

Kirsty McCreath

From: Tim Stott
Sent: 30 May 2011 15:06
To: Kirsty McCreath
Subject: FW: Inner Moray Firth Local Plan - Call for Sites - Land at Cragganard, Abriachan

[Kirsty - please log this as a late CfS submission - INV area - maps to follow - I'll acknowledge it - ta - Tim](#)

-----Original Message-----

From: Christine Stuart [mailto:christine.stuart@plan-develop.co.uk]
Sent: 27 May 2011 17:47
To: Tim Stott
Subject: FW: Inner Moray Firth Local Plan - Call for Sites - Land at Cragganard, Abriachan

Tim

I refer to recent correspondence between ourselves regarding the above subject.

Further to our most recent telephone conversation, I now present a brief representation on behalf of my client **Cornelia I. Wittke** promoting a small housing development on **land at Cragganard, Abriachan**.

The subject land, which extends to **5.81 acres (2.35 hectares)**, forms part of an existing commercial tree plantation which is located on the north-western edge of the settlement (see attached plan).

The site forms part of a larger area of land which is specifically designated for housing in the **adopted Inverness Local Plan 2006** as articulated by **Map 17; Abriachan** (see attached plan).

The physical land use principle of residential development on the land is therefore clearly established by its designation for such purposes in the extant Local Plan. However, although the Local Plan encourages further housing within Abriachan, land designated for such purposes is required to be considered in terms of its timely release within the context of **Section 6, Policy 2, Page 58** of the **Inverness Local Plan** which states that within any 10no. year period and to enable development to proceed incrementally over the Plan Period, new house building is not permitted to generally exceed 25% of the number of existing dwellings in such settlements.

Against this policy background, a planning application for 7no. houses including 2no. affordable homes on the subject land (**planning application ref: 08/00375/FULIN**) was refused planning permission on 21 November, 2008 on the basis that: *"the proposal would be contrary to Section 6, Policy 2 of the Inverness Local Plan as the 25% settlement capacity has been reached at Abriachan"*. This refusal decision by the Highland Council was not challenged by the applicants by way of an appeal to Scottish Ministers.

The reason for refusal clearly makes no reference to issues of inadequate infrastructure, road access, adverse landscape impact or prejudice to adjoining residential amenity. As a consequence, it is considered reasonable to suggest that given there were no technical or environmental objections to the proposals and, the site formed part of an area of land specifically designated for housing purposes (therefore establishing the physical land use principle), the only reason why the proposals were not considered appropriate related purely to the timing of the land's release as controlled by the '25% rule'.

Indeed, when you consider the proposals against the determining design and sustainability criteria contained in the **adopted Inverness Local Plan 2006**, the **approved Highland Structure Plan**, the **approved draft Supplementary Guidance, Housing in the Countryside, December 2010** and the **Highland Wide Local Development Plan Proposed Plan** and, the design guidance and advice contained in **PAN72 Housing in the**

Countryside, development of the subject land compares favourably as follows:

- The site does not form part of an area of land which is the subject of any specific landscape, ecological or archaeological designation.
- A sensitively sited and designed development could be satisfactorily accommodated on the land without adverse visual impact to both the immediate and wider surrounding landscape by utilising the existing topography and retaining a significant number of existing trees supplemented by new planting.
- The proposed development would both complement and be sympathetic to existing patterns of development in the area.
- The land does not constitute the loss of locally important croft land or high quality agricultural land.
- Subject to detail, the site can be adequately serviced in terms of foul drainage, road access and water supply, all within a reasonable cost and without the need for public funding support.
- There would be no adverse impact on either individual or community residential amenity.
- The design of the houses would maximise energy efficiency in terms of location, layout design and the use of materials including the utilisation of renewable sources of energy and heat and, be an exemplar for such development not only within the immediate local area but, within the wider Highland Council region.
- The provision of affordable homes would help contribute to the established need for such homes as articulated by the **Highland Council's Housing Need and Demand Assessment 2010**.
- The introduction of additional families into the area would help to sustain and support existing fragile, local services and facilities.

At a time when the rural economy and related services and facilities are under extreme pressure, a situation which is unlikely to change in the foreseeable future, it is important that communities such as Abriachan are allowed to grow in order to ensure their medium to longer term longevity. In this regard, although my clients fell foul of the '25% policy rule', in my view the basic principles behind the extant policies for settlements such as Abriachan are sound in allowing for phased and incremental growth within a defined settlement boundary.

In going forward through the emerging Plan, deletion of settlement boundaries including preferred areas for development and dispensing with the '25% rule' will only severely limit growth in areas such as Abriachan to their ultimate detriment. Although there have been well documented difficulties in their implementation, the basic principles and rationale behind the extant policies are based on maintaining and controlling sustainable growth. Any replacement of such policies should be heavily influenced by the basic principle of controlled growth as opposed to severely limited or no growth options in order to help provide certainty and secure the future vitality of these settlements.

I would respectfully request that the above be taken into consideration when preparing the next stage of the Plan.

I would also be grateful if you could acknowledge receipt of this representation in writing.

Kind regards

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25/07/2011

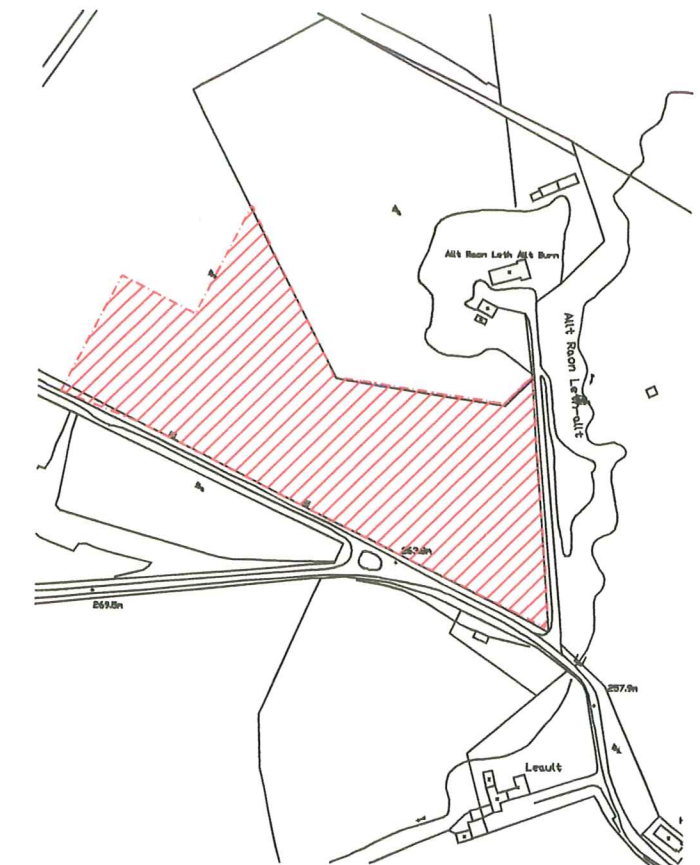
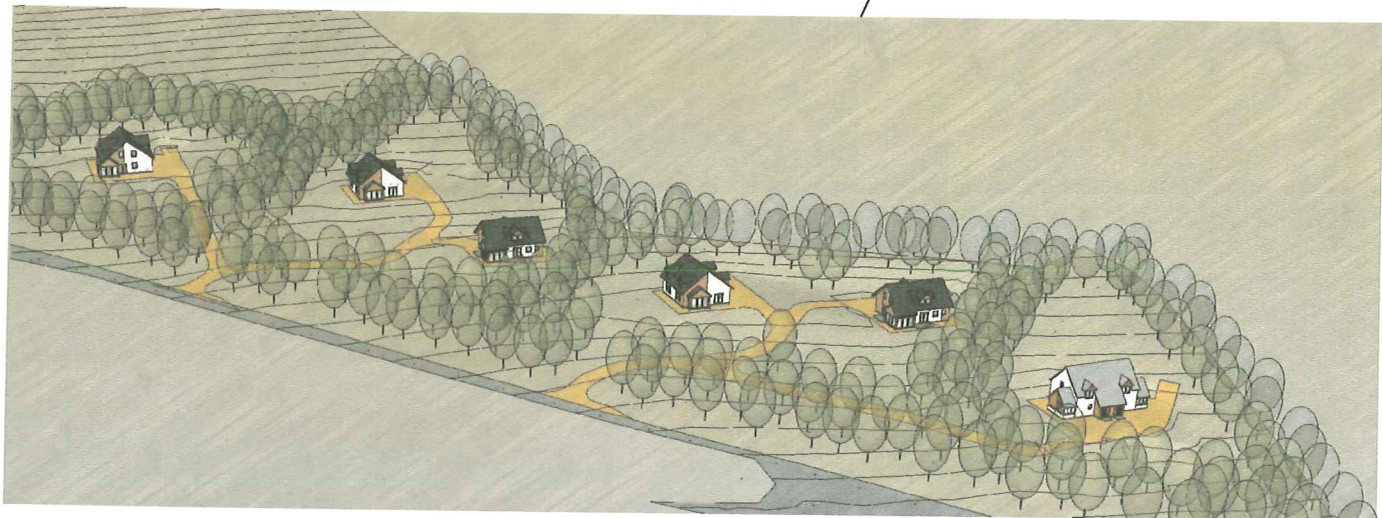
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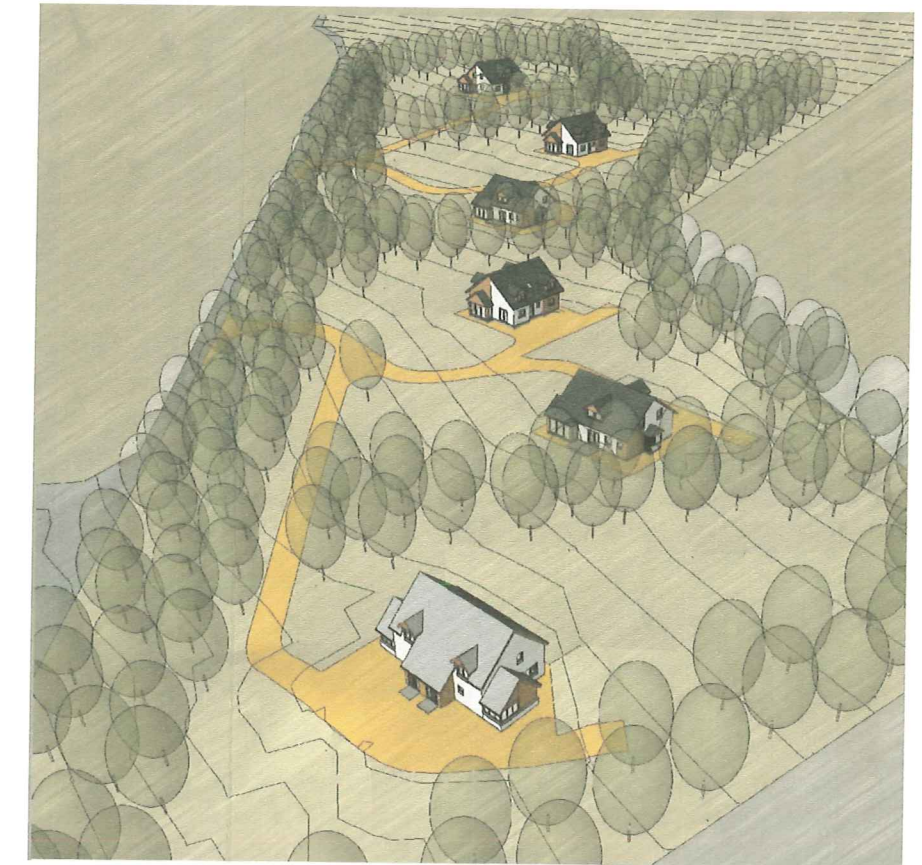


Site Plan 1:750

(S) Denotes indicative soakaway positions
 Visibility splays to be 2.5 x 10m with obstacles above 0.9m within 10m zone



Site Location Plan 1:2000



Client
Elfin Europe

Project
**5 Private Houses + 2 Affordable,
 Abriachan**

Rev B - Western boundary extended by 5m. Tree line revised - 07/10/07 - CCP
 Rev C - Fence note added, Sheep/deer grid added - 16/10/07 - CCP
 Rev D - Colour and 3D views added

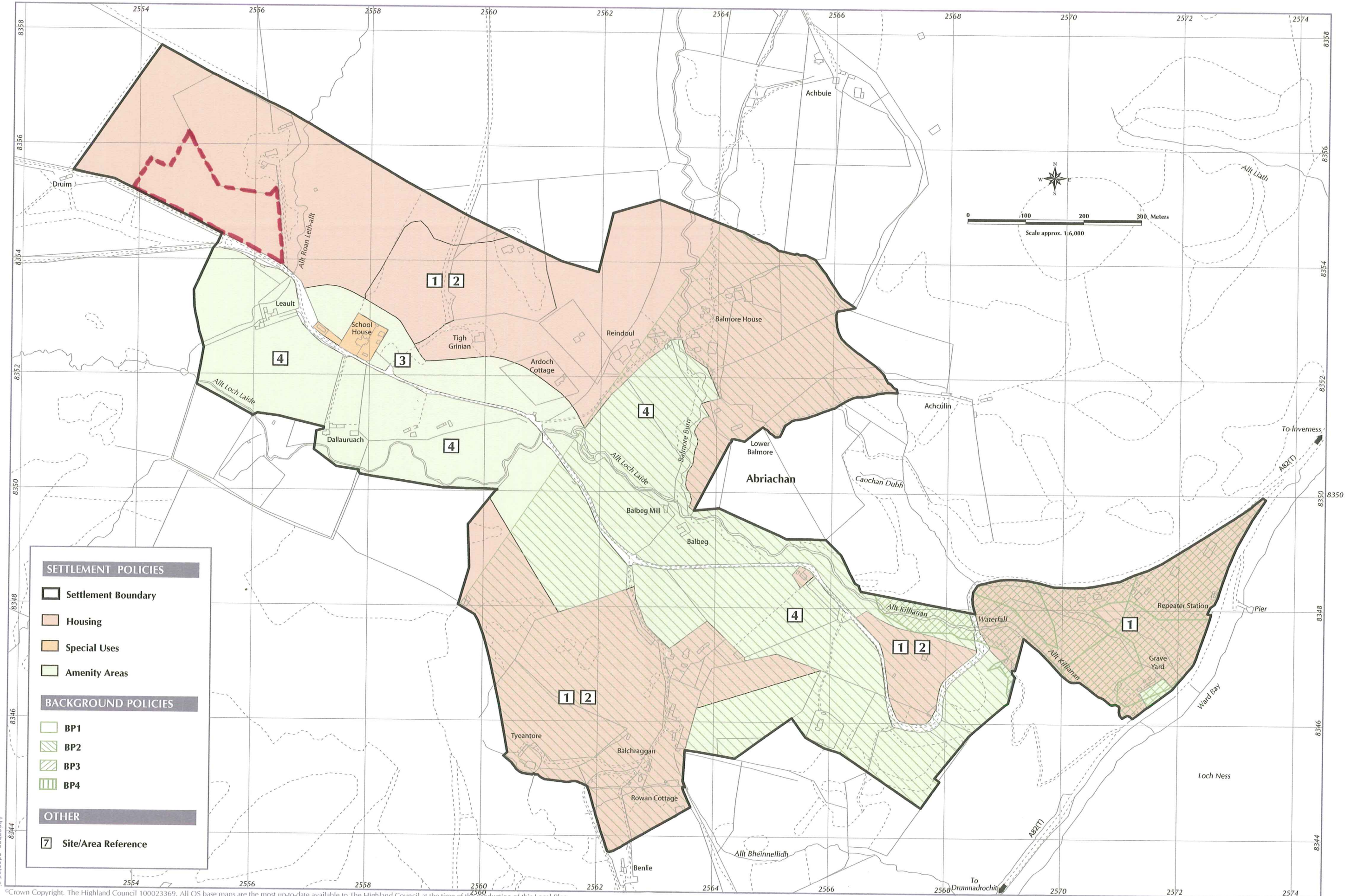
COLIN ARMSTRONG ASSOCIATES
 Chartered Architects

SCALES SHOWN ARE AT A1 SIZE
 FOR A3 SIZED DRAWING REDUCE
 NOTED SCALES BY 50%

1:50 AT A1 = 1:100 AT A3
 1:100 AT A1 = 1:200 AT A3

Drawing Title Site Plan/Location Plan		
Scale As Indicated	Date Oct 2007	Drawn
Job Number 0626	Drwg. No. 001	Revision D

X:\DOCUMENTS\0626 ABRIACHAN SHOWHOUSES\DRAWINGS\CURRENT\01.DWG



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 FOOTNOTE: Not all of the policy definitions listed in the Appendix to the Written Statement are identified on this Proposals Map Inset.