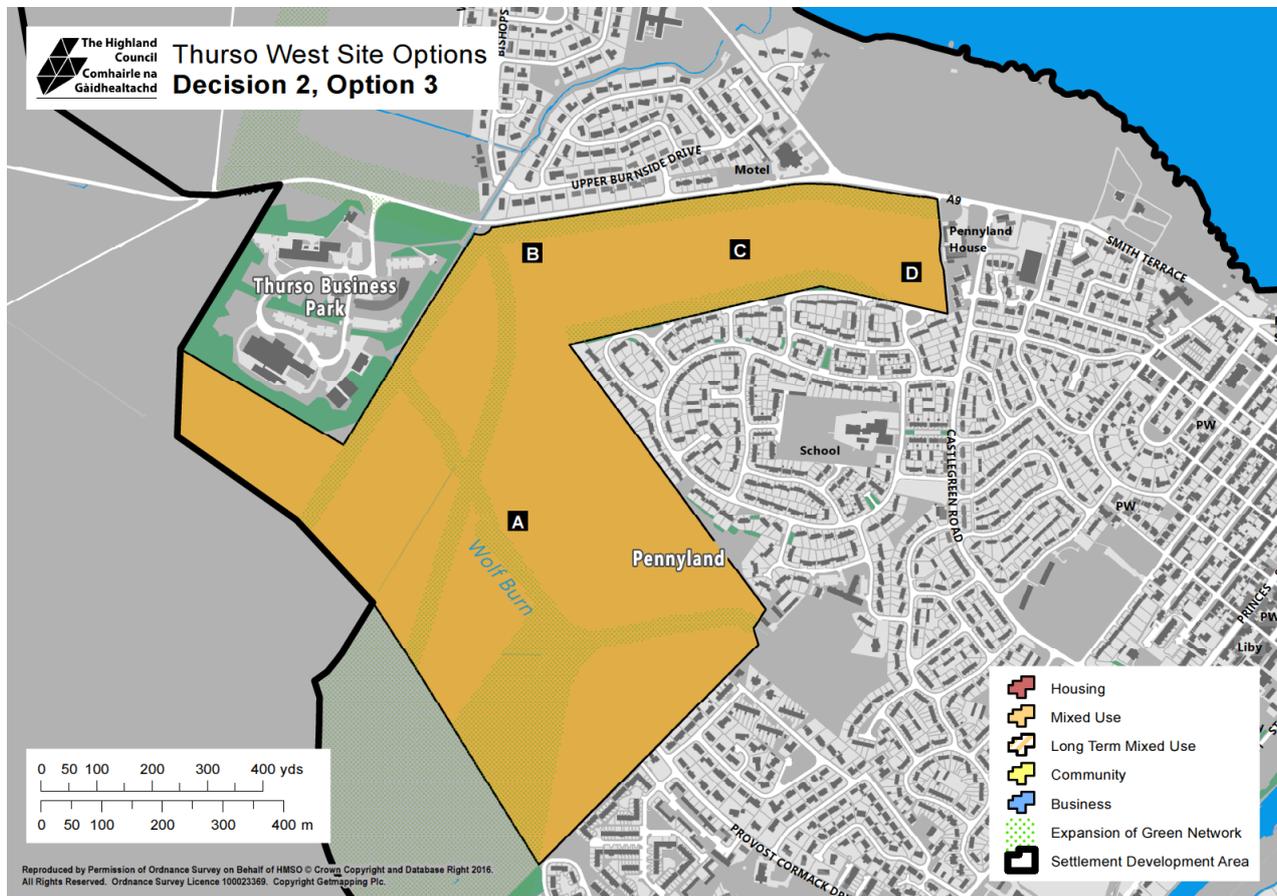
The Committee may wish to consider maintaining the allocation of Areas E and F but to change the specific uses in respect of Area F, e.g. from a hotel to ‘visitor accommodation’ or ‘chalets/lodges’. **We do not recommend that (31<sup>st</sup> August 2016) Committee selects this option** because a well designed hotel is considered to be more suitable for this location.

If Committee decides on Option 2 then we would ask the Reporter to accept the change rather

than a significant modification to the Plan's proposals.

### Option 3 – Removal of allocations for public park (E) and hotel opportunity (F)

Many objections were raised during the consultation to the allocation of land for a hotel and associated leisure facilities at Pennyland. If the hotel proposal (Area F) was removed there would be no clear way of delivering the public park on site TS12 through the Plan. As a result officers advise that if Area F were to be removed, Area E should also be removed.



It is acknowledged that there are some advantages and disadvantages of this option. Option 2 may better reflect the masterplan which was shown in the final Charrette Report. It would also reduce landscape change and avoid any potential impact on existing hotel businesses. On the other hand, as Option 1 points out, the proposals form part of a long term vision for Thurso West and the allocations provide a mechanism for helping to deliver and safeguard land for a public park. The tourism market is continuing to grow (particularly with initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel inventory and extend the duration of visits.

On balance **Option 2**, as shown in the map above, is **not recommended to (31<sup>st</sup> August 2016) Committee** as a well designed hotel could deliver wider benefits for the town and the impacts can be suitably mitigated.

This would be a significant modification of the Plan, necessitating consultation on a Modified Plan with consequential delay to progression and adoption of the Plan and additional costs.

### **CONCLUDING REMARKS (31<sup>st</sup> August 2016)**

The sites at Pennyland have been the most controversial element of the Proposed Plan with a range of issues raised for and against the allocations. The recommended position is to retain the strategy for the area which is set out in the Proposed Plan. However, in recognition of the issues

raised several options are presented. It is important that clear decisions are made by Committee on the Council's proposed strategy for the area including proposed allocations.

### **Recommended Council position in response to representation on the Modified Proposed Plan:**

#### **TS12 -East of Burnside for Community and TS14 - Land West of Caravan Park for Business**

Sites TS12 East of Burnside for Community (public park) and TS14 Land West of Caravan Park for Business (Tourism and Leisure) were allocated within the Thurso section of the Proposed Plan version of the Caithness and Sutherland Local Development Plan. Following an 8 week consultation period which commenced in January 2016 a report was taken back to the Caithness Committee on the 31<sup>st</sup> August 2016. Members considered options on how to respond for sites TS12 and TS14 alongside potential presentation changes to TS04 Thurso West. For details on the recommend Council position in relation to TS04 please see Issue 11(a).

In relation to sites TS12 and TS14, the Committee considered three main options which, as shown in the section above, included: 1) retaining the allocations as set out in the Proposed Plan (Officer recommendation); 2) retaining the sites but amending the specified uses; or, 3) removing the allocations from the Proposed Plan. The pros and cons of each option were acknowledged in the report considered by Committee. Following discussion Committee agreed to remove sites TS12 and TS14 from the Proposed Plan. This consideration is documented in the report to Caithness Committee on 31<sup>st</sup> August 2016 and the [minutes of Committee](#). The removal of these allocations from the Proposed Plan was a notifiable modification that led to the preparation of and consultation on a Modified Proposed Plan. This Schedule 4 takes account of all the comments raised since the publication of the Proposed Plan including issues raised at committee.

Comments made in support of the Modified Proposed Plan position, which is to exclude TS12 and TS14, are noted. The key issues raised in support include: the lack of demand for another hotel; the construction of another hotel would ultimately result in existing town centre hotels being forced out of business; the fields provide an attractive entrance into the town and give uninterrupted views out over Thurso Bay, consequently the sites should be protected from development; and, safeguarding the sites from development is in line with the previous public local inquiry decisions and the Thurso Charrette report.

It is apparent that many of the issues raised in objection to the removal of the sites TS12 and TS14 are the same arguments which were put forward in support of the sites at Proposed Plan stage. As noted these were outlined and acknowledged in the report presented to Committee in August 2016. On the whole, the reasons put forward are in line with the rationale behind the original proposition for the sites as shown in the Proposed Plan. Please see the section above for the Officer Recommendations in response to the Proposed Plan.

The only new issue raised in response to the Modified Proposed Plan in relation to sites TS12 and TS14 is the suggestion of possible links being made between the hotel and the University of the Highlands and Islands (UHI) North Highland College in Thurso . It is recognised that there are potential benefits of having connections between new development such as this and vocational courses at the local college. This is reflective of wider aims for the area and could help to support the tourism and hospitality sectors. However, the potential benefits of such links do not warrant the Council to reinstate the sites. In addition, the point has been raised speculatively by several members of the public and was not a formal submission by either

prospective hotel developer or the UHI. As a result, no change is proposed to the Plan.

Below is a summary of the position now recommended to Committee, taking account of the issues raised in relation to the Modified Proposed Plan and the consideration by Caithness Committee in August 2016:

#### *Protection of the vista*

The vistas out over TS12 and TS14 were recognised within the Officer Recommendation in response to comments on the Proposed Plan as being an important feature and that development of the sites would inevitably result in a change to the landscape. The Committee decision in August 2016 reflects the opinion of many of representees objecting to development, that the impact from development would be too great on the vista towards Dunnet Head and Orkney. The Committee also felt that mitigation, such as Developer Requirements, could not guarantee that the vista is protected and preserved for the enjoyment of residents and visitors, which is becoming increasingly important given the growing number of tourists visiting the area due to initiatives such as the North Coast 500. As no evidence has been put forward which adequately challenges this position, or demonstrates otherwise, no change is proposed to the Modified Proposed Plan.

#### *Previous planning decisions*

The previous planning history was acknowledged within the response to issues raised in relation to the Proposed Plan. The sites were subject to previous public local inquiries which determined against development due mainly to there being alternative sites available for development and the potential impact on the landscape. The Council considers that the Development Plan should be more in line with the Scottish Government's previous determinations on the sites. As no evidence has been put forward which adequately challenges this position, or demonstrates otherwise, no change is proposed to the Modified Proposed Plan.

#### *Suitable alternative sites*

The Council considered that suitable alternative sites already exist within Thurso. In terms of the proposals for a hotel there are already allocations being supported, e.g. alongside the river (TS06, TS07 and TS08) and the former mart site, which have potential to accommodate a hotel. Committee members also put forward that there is no immediate need for a public park as there is already a range of publically accessible areas in the locality, including a play area, football park and a coastal walk along the cliff. As opportunities for these uses are included elsewhere in Thurso it is not recommended that any further modifications are made to the Plan.

#### *Concern over ability to enforce Developer Requirements*

Concern was expressed in regard to the extent to which Developer Requirements/Development Brief can be enforceable. A particular area of concern focused on the extent to which the Council at the planning application stage could enforce suitable siting and design requirements and that development could be approved which is considered to be detrimental to the landscape. The concerns about the Council's inability to guarantee a top-end hotel user were acknowledged as this type of control cannot be achieved through the planning system. As noted in the Officer's response to representation on the Proposed Plan, whilst the Plan provided opportunity for a quality hotel development it did not attempt to limit or stipulate the 'quality' of hotel operator. What it did do was aim to ensure that, whoever the operator, the development would be sympathetic to the surrounding area, be of high quality architectural siting and design and minimise impact on the landscape. References within the supporting text for each settlement and the Developer Requirements relating to each site allocation form part of the Development Plan. As set out in legislation, unless material considerations indicate otherwise, an application is to be determined in accordance with the development plan.

**CONCLUDING REMARKS**

In summary the Council seeks to defend the position as set out in the Modified Proposed Plan: retaining TS04 and excluding TS12 and TS14. The sites at Thurso West have continued to be the most controversial aspect of the Plan with a large number of representations made at each stage of the Plan, including the Modified Proposed Plan. Although there were numerous comments on the Modified Proposed Plan, no new issues or substantive evidence were raised which warrant the Council making further amendments to the Plan. Furthermore, we are not minded to propose any additional suggestions or amendments to the Plan for the Reporter to consider. In taking this position it should be noted that the Reporter would carefully consider the arguments both for and against components of development at Thurso West before reaching a final decision.

**Reporter's conclusions:****Reporter's recommendations:**

**CAITHNESS COMMITTEE 14 FEBRUARY 2017: AGENDA ITEM 4  
CAITHNESS AND SUTHERLAND LOCAL DEVELOPMENT PLAN**

**APPENDIX 5:**

**COMMENTS FROM DUNNET & CANISBAY COMMUNITY COUNCIL  
CONTENT FOR ADDITION TO THE RELEVANT SCHEDULE 4s**

NB. Recommendation (ii.) in the covering report, in referring to considering the issues raised through representations on the Plan and agreeing the Council position as set out in Section 2 of the report and Appendices 1-4, to be amended to likewise include reference to Appendix 5.

**Body or person(s) submitting a representation raising the issue (including reference number):**

Dunnet & Canisbay Community Council (MPP962464)

**Planning authority's summary of the representation(s):**

Dunnet & Canisbay Community Council (MPP962464)

Several points were raised by the Community Council including:

- Reference to the Caithness Broch Project should be included in the Plan.
- Promote opportunities for the renovation of John O' Groats Mill.
- Housing in the Countryside policies should not present unreasonable restrictions on new housing development in the area.
- Concerns that SNH could introduce a proposed Special Protection Area (SPA) for the Pentland Firth which could restrict marine renewable developments in deeper water and the fishing industry.
- Re-designating Dunnet and Canisbay as 'fragile areas' would boost housing in the countryside.
- Adopt as Core Paths: 1) the route between the End of the Road and the Ness of Duncansby; 2) the long distance route between Inverness and John O' Groats.
- The historic museum loan collection at John O' Groats should be re-instated.
- The End of the Road car park must continue to provide unimpeded access for visitors.
- References should be made in relation to suggested specific proposed/completed improvements and economic opportunities at Gills Harbour.

**Modifications sought by those submitting representations:**

Dunnet & Canisbay Community Council (MPP962464)

- Add reference to the Caithness Broch Project.
- Re-designating Dunnet and Canisbay as 'fragile areas'.
- Adopt as Core Paths the path between the End of the Road and the Ness of Duncansby and the long distance route between Inverness and John O' Groats.
- Re-instate historic museum loan collection at John O' Groats.
- Add statement that the End of the Road car park must continue to provide unimpeded access for visitors.

- Add references to specific proposed/completed improvements and economic opportunities at Gills Harbour.

**Recommended summary of responses (including reasons) by planning authority:**

Dunnet & Canisbay Community Council (MPP962464)

Several of the points above have either been previously raised or dealt with at the Proposed Plan stage and the Council has already agreed its position. These include: the reference to long distance routes; the Council's planning policy on housing in the countryside; and, the inclusion of reference to John O' Groats Mill. Reference to the Caithness Broch Project has already been included within the Employment section of CaSPlan (paragraph 56) and identified within the Action Programme.

The Highland Council is not the authority responsible for the designation of SPAs. SNH are currently working with the Scottish and UK Governments on the potential designation of five SPAs across Scotland. It is recognised that the Pentland Firth proposed SPA may have implications for certain types of development in and around the north east coast of Caithness. Nonetheless it is expected that the renewables industry will continue to be a key growth sector for the area. As a result no change is proposed to the Plan.

Fragile Areas are identified by Highlands and Islands Enterprise (HIE) who undertake periodic reviews based on a set of key indicators (the methodology used is shown on the [Scottish Government website](#)). Whilst the Council uses fragile areas as a part of a policy tool e.g. in the Highland-wide Local Development Plan, the Council is not the authority that identifies fragile areas and as such we do not propose any changes to the Plan.

The request to reinstate the core path at John O' Groats was also considered as part of the recent Core Path Review for Caithness and Sutherland during 2014. The Access Officer notes in the [Consultative Report](#) state that the section of path has been re-instated twice before and the Council are not willing to commit to reinstating it again until coastal protection works are undertaken. Given that no such coastal defence scheme is expected at this time we do not propose any changes to the Plan.

The potential benefits of the reinstatement of the Frank Sutherland museum loan collection at John O' Groats in terms of education and cultural heritage are noted. However, its reinstatement does not warrant or require a reference within the Development Plan to occur. As a result no change is proposed to the Plan.

In relation to concerns raised regarding changes proposed to the access and car parking arrangements at the End of the Road, John O' Groats, it is noted that similar comments were made during the Main Issues Report (MIR) consultation. The Council's position agreed at that stage was that the detail of any particular layout would be best considered at planning application stage. This position was then reflected within the Placemaking Priorities for John O' Groats as set out in the

Proposed Plan. As no further evidence has been provided which adequately challenges this, no change is proposed to the Plan.

The relationship between the National Renewables Infrastructure Plan (N-RIP) and the potential economic opportunities in the local area, including the strategic importance of ports and harbours, was closely considered during the preparation of the Plan. The strategy section of the Plan sets out the Council's support for these opportunities and aims to "maximise opportunities arising from the energy sector, particularly within the Area for Energy Business Expansion in the north east". In addition, ports and harbours which have a potentially important role in the energy sector have been highlighted for development including Gills Harbour Economic Development Area. Despite the Community Council requesting specific proposals to be referenced (including promotion of existing facilities and potential for a range of new 'high energy demand' related industries) it is considered that the current references within the Plan provide sufficient support. As a result no change is proposed to the Plan.