

THE HIGHLAND COUNCIL
LOCHABER AREA COMMITTEE

25TH AUGUST 2015

Agenda Item	
Report No	

PLANNING GUIDANCE FOR RUM AND LAND ADJOINING AONACH MOR ACCESS ROAD

Report by Director of Development and Infrastructure

SUMMARY

This paper outlines the context for, and content of, detailed planning guidance produced for the Isle of Rum Community Trust (IRCT) for Kinloch on Rum, and Forest Enterprise Scotland (FES) an agency of Forestry Commission Scotland for land either side of the Aonach Mor base station access road.

Area Committee is invited to:

- note the thorough plan formulation and consultation processes used by IRCT and FES to produce the guidance;
- approve the Isle of Rum Community Land Use Plan as Interim Supplementary Guidance pending its incorporation within the West Highland and Islands Local Development Plan;
- approve the Nevis Forest and Mountain Resort Masterplan as Interim Supplementary Guidance pending its incorporation within the West Highland and Islands Local Development Plan.

1. Context

- 1.1 Members will recall from previous briefings that the content of Highland Council's new style local development plans will be proportionate to the scale, pace and location of expected (and desired) development. Whereas previous plans tried to plan for everywhere including single houses in scattered crofting settlements, the new West Highland and Islands Local Development Plan will concentrate on managing the bigger development pressures in the larger settlements. As this will leave real or perceived "gaps" in policy coverage, the Council have invited community groups and major landowners to draft a plan for their own communities or landholdings where the Council don't intend to provide that degree of detail and where there is an appetite for positive, land use change. The relevant Area Committee then will vet these plans for inclusion within the Council's relevant statutory development plan.
- 1.2 The IRCT and FES plans are the first two such plans to date within Highland and are piloting a new approach to community empowerment and enabling of landowner / developer masterplanning, which ultimately is to be given statutory status. Copies of both plans and supporting documentation have been available via

the Council's website since 18th August (see link at end of report). Members have been e-mailed links to this information and have had an opportunity to be briefed on the content.

- 1.3 For Members' clarification, if these plans are approved by the Area Committee they become material planning considerations for the consideration of planning applications within or close to their respective areas. If and when adopted, after the West Highland and Islands Local Development Plan has run its course, they become a part of the statutory development plan and have as much legal "weight" as the Plan itself.

2 Isle of Rum Community Land Use Plan

- 2.1 The Isle of Rum Community Land Use Plan has evolved largely through the efforts of local residents, the IRCT and Planning Aid Scotland (PAS). Input has also been sought from and made by Council officers and other public agencies. The Plan's vision is to stabilise and over time, increase the permanent population of the island and increase employment opportunities by identifying a range of suitable development sites.

- 2.2 The Plan relates to the principal settlement of Kinloch and a single property at Harris on the other side of the island. It has used the Council's 2010 adopted Local Plan and the 2004 Kinloch Village Development Plan as a starting point for a fresh approach. The new Plan offers more detailed, environmentally acceptable and community supported guidance than the two existing documents. A similar and correct conclusion has been reached that the arc of development at Kinloch should be extended to the northern shore of Loch Scresort to minimise environmental impacts, distance to what will become the village centre and to maximise the solar gain from south facing slopes.

- 2.3 9 "Character Areas" have been identified for Kinloch and 1 for Harris where a single property is suggested for refurbishment. At Kinloch:

- Character Area 1, Foxglove Cottage / Ferry - up to 3 houses subject to sensitive siting and design and woodland management;
- Character Area 2, Old Pier and Slipway - up to 3 business/tourism units and 2 houses;
- Character Area 3, New Bunkhouse Area – potential for camping provision, self catering units and 1 manager's house;
- Character Area 4, the White House and Kinloch Cottages – up to 7 houses including possible live/work units subject to woodland management;
- Character Area 5, Kinloch Castle and environs – no firm proposals given this area is in separate ownership and will hopefully be subject to a separate masterplanning exercise involving the local community;
- Character Area 6, Village Centre – up to 9 houses and a refurbished business / tourism unit;
- Character Area 7, North Shore – up to 14 houses subject to new service connections, woodland and avoidance of flood risk;
- Character Area 8, The Glen – 3 houses associated with crofts /

- smallholdings; and
- Character Area 9, Loch Scresort – initial tentative proposals for more moorings and/or pontoons.

Many of the suggested sites are subject to servicing, woodland and other natural heritage constraints. The Plan recognises these issues and specifies mitigation. As with any effective land use plan, the document provides a choice of development sites for a range of suitable uses. In practice, not all sites will be developed in the short or even medium term and will be linked to the availability of local employment.

- 2.4 PAS have overseen and written up (see Engagement Report available via the Council's website – see link at end of report) the community engagement part of the Plan's progress. **Consultation** with local residents was early and effective, with other stakeholders also engaged from the outset. Site visits, local knowledge and stakeholder inputs were used to determine the most appropriate development areas. A draft plan was tested with the local community via a series of "community forum" and "drop-in" events plus a formal opportunity for written representations.
- 2.5 A wide variety of issues emerged in comments from Rum residents and other stakeholders. These included suggestions for: amended detail for specific character areas; new specific housing sites; making the plan clearer and; new proposals e.g. a heritage and teaching centre. A large number but not all comments were incorporated into the finalised Plan. Some matters raised were considered important but not relevant to the remit of the plan. The amendments made are fully documented in the PAS Engagement Report.

3. Nevis Forest and Mountain Resort Masterplan and Development Framework

- 3.1 The Council's adopted Local Plan (the West Highland and Islands Local Plan) currently has an allocation of 81.4 hectares of land area within Leanachan Forest allocated for mixed use tourism and recreational development. The preparation of a masterplan is a local plan pre-condition for any significant planning applications being considered by the Council at this location. During 2013/14, FES in conjunction with Highlands and Islands Enterprise commissioned the production of the masterplan to guide and promote tourism based, economic development opportunities. The land is a suitable opportunity for the uses proposed because of its forest context and outlook, plus because of public investment to date in infrastructure such as the A82 junction, high capacity access road, active travel connections to Fort William and an improved Torlundy waste water treatment plant. These documents are not prescriptive as to end users and are promotional of the land and wider area as a tourist destination and resort complex. Crucially, the proposals should, to a large extent, be complementary to (and in some cases allow the expansion of) existing enterprises and do not include mainstream housing which would be inappropriate for this location.
- 3.2 The masterplan/framework boundary encloses 109.4 hectares of land either side of the Aonach Mor access road including the area within the adopted Local Plan and therefore there is a large degree of compatibility with the Council's established position on the optimum future use of this area. The additional 28 hectare western

extension is intended for a luxury resort hotel and seen to be particularly suited to such because of its view of Ben Nevis, more gentle south facing slope and forest shelter. It is argued that there is a “gap in the market” for such a facility and therefore it would be complementary to existing tourist accommodation. The Council’s Tourism Officer endorses this view in that a number of overseas tourism operators cite the inadequate supply of high quality accommodation in the Fort William area as a reason not to tour the area. There is a competitive, locational advantage and therefore a reasonable justification for such a facility to be close to the assets that support it.

3.3 The detailed, suggested proposals can be viewed online (see link at end of report) but in summary they include 5 zones with different uses:

- A “Welcome Zone” encompassing the A82 gateway and Aonach Mor access road proposed for enhanced signage and landscaping;
- Development Zone 1, west of the access road, for a high quality spa resort (up to 80 bed) hotel and/or up to 50 luxury forest cabins;
- Development Zone 2, west of the Nevis Range car park, for new buildings and a visually improved and extended car park;
- Development Zone 3, north of the Nevis Range base station, for cheaper tourist accommodation (cabins, camping pods, yurts and/or bunkhouse)
- Development Zone 4, south of the existing Lochaber Rural Complex, for the expansion of, and improved access to, the Complex

More generally, there are also proposals for forest management to improve aesthetics and landscaping of the resort’s environs, promote greater biodiversity, with enhanced habitats and facilitate recreational access and improved interpretation for visitors. Overall, FES’ intention is to “provide a high quality visitor experience through the development of a high quality resort within a unique overall destination brand integrated within a woodland environment which will act as a transformational development within the Lochaber visitor economy.”

3.4 Between May 2013 and January 2015, FES has undertaken extensive **consultations** with the public and local enterprises. This has provided a useful opportunity for FES to listen to concerns and clarify its intention to fill current gaps in the provision of overnight accommodation rather than promote retail development, and that FES’ role is not to act as developer rather as an enabler of private sector investment. Not surprisingly, local residents have been eager that development includes improvement and expansion of existing recreational facilities and access for all to new facilities. Local, regional and national organisations have been involved as stakeholders and are generally supportive but some smaller local businesses are cautious about potential loss of trade. Most feedback has been positive with most people recognising the spill-over benefits to all of attracting inward investment, extending the Lochaber tourist season, and further enhancing Fort William’s brand. Further details of the consultation and its results are provided within The Nevis Forest and Mountain Resort: Development Framework: September 2014 which is available via the Council’s website.

3.5 Several changes have been made in light of representations received. Notably:

- the incorporation of alternative forms of low-impact tourism accommodation including a bunkhouse, better reflecting the ski range's locational need for better on-site facilities;
- a new access to the rural business land area at Lochaber Rural Complex;
- more, sensitively designed car parking;
- riparian set-backs from watercourses;
- improved active travel linkages between the Nevis Range and the low impact accommodation in Development Zone 3;
- additional SSSI area recognised and considered as part of masterplan;
- more environmentally sensitive and flexible events space around the Nevis Range complex for future biking competitions;
- recognition of the need for increased yet more environmentally sensitive and flexible events space around the Nevis range complex to ensure future UCI biking competition stages;
- better recognition of existing villages, facilities and cycle routes; and
- a commitment to consider further economic impact, flood risk and drainage assessments at planning application stage.

4. Implications

- 4.1 The plans have been previously screened out or assessed in terms of strategic environmental and equalities assessments. A draft Habitats Regulations Appraisal (HRA) record has been prepared for the Rum plan and an initial conclusion reached that with suitable mitigation text incorporated there will be no residual adverse impact on the integrity of any Natura natural heritage designation. Similarly, the FES masterplan boundary is distant and downslope from the Ben Nevis Special Area of Conservation and its qualifying interests. There will be no direct impact on these qualifying interests by reason of construction or pollution. Increased recreational pressures may be an issue and will need to be managed via suitable planning permission condition mitigation. Formal HRAs for the two sites will be finalised in consultation with Scottish Natural Heritage through the related local development plan process.
- 4.2 Gaelic headings and subheadings will be added if and when the plans become statutory supplementary guidance. Both plans are genuine mixed use community / context sensitive developments and will have either a neutral or positive impact on rural and climate change issues. Resources to complete the final statutory processes are allowed for within the Service budget. The plans could be challenged through the associated LDP process but due process has been followed and therefore the Council will have a defensible position in the event of any challenge.

RECOMMENDATION

Committee is invited to:

- note the thorough plan formulation and consultation processes used by IRCT and FES to produce the guidance;
- approve the Isle of Rum Community Land Use Plan as Interim Supplementary Guidance pending its incorporation within the West Highland and Islands Local Development Plan; and
- approve the Nevis Forest and Mountain Resort Masterplan as Interim Supplementary Guidance pending its incorporation within the West Highland and Islands Local Development Plan.

Designation: Director of Development and Infrastructure

Date: 10 August 2015

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Background Papers:

1. Isle of Rum Community Land Use Plan (IoRCLUP): July 2015
2. Draft Habitats Regulations Appraisal: IoRCLUP: August 2015
3. The Nevis Forest and Mountain Resort: Masterplan: March 2015
4. The Nevis Forest and Mountain Resort: Development Framework: March 2015

Above documents available via:

http://www.highland.gov.uk/info/178/local_and_statutory_development_plans/201/planning_guidance_for_particular_developments