

## **Appendix 3 – Alternatives to which SEA was applied**

*The Policies and alternatives listed here are those contained within the proposed plan. For modifications to these please see Appendix 7 which considered the SEA implications of the changes made following the Examination of the Highland-wide Local Development Plan*

This appendix sets out the alternatives to which SEA was applied

### **Vision**

To avoid repetition please see the Highland wide Local Development Plan – Proposed Plan for the Visions. The Highland-wide vision has been assessed through the Council's Corporate Plan and therefore it is not deemed appropriate to assess it again. The Corporate Plan SEA is available on the Highland Council's website <http://www.highland.gov.uk>

No Reasonable alternatives were identified to the visions for Inner Moray Firth, Caithness and Sutherland or West Highland and Islands.

### **Spatial Strategy**

#### **Policy 1 – Completing the Unconstrained City Expansion Areas**

The council will support the ongoing development of the expansion areas identified within the Inverness Local Plan at Ness Castle, Culduthel-Slackbuie, Inshes and Milton of Leys as the main development sites to be delivered over the period to 2016. These developments will continue to provide contributions towards the enhancement of infrastructure (including green infrastructure) and services in these areas in line with the adopted local plan and revised supplementary guidance.

An updated Inverness City Vision has been prepared which highlights the key long term aims for development around the City. The City Vision will be adopted as Supplementary Guidance to this Plan and development proposals which seek to promote and deliver the key aspirations set out within it will be supported.

***No Reasonable alternatives have been identified for policy 1***

#### **Policy 2 – Inverness City Vision**

The Council will support proposals which deliver development in line with the strategy set out in the Inverness City Vision.

***No Reasonable alternatives have been identified for policy 2***

#### **Policy 3 – City Centre Development**

The Council will support development proposals for the City Centre in line with the Inverness Local Plan. Supplementary Guidance will be prepared by the Council to highlight specific opportunities for redevelopment and enhancement.

***No Reasonable alternatives have been identified for policy 3***

#### **Policy 4 – Longman Core Development**

The Council will support the development of office, leisure, service and retail uses in the Longman Core, as indicated on Map 1. These uses must be presented within the

context of an updated development brief or masterplan which provides improved linkages to the City Centre, enhanced design of this important gateway to the City, transport improvements on the A82 and effective pedestrian and cyclist movement throughout the area. Any proposal in this area must be accompanied by a transport appraisal.

***No Reasonable alternatives have been identified for policy 4***

### **Policy 5 – Former Longman Landfill Site**

Land at the former Longman Landfill site (as indicated on Map 2) are allocated for a mixed use development. Supplementary Guidance will be prepared to test the viability and suitability (including impact on the strategic road network) of a range of uses including:

- waste management and other renewable uses including Energy from Waste;
- commercial & industrial uses;
- community/public open space.

The potential for other uses including retail and residential will also be examined as well as the potential environmental impact of proposals.

***No Reasonable alternatives have been identified for policy 5***

### **Policy 6 – Muirtown and South Kessock**

The Council will support development proposals in the short term which fit with the existing Inverness Local Plan for development in this area, whilst seeking to ensure that they deliver improvements to the transport network, including improvements at the Telford Street Retail Park roundabout.

***No Reasonable alternatives have been identified for policy 6***

### **Policy 7 – Inshes and Raigmore**

The Council will work together with the community, and stakeholders in this area to deliver a Development Framework which will support continued growth at Inshes Retail Park, the surrounding Raigmore Hospital campus and developments off the Southern Distributor Road, whilst also providing a short to medium term solution to transport difficulties. An updated land use strategy will be brought forward as Supplementary Guidance to the Local Development Plan.

***No Reasonable alternatives have been identified for policy 7***

### **Policy 8 – Ness-side and Charleston**

The Council will support the masterplanning of land allocated at Ness-side and Charleston in tandem with the work being carried out to identify options for the river and canal crossing. All development in these areas will be expected to contribute towards the delivery of the environmentally sensitive river and canal crossing solution to ensure that public investment is supplemented by private sector contributions. Updated masterplans will be prepared and adopted as Supplementary Guidance.

***No Reasonable alternatives have been identified for policy 8***

### **Policy 9 – A96 Corridor – Phasing and Infrastructure**

Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. When planning applications are being determined for these early phases they will be assessed against the policies set out in this Plan and identified developer contributions. Conditions and/or legal agreements will be attached to any permission to determine phasing. For larger mixed use sites, the Council will require that each site is masterplanned and each phase of development will need to show its relationship to this initial masterplan and demonstrate how the required developer funded infrastructure can be delivered.

***The alternative to policy 9 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 10 – Beechwood Campus**

The Council supports the development of the first phase of Beechwood Campus during the period 2011-2016 and the second phase after 2016.

Any development in this location for the second phase will be supported by a detailed masterplan for campus related uses to the west of the railway and for business, commercial and residential institutions to the east of the railway line.

The development of the first phase will be accompanied by the following developer requirements:

- Transport
- Pedestrian and Cycle Bridge link towards Inverness City Centre;
- Bridge links towards Inverness Retail and Business Park and the later phases of the campus site;
- Two vehicular accesses with an entrance from Culloden Road and an exit point on Caulfield Road North;
- Delivery of recreational access to the site;
- Reservation of land for the potential route of the A96-A9 Trunk Road;
- Provide active travel linkages to Inverness City Centre and Inverness Retail and Business Park
- Contribution towards the improvement of Inshes roundabout;
- Contribution towards public transport improvements;
- Contribution towards improved active travel in the area including cycle lane at Milburn Road
- A Green Travel Plan will be required
- Accesses should be provided to the edge of allocation and no ransom strips should be created;
- Local and trunk road improvements will be required subject to discussion with the relevant body;
- Car parking should be designed to be safe for all users;

#### **Waste**

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### **Green Networks & Open Space**

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

#### Natural, Cultural & Built Heritage

- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;
- Ashton Farm SAM should be carefully considered and appropriate mitigation put in place;
- Safeguarding of habitats for protected species;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;
- No culverting of water courses will be permitted;
- Landscape Framework is required;

#### Design

- A design framework will be required to ensure development fits with the landscape character of the area;

#### Education

- Any residential development on this site may be required to provide developer contributions towards education provision in line with Education and New Residential Development: Supplementary Guidance.

#### Housing

- Any residential development on this site will be required to deliver a minimum of 25% affordable housing.

#### Miscellaneous

- Specific drainage strategy and Flood Risk Assessment to demonstrate safeguarding of watercourses and flood plain;
- Limited use of street lighting;

As well as those set out above, development of the second phase will also require to meet the following developer requirements:

#### Transport

- Contribution towards the A9-A96 Link road (or alternatives arising from the design work being carried out);
- Contribution in line with an amended A96 Protocol towards strategic infrastructure;
- Contribution toward local road improvements;

#### Green Networks & Open Space

- Contributions toward the A96 Green Network as set out in Highland Green Network: Supplementary Guidance.

***No reasonable alternative has been identified for Policy 10***

### **Policy 11 – Inverness Retail and Business Park**

The Council will support the development of additional bulky goods retailing in the period from 2011-2016 at Inverness Retail and Business Park on the site allocated on the East Inverness map) subject to the following developer requirements:

#### Transport

- Improvements to the A96 Trunk Road roundabout including enlargement and signalisation and any other improvements required by Transport Scotland;
- Improvements to the internal road layout within the Retail and Business Park;
- Provision of unfettered access to the land adjacent to the Retail and Business Park in the interests of enabling future developments in east Inverness; and

- Provision of access to the development at Stoneyfield Business Park to ensure a free flow of pedestrian and cycling access throughout the area;
- A contribution will be required to identified trunk and local road improvements required associated with this development;
- Provide active travel linkages to & from the site, including to Beechwood Business Park and Campus.
- Car parking should be designed to be safe for all users;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;

#### Natural, Cultural & Built Heritage

- Safeguarding of habitats for protected species.
- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;
- Due consideration should be given to making the best use of the site taking into account existing and planned adjacent uses and the topography of the site;
- No culverting of water courses will be permitted;

#### Design

- High quality design will be a key consideration;

#### Miscellaneous

- A sustainable drainage system plan will be required;
- Protection of natural watercourses, including flood plain;
- Limited use of street lighting.
- All development on the site will be strictly limited to bulky goods retailing.

### ***No reasonable alternative has been identified for Policy 11***

### **Policy 12 – Stratton**

The Council will support the long term development at Stratton in East Inverness subject to the following phasing of development. Only that development outlined in the table below will be supported in the 2011-2016 period, subject to the developer requirements set out below.

	2011-2016	2016-2021	2021-2026	2026-2031
Residential (units)	300	450	875	875
Food Retail (m <sup>2</sup> )	8000	0	0	0
Non-Food Retail (m <sup>2</sup> )	1350	1000	1000	0
Office Accommodation (m <sup>2</sup> )	2100	2000	1000	0
Health Centre (m <sup>2</sup> )	1900	0	0	0
Church (m <sup>2</sup> )	1000	0	0	0
Community Building (including Library) (m <sup>2</sup> )	1700	0	0	0
Restaurant/Café (m <sup>2</sup> )	375	0	0	0

Primary School (m <sup>2</sup> )	0	1300	1300	0
Park and Ride	500 spaces	0	0	0
Hotel	80 bed	0	80 bed	0
Commercial/Business (m <sup>2</sup> )	0	9500		0

A detailed masterplan is to be produced for each phase of development. The development of this area to 2016 (Phase 1) will require the following:

#### Transport

- Dualling of the A96 between the Smithton and Inverness Retail and Business Park roundabouts;
- Developer Contributions to Milburn Road cycle lane
- Provision of local distributor roads developed to the boundaries of the site which will provide unfettered access for later phases of development in East Inverness.
- Provision of a Park and Ride site
- Car parking should be designed to be safe for all users
- Contributions towards local road improvements arising from the impacts of this development at Inshes roundabout
- Improvements to Smithton Roundabout.
- Signalise all arms and changing lanes markings at Raigmore Interchange;
- Lane markings will be required on the B865 approaches to Millburn roundabout;
- Signalisation and lane improvements at Longman roundabout;
- Improvements to West Seafield roundabout;
- Provision of a right turn lane at the signalised junction between Barn Church Road and Tower Road;
- Provide active travel linkages to key community facilities
- Provide active travel linkages within and out with the site.
- Developer contributions will be sought towards public transport improvements;
- Developer contributions will be sought towards transport infrastructure interventions;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution to the Inverness-Nairn Coastal and Landward trails;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

#### Natural, Cultural & Built Heritage

- Landscape Framework is required;
- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;
- Avoidance of any adverse impacts on the Moray Firth SAC and Longman and Castle Stuart Bays SSSI;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;
- Recreation Management Plan will be required;

#### Design

- Homezone principles will need to be applied;

#### Education

- Developer contributions will be required towards education provision in line with Education and New Residential Development: Supplementary Guidance;

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing

#### Miscellaneous

- Limited use of street lighting;
- Specific drainage strategy and Flood Risk Assessment to demonstrate safeguarding of natural watercourses and flood plain;
- Developer Contributions towards education provision in the area at both primary and secondary school levels.

In addition to contributions associated with the issues raised above, development of the later phases of Stratton will also require to meet the following developer requirements:

- Contribution towards the A9-A96 Link road (or alternatives arising from the design work being carried out);
- Contribution in line with an amended A96 Protocol towards strategic infrastructure;
- Contribution towards education provision including primary schools and secondary school; and
- Contribution toward local road improvements;

***The alternative to policy 12 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 13 – Tornagrain**

The Council supports the development of Tornagrain as an essential component of the settlement strategy to meet the long term housing needs of the area. Development will be supported in self-contained phases, subject to infrastructure and services being provided to support the growth of the town.

This spatial strategy supports the delivery of phases 1 and 2 of Tornagrain in the 2011-2021 period based on the developer requirements identified below. The long term phasing proposals will be subject to major infrastructure upgrades to be determined in discussion with the Council, Scottish Water and Transport Scotland.

	2011-2016	2016-2021	2021-2026	2026-2031
Residential (units)	304	540	780	885
Residential Institutions (m <sup>2</sup> )	0	1000	1000	1000
Non-Residential Institutions (m <sup>2</sup> )	1418	0	2131	10759
Retail (m <sup>2</sup> )	1500	0	9000	4500
Business (m <sup>2</sup> )	500		2500	1750
General Industry (m <sup>2</sup> )	0	0	500	300
Storage & Distribution (m <sup>2</sup> )	0	0	500	300

Health Centre (m <sup>2</sup> )	0	0	0	400
Church (m <sup>2</sup> )	0	0	650	0
Primary School (m <sup>2</sup> )	1418	0	0	1418
Secondary School (m <sup>2</sup> )	0	0	0	8522
Hotel (m <sup>2</sup> )	0	0	2500	1500
Emergency Services (m <sup>2</sup> )	0	0	600	0
Leisure (m <sup>2</sup> )	0	0	0	0
Open Space (m <sup>2</sup> )	10.90	7.48	3.14	3.32
Other (m <sup>2</sup> )	0	0	0	750

The development of this area to 2016 (Phase 1) will require the following:

#### Transport

- Improvements to Mid Coul Roundabout;
- Improvements to Local Roads to be agreed with TEC Services;
- Improvements to bus services;
- Provision of active travel linkages to key community facilities;
- Improvements to the active travel infrastructure of the area will be required;
- Developer Contributions will be required to the improvement of the public transport system;
- Contributions towards wider strategic improvements to the trunk road network in line with early improvements required to the network by 2016.

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Contribution to the green network will be required;
- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

#### Natural, Cultural & Built Heritage

- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;
- Any off site road/junction improvements must take account of Scheduled Monument located to the west of the site's boundary;
- Appropriate mitigation measures with regard to Area of Long Established Woodland located to the south of the site;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;
- Due consideration should be given to the Grade C listed building on the western edge of the allocation;
- Due consideration should be given to the Kildrummie Kames SSSI which runs along the South Eastern edge of the site;



- No culverting of water courses will be permitted;

#### Design

- A detailed overall masterplan and detailed masterplans for each phase;
- Homezone principles should be considered;
- Proximity to Inverness Airport should be considered and this will affect building height which can be permitted on the allocation;
- A design framework will be required to ensure development fits with the landscape character of the area;

#### Education

- Developer contributions may be required towards education provision in line with Education and New Residential Development: Supplementary Guidance;

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing;

#### Miscellaneous

- A sustainable drainage system plan will be required;
- Phase 1 and Phase 2 will be connected to a private water treatment system, thereafter it should be connected to the public water and waste water networks
- Developer contributions towards primary and secondary school shortfalls arising from this development;
- Safeguarding of natural watercourses, wetlands and flood plain through implementation of site specific drainage and flood risk strategy.

In addition to the issues raised above, development of the later phases of Tornagrain will also require to meet the following developer requirements:

- Contribution towards the provision of primary and secondary school education facilities;
- Contributions towards provisions of strategic infrastructure in line with an amended A96 Corridor Protocol.

The development of the later phases of Tornagrain will not be supported in advance of significant improvements to the strategic transport network to the east of Inverness, and a full assessment of other services and infrastructure required.

***The alternative to policy 13 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 14 – Whiteness**

The Council will support the development at Whiteness as part of the strategy to provide a long term housing land supply in the area. Detailed masterplans will accompany each phase of development in line with the current planning permission, including provision in line with the already agreed upgrades to the A96. The Council will also support the reuse of the site for renewables related development, should the housing element not come forward.

***No Reasonable alternatives have been identified for policy 14***

### **Policy 15 – Lochloy**

The Council will support the completion of presently allocated land at Lochloy in the short term.

***No Reasonable alternatives have been identified for policy 15***

**Policy 16 – Sandown**

The Council will support development at Sandown (as shown on Map 9) in the short term subject to a suitable developer masterplan which addresses issues including: housing density; phasing, and; an access solution that provides unfettered links to the Delnies development area to the west and shared arrangements wherever possible.

***No Reasonable alternatives have been identified for policy 16***

**Policy 17 – Delnies**

The land at Delnies (as indicated on Map 9) is supported as a means of meeting housing demands in Nairn over the period 2011-2021. The overall development of the site will be restricted to 300 houses. The delivery of the site must be phased in a co-ordinated way with the Sandown site to ensure an effective approach to planning at the west end of Nairn.

Development will be subject to the following requirements:

Phasing

- Development at Delnies will only be permitted in line with a co-ordinated phasing strategy for Sandown.

Transport

- Satisfactory means of access from the A96 Trunk Road, ideally utilising a shared access with any development brought forward on the Sandown site;
- Contribution will be required to the provision of improved active travel linkages;
- Contribution will be required to an improved public transport network;
- Improvement to local road infrastructure through effective linkages to development in the east would be required;
- Potential contribution towards strategic road infrastructure;

Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

Green Networks & Open Space

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;
- Contribution will be sought to the consolidation of the Green Network;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

Natural, Cultural & Built Heritage

- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record on the edge of the site;
- Provision of protected species surveys and, if necessary, mitigation;
- Protection of the near by Inner Moray Firth SPA/Ramsar and Whiteness Head SSSI through satisfactory design of development and approval of an Access Management Plan;
- A Recreation Access Management Plan will be required;

Design

- Homezone principles will need to be applied;
- Preparation of a detailed high quality masterplan setting out the delivery of affordable housing, open space and community facilities;

- The development will need to meet the requirements of the designing for sustainability guidance;

#### Education

- Developer contributions may be required towards education provision in line with Education and New Residential Development: Supplementary Guidance;

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing;

#### Miscellaneous

- A sustainable drainage system plan will be required;
- Reservation of land for the possible future expansion of Nairn Golf Club;
- Subject to further discussion with the Education Culture and Sport Service, contributions towards primary and secondary school shortfalls caused as a result of the development, including the reservation of a primary school site.
- Connection to the public water and waste water system will be required;

***The alternative to policy 17 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 18 – Nairn South**

The Council will support the allocation of land at Nairn South subject to further assessment of the transport and infrastructure requirements to enable the development to progress. In the 2011-2016 period the development of a first phase will be subject to the following requirements:

#### Phasing

- The limit to the development of the first phase of Nairn South will be determined by a co-ordinated masterplanning exercise to be carried out for the area outlined in Map 9. In advance of the masterplan being prepared, and subject to the requirements (including transport appraisal) below being met, this first phase will be strictly limited to 250 houses.

#### Transport

- Links to the town centre must be strengthened with good connectivity between the development and the existing fabric of the town. In particular the current pinch points at the railway bridge and the junctions with the A96 through Nairn must form part of a solution to open up development in phase 1.
- Improvements to the B909 Cawdor Road connection particularly for pedestrians and cyclists.
- Improvements to the B9091/B9090 junction will have to be identified and addressed as it is an unsatisfactory junction with poor visibility.
- Construction of the A96 By-pass is a long term solution to divert through traffic away from the centre of Nairn and, subject to further discussions with Transport Scotland, the developer will be required to contribute to its provision.
- The scale of any development which can proceed ahead of the bypass will depend in the adequacy of the alternative links referred to and the developer should demonstrate how these can be achieved.
- The impact on existing residential areas from “through traffic” should be considered in detail.
- Contributions will be sought to the improvement of active travel linkages into the town centre;

- Contributions will be sought to improved public transport linkages to and from the allocation;
- Contributions to the improvement of the local road network and connections with the strategic road network will be required;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;
- Contribution will be sought to the consolidation of the Green Network;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

#### Natural, Cultural & Built Heritage

- Provision of protected species surveys and, if necessary, mitigation;
- Development should retain access to the riparian corridor and should protect trees;
- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;

#### Design

- A detailed masterplan for each site must be prepared, building on the Enquiry by Design exercise completed in 2008.
- A detailed masterplan is to be produced for each phase of development;
- The development must demonstrate the highest standard of urban design in keeping with the historic traditions of Nairn.
- A buffer area must be maintained between the timber yard and the development;
- Homezone principles will need to be applied;
- The development will need to meet the requirements of the designing for sustainability guidance;

#### Education

- Developer contributions may be required towards education provision in line with Education and New Residential Development: Supplementary Guidance;

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing;

#### Miscellaneous

- Subject to further discussion with the Education Culture and Sport Service, contributions towards primary and secondary school shortfalls caused as a result of the development;
- Safeguarding of natural watercourses and flood plain through implementation of site specific drainage strategy and Flood Risk Assessment;
- Masterplanning of the site should take into consideration of the findings of the Flood Risk assessment and avoid development at the edge of the functional flood plain;

In addition to the issues raised above, development of the later phases of Nairn South will also require to meet the following developer requirements:

- Contribution towards the strategic transport improvements to be identified in consultation with Transport Scotland;
- Contribution in line with an amended A96 Protocol towards strategic infrastructure;
- Contribution towards education provision including primary schools and secondary school; and
- Contribution toward local road improvements

***The alternative to policy 18 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 19 – Smaller Settlements in the A96 Corridor**

The Council will support the re-allocation and early completion of expansion sites identified within the adopted Nairnshire and Inverness Local Plans. The Council will also support the development of the areas identified in the adopted Inverness Local Plan for longer term growth at Ardersier, Croy and Culloden Moor subject to a masterplanning process which will address issues including: extensive community consultation; servicing; phasing and landscape impact, and the site specific factors listed in the policies below.

***The alternative to policy 19 is to not include these sites in the HwLDP as these sites are allocated as expansion areas in existing local plans.***

### **Policy 20 - Croy Expansion**

The Council will support the development of the long term expansion site as identified in the Inverness Local Plan (and shown on Map 11) subject to the following developer requirements and phasing:

	2011-2016	2016-2021	2021-2026	2026-2031
Residential	50 houses	50	25	25

#### Phasing

- Development will require to meet the phasing strategy set out above;
- Later phases of development (2021-2031) will be informed by future Local Development Plan reviews;

#### Transport

- Sustainable travel linkages should be promoted between the key facilities within and outwith the settlement;
- Developer contributions will be required towards public transport infrastructure;
- A distributor road should be provided;
- A Transport Statement will be required identifying potential impact on the Mid Coul roundabout, trunk road junction;
- A Transport Assessment will be required and should take into consideration impact of construction traffic;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Open Space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;

#### Natural, Cultural & Built Heritage

- Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;
- The Site should be designed with the local landscape and landscape mitigation will be required around any distributor road;

#### Design

- Homezone principles will need to be applied;
- Due consideration should be given to the requirements of the designing for sustainability guidance

#### Education

- Developer contributions will be required towards education provision in line with Education in New Residential Development: Supplementary Guidance.

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing.

#### Miscellaneous

- Limited use of street lighting;
- A Sustainable Drainage Systems Plan and a Drainage Impact Assessment will be required;
- A landscape and visual impact will be required
- Connection to the public water and waste water systems will be required;
- A spoil management plan will be required.

***The alternative to policy 20 is to not include this site in the HwLDP as it is allocated as an expansion area in existing local plans.***

**POLICY 21 – CULLODEN MOOR HAS BEEN REMOVED FROM THE PLAN FOLLOWING EXAMINATION OF HwLDP – ALL SUBSEQUENT POLICIES HAVE BEEN RE-NUMBERED.**

#### **Policy 21 – Ardersier Expansion**

The Council will support the development of the long term expansion site as identified in the Inverness Local Plan (and shown on Map 13) subject to the following developer requirements and phasing:

	2011-2016	2016-2021	2021-2026	2026-2031
Residential	25	30	0	0

#### Transport

- Contribution to off-site road safety improvements will be required;
- Provision of a safer route to school and other improvements to sustainable travel in the area would be required;
- A suitable access needs to be identified;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;
- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;

#### Natural, Cultural & Built Heritage

- Due consideration should be given to the potential impact on the Moray Firth SAC;
- The local landscape should be considered in relation to the identification of the site;
- A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;

#### Design

- The allocation should use opportunities to make best use of the site;
- Design of the site should give due consideration of the proximity of Ardersier Village Conservation Area;
- Homezone principles will need to be applied;
- Due consideration should be given to the requirements of the designing for sustainability guidance;

#### Education

- Developer contributions may be required towards education provision in line with Education in New Residential Development: Supplementary Guidance.

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing;

#### Miscellaneous

- Limited use of street lighting;
- Due consideration should be given to the requirements of the designing for sustainability guidance, this will encourage the use of micro-renewables on site;
- A Sustainable Drainage Systems Plan will be required;
- Connection to the public water and sewerage system will be required.

***The alternative to policy 21 is to not include this site in the HwLDP as it is allocated as an expansion area in existing local plans.***

#### **Policy 22 – Cawdor**

The Council will support the development of a masterplan for the expansion of Cawdor village (as shown on Map 14) over the 2011-2031 period, to be phased in the following way. Development in the first phases will provide localised transport and infrastructure improvements to be identified through the masterplanning process and in consultation with the Council and Transport Scotland. Development in the later phases may also be required to contribute to wider strategic improvements as part of an updated developer contributions protocol which will be adopted as Supplementary Guidance to this LDP. Developer requirements are set out below.

	2011-2016	2016-2021	2021-2026	2026-2031
Residential (units)	85	70	65	65

The above are key outcomes of the masterplan and to achieve these the following requirements will need to be met by the developer:

#### Transport

- Local road improvements as part of the proposals for Phase 1. Later phases will only be supported where there are contributions to wider strategic transport improvements as set out in an updated Developer Contributions Protocol;
- Contribution towards wider strategic transport improvements;
- Provide linkages for walking and cycling through the core paths network;
- Re-configuration of the B9090 in the interests of road safety;

#### Waste

- Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;

#### Green Networks & Open Space

- Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution to the Inverness-Nairn Coastal and Landward trails;
- Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;

#### Natural, Cultural & Built Heritage

- Provision of protected species surveys and, if necessary, mitigation;
- Masterplanning must take full consideration of built heritage features;
- Archaeological investigations take place to establish the extent of the records identified through the Historic Environment Record;
- Recreational Management Plan to be prepared for Cawdor Woods SAC;
- Recreation Management Plan to be approved in respect of Cawdor Woods SSSI.

#### Design

- Design of site should fit with local landscape and make best use of sites;

#### Education

- Developer contributions may be required towards education provision in line with Education and New Residential Development: Supplementary Guidance;

#### Housing

- A minimum of 25% of the development should be delivered as affordable housing

#### Miscellaneous

- Bring previously used land up to the standard required for its potential use;
- Sustainable Drainage System Plan is required;
- Limited use of street lighting;
- Subject to further discussion with the Education Culture and Sport Service, contributions towards primary and secondary school shortfalls caused as a result of the development;
- Flood Risk Assessment demonstrating development complies with SPP;
- Sustainable Drainage System Plan;
- No culverting or realigning of the Cawdor Burn or other natural watercourses.

***The alternative to policy 22 is a dispersed growth option utilising sites already designated for development in existing local plans.***

### **Policy 23 – Nigg Yard**



The Council will support the development of the Nigg Yard and proximal lands in line with its approved Masterplan (outlined above). The Council intends to adopt The Nigg Development Masterplan as Supplementary Guidance.

***No Reasonable alternatives have been identified for policy 23***

#### **Policy 24 – Dounreay**

The Council will support proposals which meet the requirements of the updated Planning Framework for Dounreay. This document is being prepared by the Council in partnership with Dounreay Site Restoration Limited and will be adopted as Supplementary Guidance to this Plan. It provides guidance on the decommissioning, remediation, phasing and end state of the site.

***No Reasonable alternatives have been identified for policy 24***

#### **Policy 25 – John O’ Groats**

The Council will support the development in line with The John O’ Groats Masterplan. The Council intends to adopt the draft masterplan (as outlined above) following consultation and possible amendment as Supplementary Guidance to this Plan.

***No Reasonable alternatives have been identified for policy 25***

#### **Policy 26 - Castletown**

The Council will support the delivery of the Castletown masterplan in line with the guidance prepared (insert link). The Council intends to adopt the guidance (as outlined above) as Supplementary Guidance to this Plan.

***The alternative is to allow any proposal brought forward for this area to be assessed by Policy 26,***

#### **Policy 27 – Masterplanned Proposals in Caithness**

The Council will consider expansion proposals for smaller settlements in the Caithness area in advance of the review of the area Local Development Plan subject to the developer following a masterplanning process. This process must include effective public consultation, the input of the planning authority, the input of other agencies as appropriate and application of sustainable design principles (see Policy 29). Suitable masterplans will be adopted by the Council as Supplementary Guidance to this Plan.

***No Reasonable alternatives have been identified for policy 27***

### **General Policies**

#### **Policy 28 – Sustainable Design**

The Council will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland.

Proposed developments will be assessed on the extent to which they:

- are compatible with public service provision (water and sewerage, drainage, roads, schools, electricity);
- are accessible by public transport, cycling and walking as well as car;

- maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy and heat;
- are affected by physical constraints described in Physical Constraints on Development: Supplementary Guidance
- make use of brownfield sites, existing buildings and recycled materials;
- demonstrate that they have sought to minimise the generation of waste during the construction and operational phases. (This can be submitted through a Site Waste Management Plan);
- impact on individual and community residential amenity;
- impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality agricultural land, or approved routes for road and rail links;
- impact on the following resources, including pollution and discharges, particularly within designated areas: habitats, species, landscapes, scenery, freshwater systems, marine systems, cultural heritage, air quality;
- demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials;
- promote varied, lively and well-used environments which will enhance community safety and security and reduce any fear of crime;
- accommodate the needs of all sectors of the community, including people with disabilities or other special needs and disadvantaged groups; and
- contribute to the economic and social development of the community.

Developments which are judged to be significantly detrimental in terms of the above criteria will not accord with this Local Development Plan. Development proposals must also demonstrate compatibility with the Supplementary Guidance on Sustainable Design through submission of a Sustainable Design Statement.

In the relatively rare situation of assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle.

Where environmental and/or socio-economic impacts of a proposed development are likely to be significant by virtue of nature, size or location, The Council will require the preparation by developers of appropriate impact assessments. Developments that will have significant adverse effects will only be supported if no reasonable alternatives exist, if there is demonstrable over-riding strategic benefit or if satisfactory overall mitigating measures are incorporated.

***The alternative to policy 28 is to rely on other policies in the plan and national guidance.***

### **Policy 29 – Design Quality and Place-Making**

New development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located. Applicants should demonstrate sensitivity and respect towards local distinctiveness of architecture, design and layouts in their proposals.

Where relevant, the Council will judge proposals in terms of their contribution to place-making. Proposals should have regard to the historic pattern of development and landscape in the locality and should, where relevant, be an integral part of the

settlement. The Council will examine proposals to ensure that people of all abilities can move safely and conveniently within the development and, where appropriate, to facilities in other parts of the settlement.

***The alternative is to not include this policy in the plan and rely on national policy on design in the form of Designing Places.***

### **Policy 30 – Physical Constraints**

Development proposals must consider whether they would be located within areas of constraint (as set out in Physical Constraints: Supplementary Guidance). Within these areas, developers must show that their proposal is compatible with the constraint or that adequate mitigation is provided.

***No Reasonable alternatives have been identified for policy 30***

### **Policy 31 – Developer Contributions**

For development proposals which create a need for new or improved public services, facilities or infrastructure, the Council will seek from the developer a fair and reasonable contribution in cash or kind towards these additional costs or requirements. Such contributions will be proportionate to the scale and nature of the development proposed and may be secured through a Section 75 agreement or other legal agreement as necessary. Other potential adverse impacts of any development proposal will normally be addressed by planning condition but may also require a contribution secured by agreement.

***No Reasonable alternatives have been identified for policy 31***

### **Policy 32 – Affordable Housing**

In accordance with the Council's Highland Housing Strategy and the Housing Need and Demand Assessment the Council will expect developers to contribute towards the delivery of affordable housing. Further guidance on the delivery of these contributions is detailed in the Council's Supplementary Guidance on Affordable Housing.

On sites allocated for housing with an indicative overall capacity of four or more houses, the Council will expect to either negotiate a Section 75 Agreement with the landowner(s) and other interested parties, or utilise other mechanisms to provide for a contribution towards affordable housing (as defined in the Guidance), such contribution normally being a minimum of 25%. Negotiations will be subject to market and site conditions, and the contribution may be in the form of land, housing or a financial contribution.

On sites allocated for four or more houses, where an application is made for less than the Council's indicative capacity or for only part of the site, developers will still be expected to provide a minimum 25% contribution in proportion to the allocated capacity, and a Section 75 agreement (or other mechanisms) will be required to ensure that any further development on the site will include an appropriate proportion of affordable housing.

This policy will also apply to proposals for development on sites not allocated for housing and which would be expected to accommodate four or more houses at density levels consistent with the existing settlement or density patterns.

Proposals which include affordable housing should be carefully designed to fully integrate the affordable housing plots as part of the overall development of the site and

the affordable homes should be indistinguishable from the general market homes in terms of design, quality and appearance.

Outwith Settlement Development Areas, a contribution towards affordable homes attributed against the primary landholding, will apply in respect of every fourth dwelling granted planning permission, within that same landownership.

***No Reasonable alternatives have been identified for policy 32***

**Policy 33 – Houses in Multiple Occupancy**

Planning Permission may be required for the occupation of a house by six or more people and occupation of a flat by three or more people, if it is deemed a material change of use.

Planning applications for HMO, outwith Inverness City Centre, that would result in the proportion of licensed HMO in any single census output area becoming excessive (as defined in Houses in Multiple Occupation: Supplementary Guidance) will not be supported unless there are clear material considerations which would justify permission being granted.

***No Reasonable alternatives have been identified for policy 33***

**Policy 34 - Settlement Development Areas**

We will support proposals within Settlement Development Areas (as defined in the existing local plans and future area local development plans) if they meet the requirements of Policy 29 Sustainable Design.

We will also judge proposals in terms of how compatible they are with the existing pattern of development and landscape character, how they conform with existing and approved adjacent land uses, and the effect on any natural, built and cultural heritage feature (see Policy 59, Appendix 6.2, the Proposals Map and background maps within the relevant (area) local development plan(s)).

Developments which are judged to be significantly detrimental in terms of the above criteria shall not accord with this Plan.

***No Reasonable alternatives have been identified for policy 34***

**Policy 35 – Housing in the Countryside (Hinterland areas)**

The Council will presume against housing in the open countryside of the hinterlands around towns as defined on the Proposals Map. Exceptions to this policy (as detailed in Supplementary Guidance) will only be made where at least one of the following applies:

- A house is essential for land management or family purposes related to the management of the land.
- The dwelling is for a retiring farmer and their spouses; or for a person retiring from other rural businesses on land managed by them for at least the previous ten years, where their previous accommodation is required for the new main operator of the farm, or rural business.
- Affordable housing is required to meet a demonstrable local affordable housing need;
- Housing is essential in association with an existing or new rural business;
- The house proposed is a replacement of an existing dwelling which does not meet the requirements for modern living and where the costs of upgrading are

- not justified on economic or environmental grounds (subject to the existing dwellings being demolished);
- The proposal involves conversion or reuse of traditional buildings or the redevelopment of derelict land;
  - The proposal meets the Council's criteria for acceptable expansion of a housing group (as detailed in the relevant Supplementary Guidance);
  - The potential for new housing related to crofting is restricted; wider public benefit must be clearly demonstrated and meet the criteria set out in New/Extended Crofting Township Policy 49.

Where exceptions are justified, all proposals should still accord with the general policies of the Plan and the Siting and Design Guidance

***The alternative to policy 35 is to have a single tier approach to housing in the countryside.***

### **Policy 36 – Wider Countryside**

Outwith Settlement Development Areas and outwith hinterland around towns, development proposals will be assessed for the extent to which they:

- are acceptable in terms of design;
- are sympathetic to existing patterns of development in the area;
- are compatible with landscape character and capacity;
- avoid, where possible, the loss of locally important croft land; and
- would address drainage constraints and can otherwise be adequately serviced, particularly in terms of foul drainage, road access and water supply, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

Development proposals may be supported if they are judged to be not significantly detrimental under the terms of this policy. In considering proposals, regard will also be had to the extent to which they would help, if at all, to support communities in Fragile Areas (as defined by Highlands & Islands Enterprise) in maintaining their population and services by helping to re-populate communities and strengthen services.

Within Fragile Areas, proposals that will lead to the change of use or loss of a lifeline rural facility such as a village shop, whether or not that facility is outwith the settlement development area, will be required to provide information as why the facility/use is no longer feasible including evidence that it has been marketed for that purpose at a reasonable price/rent for a minimum period of 3 months.

Renewable energy development proposals will be assessed against the Renewable Energy Policies, the non statutory Highland Renewable Energy Strategy and where appropriate, Onshore Wind Energy: Supplementary Guidance.

***The alternative to policy 36 is to have a single tier approach to housing in the countryside.***

### **Policy 37 – Accommodation for an Ageing Population**

Where a need is identified, the area local development plan will seek to allocate a suitably located site(s) close to amenities and services for accommodation appropriate for an ageing population. The Council intends to produce future Supplementary Guidance on this issue which will consider more specific targets and delivery mechanisms.

***No Reasonable alternatives have been identified for policy 37***

**Policy 38 - New Settlements**

The Council will support proposals for the establishment of comprehensively planned new settlements which are intended to meet assessed future housing need and demand and which accord with the policies of this Plan. Such proposals will also be assessed as to whether:

- The location proposed is in an area of high housing demand;
- A diverse mix of housing tenure is proposed;
- The location proposed is close to existing and potential employment opportunities;
- The location is accessible to/from public transport;
- Adequate new/improved infrastructure is proposed (such as waste water infrastructure); and
- A diverse and adequate range of services and facilities is proposed.

The detail of any proposal for a new settlement should be brought forward through the area local development plan process.

***The alternative to policy 38 is that no policy would be included in the Highland wide Local Development Plan and all proposals for new settlements must come through the area local development plan process.***

**Policy 39 - Gypsies/Travellers**

The Council will support a site to accommodate gypsies/travellers, subject to other policies in this Plan, if:

- it meets an identified need; or,
- a newly arising need can be proven;

In all cases the applicant must also demonstrate that:

- the location allows reasonable access to services and the main road network;
- the site would not appreciably detract from the character or appearance of the area;
- the site would not significantly detract from the amenity currently enjoyed by residents in the area;
- the proposal is compatible with existing land use
- the site can be sympathetically located in a secure environment and provided with essential services;
- the proposal is not likely to result in or add to significant environmental problems
- It has been demonstrated that the site will be properly managed.

In the case of seasonal site provision it must be demonstrated that the location is suitable for seasonal use.

In the case of temporary encampments (authorised halting or stopping spaces) it must be demonstrated that there is a mechanism in place to avoid this turning into permanent provision.

***No Reasonable alternatives have been identified for policy 39***

**Policy 40 – Retail Development**

Retail development proposals will be favourably considered where the following criteria are met:

within identified city/town/village centres

- the proposal adds to the economic vitality and viability of that city/town/village centre; and
- has no adverse impact on neighbouring properties. Proposals should consolidate the traditional high street found within centres in terms of visual impact and built form and take into account any settlement statement and supplementary guidance relating to that settlement.

for edge of city/town/village centre locations

- where there is no suitable site within the city/town/village centre in line with the sequential approach; and
- where there would be no detrimental impact on the vitality and viability of the city/town/village centre.

for out of centre locations

- where there are no suitable sites within the city/town/village centres or within edge of town centre locations in line with the sequential approach;
- where there would be no detrimental impact on the vitality and viability of the city/town/village centre; and
- where good active travel and public transport accessibility exists or can be secured.

All proposals for retail development must also meet the requirements of Scottish Planning Policy.

***No Reasonable alternatives have been identified for policy 40***

**Policy 41 - Business and Industrial Land**

The Council will support the development of strategic business and industrial sites/locations as indicated on the Proposals Map and listed below. Area local development plans will further identify and specify business and industrial sites within the settlements listed below and elsewhere. The Council will safeguard each site from other competing uses unless a development plan review concludes that the site is no longer required or suitable for business and industrial purposes.

Scrabster, Forss, Thurso Business Park, Murkle Bay, Wick, Brora, Golspie, Dornoch, Tain, Nigg, Delny, Cromarty Industrial Park, Inverbreakie, Alness Business Park, Highland Deephaven, Evanton Industrial Estate, Dingwall Business Park, Muir of Ord, Kishorn, Lochalsh Business Park, Portree Industrial Estate, Broadford Industrial Estate, Corpach, Blar Mor Industrial Estate, Glen Nevis Business Park / Ben Nevis Industrial Estate, Kinlochleven Business Park, Carse Industrial Estate, Inverness East, Inverness Airport Business Park, Nairn South, Balmakeith.

In the first instance, proposals for new business and industrial development will be directed to these sites and other land already allocated for or accommodating an existing employment use. However, the Council will also support the principle of business and industrial proposals outwith these sites/areas if the land requirement is from an emerging industry with uncertain size and locational characteristics (such as marine renewables) or there is another unforeseen element to the requirement (such as a large inward investment). Such proposals will still need to be assessed against other parts of the

development plan. Supplementary Guidance may be prepared where time allows and the complexity of the issue suggests it appropriate.

***No Reasonable alternatives have been identified for policy 41***

#### **Policy 42 - Previously Used Land**

The Council will support development proposals to bring previously used land back into beneficial use, subject to the undertaking of appropriate site investigations and risk assessments to ensure suitability for use.

***No Reasonable alternatives have been identified for policy 42***

#### **Policy 43 - Tourism**

Proposals for tourist facilities will be assessed as to whether:

- the scale of the proposal is proportionate to its location/settlement;
- the site is within a settlement boundary and whether it will complement existing/allocated tourist facilities within that settlement;
- the proposal will increase the length of peoples stay, increase visitor spending or promote a wider spread of visitors;
- the proposal will promote access to, interpretation, effective management or enhancement of natural and built heritage.

Area local development plans will identify more specific opportunities for enhancement of existing tourism facilities and areas where a co-ordinated approach to tourism is needed.

***No Reasonable alternatives have been identified for policy 43***

#### **Policy 44 - Tourism Accommodation**

Proposals for tourist accommodation within settlement boundaries will be supported if the Council is satisfied that the proposal can be accommodated without adverse impacts upon neighbouring uses, complies with Policy 29: Sustainable Design and will not prejudice the residential housing land supply.

Outwith settlements, proposals will be supported if the proposal complies with the Plan's policy and related guidance on Housing in the Countryside: Policy 36.

Tourist accommodation within the open countryside will be supported where it can be demonstrated that a demand exists for this type of accommodation and that it can be achieved without adversely affecting the landscape character of the area. In these circumstances, the Council will generally attach a condition to permissions in order to control occupancy and use of the accommodation.

***The alternative to policy 44 is to rely on Policy 28 - Designing for Sustainability***

#### **Policy 45 - Communications Infrastructure**

The Council will support proposals which lead to the expansion of the electronic communications network in Highland. This includes delivery of core infrastructure for telecommunications, broadband and other digital infrastructure.

***No Reasonable alternatives have been identified for policy 45***



### **Policy 46 - Siting and Design of Communications Infrastructure**

The Council will support proposals for the provision of new communications infrastructure, where:

- equipment is designed and positioned as sensitively as possible;
- existing masts or other structures can not be shared;
- existing services are not interfered with; and
- redundant masts and equipment are removed (without prejudice to their possible re-use elsewhere).

The cumulative visual affect of equipment will also be taken into account when assessing proposals.

***No Reasonable alternatives have been identified for policy 46***

### **Policy 47 - Safeguarding Inbye/Apportioned Croftland**

The Council expects development proposals to minimise the loss of in-bye/apportioned croft land. Proposals should accord with applicable siting and design guidance, be for single houses and, where possible, avoid:

- siting on the better part of a croft in terms of its agricultural value; and
- impeding use of the remaining croft land by virtue of its location.

If proposals do not meet these criteria, then they will only be deemed acceptable where the following apply:

- there exists a proven/recognised wider community interest; and
- in terms of other policy considerations, such as accordance with settlement pattern or compatibility with a natural, built or cultural heritage feature, they can be considered acceptable.

In terms of this policy, wider community interest may be demonstrated where:

- there is no alternative viable land (outwith in-bye land/apportioned croft land) for development within the community; and
- the proposal brings significant economic or social benefits to the community as a whole.

Where new houses on a croft are permitted within a hinterland area, a Section 75 Agreement will be used to tie the new development to the associated land holding. This approach may also be applied outwith the hinterland areas where proposals are located within sensitive areas, such as National Scenic Areas, where development would not otherwise be supported.

***The alternative to Policy 47 is to allow no further development on inbye land***

### **Policy 48 - New/Extended Crofting Townships**

Within the hinterlands of towns (as defined on the Proposals Map):

Proposals should demonstrate a wider public interest - i.e. significant benefits to the community of both crofters and non-crofters. This could be achieved through various means, including: a significant enhancement of the extent and coherence of the green network in the area through habitat creation/management and/or recreation/access provision of paths, provision of affordable housing which is secured for the longer term, and establishing the land in community ownership and providing tenancies.

In all areas:

proposals will be assessed in terms of:

- compatibility with landscape form and character having regard to existing crofting settlements;

- impact on natural, built and cultural heritage features;
- compatibility with existing servicing infrastructure, or where existing infrastructure is not available or has insufficient capacity to serve the proposal, acceptable arrangements for the provision of new servicing infrastructure (NB. proposals for new infrastructure must meet applicable planning policy requirements and be consentable by external regulators such as SEPA, Scottish Water, Marine Scotland etc; furthermore, they must not involve infrastructure out of keeping with the rural character of the area);
- the economic viability of service delivery (for example, the economics of school bus provision and refuse collection if it is not on an existing route);
- evidence that the development proposals will secure good land management (the Crofter's Commission will confirm the bona fides for crofting proposals);
- inclusion of a mechanism which ensures that houses will be retained within crofting tenure and not sold on the open market;
- within hinterland areas, a Section 75 Agreement will be used to tie new developments to their associated land holdings. This approach may also be applied outwith the hinterland areas where proposals are located within sensitive areas, such as National Scenic Areas.

In support of planning applications for new crofting townships, the following information will be required:

- a business plan (albeit, there is no expectation of a full time income from a croft);
- for woodland crofts, a management plan must be submitted which meets the UK Forestry Standard;
- where deforestation of an area is required, then an Environmental Impact Assessment (EIA) may be required; and
- a masterplan for the entire development area, focusing on issues such as the preferred siting, design and layout of buildings (with reference to the Council's Siting and Design guidance) and associated infrastructure and services.

***The alternatives to policies 48 is to require all proposals for new/extended crofting townships to come through the area local development plan or not consider proposals in the Hinterlands of Towns.***

### **Policy 49 - Coastal Development**

Development proposals for the coast or for installations in nearshore waters should, in both their location and their design, show consideration to the range of existing interests ensuring best use of resources taking account of existing and planned marine activities and development. Proposals should also not have an unacceptable impact on the conservation and amenity value of the area.

Development proposals for the coast or for installations in nearshore waters should, in both their location and their design, show consideration to the range of existing interests ensuring best use of resources taking account of existing and planned marine activities and development. Proposals should also not have an unacceptable impact on the conservation and amenity value of the area.

The Council will promote the landward side of the road for development where proposals on the coastal side would otherwise interrupt scenic views: unless a coastal position is necessary, or if the effect would be a conflict with the existing settlement pattern. Where development on the coast is justified, opportunities for the development or reuse of previously used land and buildings should be considered in the first instance. The site should not be at risk from erosion or flood risk or cause an unacceptable impact as a

result of natural coastal processes which it triggers or accentuates. EuroSION data should be consulted when determining whether natural coastal processes have potential to be an issue. Other important factors will be potential landscape impact, and effect on the setting of coastal communities. Consideration will be given to the potential for any proposal to result in coalescence. Proposals will be assessed against the requirements of the Highland Coastal Development Strategy: Supplementary Guidance.

***No Reasonable alternatives have been identified for policy 49***

**Policy 50 – Aquaculture**

The Council supports the sustainable development of fin-fish and shellfish farming subject to there being no significant adverse effect, directly, indirectly or cumulatively on:

- the natural, built and cultural heritage, taking into consideration
- landscape character, scenic and visual amenity with reference to SNH commissioned report: landscape/seascape carrying capacity for aquaculture
- the classification and objectives set out in the river basin management plan for the Scotland river basin district and supplementary area management plans
- wild fish populations
- biological carrying capacity
- and cumulative benthic and water column impacts - for fin fish proposals support is conditional on proposals being consistent with Marine Scotland's Locational Guidelines for the authorisation of Marine Fish Farms in Scottish Waters.
- existing activity, taking into consideration
- commercial inshore fishing grounds
- existing aquaculture sites
- established harbours and natural anchorages

All proposals will be subject to detailed assessment in these terms. Where proposals are located on a suitable site they will also need to show.

- appropriate operational and site restoration arrangements (including management of noise and lighting impacts, public health and safety, and the effective control of pollution, fish farm escapes, and disease)
- good design of associated facilities (please refer to Marine aquaculture and the Landscape: The Siting and Design of Marine Aquaculture Developments in the Landscape SNH)
- that opportunities for shared use of jetties, piers and ancillary facilities are promoted where possible.

There is a national presumption against expansion of marine fin fish farm on north and east coasts. This does not preclude shellfish farming in these areas. More detailed policy relating to key pressure areas for aquaculture is given through the Council's Aquaculture Framework Plans and Integrated Coastal Zone Management Plans, which the Council intends to adopt as Supplementary Guidance to this Plan.

Where new fish farm provision will result in existing fish farm infrastructure becoming redundant, we will seek the removal of the redundant infrastructure as a requirement of the development.

***No Reasonable alternatives have been identified for policy 50***

**Policy 51 – Trees and Development**

The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable

developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource.

The Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any new development. In communal areas a factoring agreement will be necessary. The Council will produce Supplementary Guidance to provide further detail on this policy.

***No Reasonable alternatives have been identified for policy 51***

**Policy 52- Principle of Development in Woodland**

The Council will maintain a strong presumption in favour of protecting woodland resources and development proposals which affect woodland resources will only be supported where they offer a wider benefit to the community and provide compensatory planting.

The Council will consider proposals against their impact on the local forestry industry, the economic maturity of the woodland, and compatibility with forestry operations. For housing proposals within existing woodland, applicants must pay due regard to its integrity and longer term management. In all cases there will be a strong presumption against where it involves inventoried woodland and woodland integral to the value of a designated site.

The Council intends to produce Supplementary Guidance to provide further detail on this policy.

***The alternative to is to not have a policy and rely on other policies of the plan to address the matter, in particular Policy 57 – Natural, Built and Cultural Heritage.***

**Policy 53 – Minerals**

The Council will support the following areas for mineral extraction:

- Extension of an existing operation/site
- Re-opening of a dormant quarry
- A reserve underlying a proposed development where it would be desirable to extract prior to development.

Before a new site for minerals development will be given permission, it must be shown that other existing reserves have been exhausted or are no longer economically viable.

The Council will support borrow pits which are near to or on the site of the associated development if it can be demonstrated that they are the most suitable source of material, are time limited and appropriate environmental safeguards are in place for the workings and the reclamation.

Geodiversity will also be considered when assessing proposals; the Council may set out conditions covering working methods, restoration and after use to safeguard the geodiversity value. Geodiversity value may occur outwith designated sites. The Council will encourage opportunities to enhance geodiversity in all relevant development proposals including the potential to create, extend or restore geodiversity interests e.g. during mineral working and restoration.

The Council will safeguard all existing economically significant, workable minerals reserves/operations from incompatible development which is likely to sterilise it unless:

- there is no alternative site for the development; and

- the extraction of mineral resources will be completed before the development commences.

All minerals developments will have to provide information on pollution prevention, restoration and mitigation proposals. Restoration should be carried out in parallel with excavation where possible. Otherwise it should be completed in the shortest time practicable. Planning conditions will be applied to ensure that adequate provision is made for the restoration of workings. The Council will expect all minerals developments to mitigate adequately their impact on residential amenity, the local natural and historic environment and infrastructure capacities. After uses should result in environmental improvement rather than just restoring a site to its original state. After uses should add to the cultural, recreational or environmental assets of an area. A financial guarantee may be sought.

***The alternative is to augment the policy to include provision to identify new areas for mineral extraction in area local development plans.***

### **Policy 54 – Mineral Wastes**

The Council will encourage the minimisation and positive re-use/recycling of mineral, construction and demolition wastes.

Waste management is an issue to be addressed for new or existing extractions to the satisfaction of the Council for the prevention or minimisation, treatment, recovery and disposal of waste with a view to minimising waste generation and its harmfulness. A Waste Management Plan should be provided to show this information.

***No Reasonable alternatives have been identified for policy 54***

### **Policy 55 – Peat and Soils**

Development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils.

Where development on peat is clearly demonstrated to be unavoidable then The Council may ask for a peatland management plan to be submitted which clearly demonstrates how impacts have been minimised and mitigated.

New areas of commercial peat extraction will not be supported unless it can be shown that it is an area of degraded peatland which is clearly demonstrated to have been significantly damaged by human activity and has low conservation value and as a result restoration is not possible.

***No Reasonable alternatives have been identified for policy 55***

### **Policy 56 - Travel**

Development proposals that involve travel generation must include sufficient information with the application to enable the Council to consider any likely on- and off- site transport implications of the development and should:

- be well served by the most sustainable modes of travel available in the locality from the outset, providing opportunity for modal shift from private car to more sustainable transport modes wherever possible, having regard to key travel desire lines;
- be designed for the safety and convenience of all potential users;
- incorporate appropriate mitigation on site and/or off site, provided through developer contributions where necessary, which might include improvements and

- enhancements to the walking/cycling network and public transport services, road improvements and new roads;
- incorporate an appropriate level of parking provision, having regard to the travel modes and services which will be available and key travel desire lines and to the maximum parking standards laid out in Scottish Planning Policy or those set by the Council;
- fit with the policies and recommendations of the Local Transport Strategy.

The Council will seek the implementation and monitoring of Green Travel Plans in support of significant travel generating developments.

Where site masterplans are prepared, they should include consideration of the impact of proposals on the local and strategic transport network. In assessing development proposals the Council will also have regard to any implications arising from the relevant Core Path Plan. The Council intend to adopt all the Highland Core Path Plans as Supplementary Guidance to this Plan.

***No Reasonable alternatives have been identified for policy 56***

**Policy 57 – Natural, Built and Cultural Heritage**

All development proposals will be assessed taking into account the level of importance and nature of heritage features, the nature and scale of development, and any impact on the feature and its setting, in the context of the policy framework detailed in Appendix 6.2. The following criteria will also apply:

- For features of local/regional importance we will allow developments if we believe that they will not have an unacceptable impact on the amenity and heritage resource.
- For features of national importance we will allow developments that can be shown not to compromise the amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services.
- For features of international importance (Natura 2000 (SPA, SAC) and Ramsar sites), developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, and which are not directly connected with or necessary to the management of the site for nature conservation will be subject to an appropriate assessment. Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, we will only allow development if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex 1 of the Habitats Directive) would be affected, development in such circumstances will only be allowed if the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reasons subject to the opinion of the European Commission (via Scottish Ministers). Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, the proposal will not be in accordance with the development plan within the meaning of Section 25(1) of the Town and Country Planning (Scotland) Act 1997.

Note: Whilst Appendix 6.2 groups features under the headings international, national and local/regional importance, this does not suggest that the relevant policy framework

will be any less rigorously applied. This policy should also be read in conjunction with the Background maps.

***No Reasonable alternatives have been identified for policy 57***

**Policy 58 - Protected Species**

Where there is good reason to believe that a protected species is present on site or may be affected by a proposed development, we will require a survey to be carried out to establish any such presence and if necessary a mitigation plan to avoid or minimise any impacts on the species, before determining the application.

Development that is likely to have an adverse effect, individually and/or cumulatively (see glossary), on European Protected Species (see Glossary) will only be permitted where:

- There is no satisfactory alternative; and
- The development is required for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
- The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Development that is likely to have an adverse effect, individually and/or cumulatively, on protected bird species (see Glossary) will only be permitted where:

- There is no other satisfactory solution; and
- The development is required in the interests of public health or public safety.

This will include but is not limited to avoiding adverse effects, individually and/or cumulatively, on the populations of the following priority protected bird species:

- Species listed in Annex 1 of the EC Birds Directive
- Regularly occurring migratory species listed in Annex II of the Birds Directive
- Species listed in Schedule 1 of the Wildlife and Countryside Act 1981 as amended

Birds of Conservation Concern on the Red and Amber Lists

Development that is likely to have an adverse effect, individually and/or cumulatively (see glossary), on other protected animals and plants (see Glossary) will only be permitted where the development is required for preserving public health or public safety.

Development proposals should avoid adverse disturbance, including cumulatively, to badgers and badger setts, protected under the Protection of Badgers Act 1992.

***The alternative is to have a single tier approach to protection of habitats and species.***

**Policy 59 – Other Important Species**

Development proposals should avoid adverse effects, individually and/or cumulatively (see glossary), on the following categories of species if not protected by other legislation or by nature conservation site designations:

- Species listed in Annexes II and V of the EC Habitats Directive
- Priority species listed in the UK and Local Biodiversity Action Plans
- Species included on the Scottish Biodiversity List

We will use conditions and agreements to ensure that harm to these species is avoided.

***The alternative is to have a single tier approach to protection of habitats and species.***

### **Policy 60 – Other Important Habitats**

We will seek to safeguard the integrity of features of the landscape which are of major importance because of their linear and continuous structure or combination as habitat “stepping stones” for the movement of wild fauna and flora. (Article 10 Features).

We will have regard to the value of the following Other Important Habitats, where not protected by nature conservation site (such as natural water courses) designations, in the assessment of any development proposals which may affect them either individually and/or cumulatively (see glossary):

- Habitats listed in Annex I of the EC Habitats Directive
- Habitats of priority and protected bird species (see Glossary)
- Priority habitats listed in the UK and Local Biodiversity Action Plans
- Habitats of principal importance included on the Scottish Biodiversity List

We will use conditions and agreements to ensure that significant harm to the ecological function and integrity of Article 10 Features and Other Habitats is avoided. Where we judge that the reasons in favour of a development clearly outweigh the desirability of retaining those important habitats, we will seek satisfactory mitigation.

***The alternative is to have a single tier approach to protection of habitats and species.***

### **Policy 61 - Landscape**

Development proposals should relate to the landscape characteristics and special qualities of the area in which it is proposed, including in scale, form, pattern and use of materials also taking into account cumulative effects where these occur. Developments should enhance landscape characteristics where the condition of these is deteriorating or has deteriorated, resulting in the loss of landscape quality and/or distinctiveness of place. Landscape Character Assessments and the Council’s Supplementary Guidance on Sustainable Design should be taken into account, in addition to relevant capacity studies, design guides and Supplementary Guidance.

***No Reasonable alternatives have been identified for policy 61***

### **Policy 62 - Geodiversity**

Development proposals that include measures to protect and enhance geodiversity interests of international, national and regional/local importance in the wider countryside, will be supported. The Council will also support improvement of accessibility and interpretation as an educational or geotourism resource, where it is possible to sympathetically integrate development and geodiversity interests.

***No Reasonable alternatives have been identified for policy 62***

### **Policy 63 - Water Environment**

The Council will support proposals for development that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland’s water environment. In assessing proposals, the Council will take into account the River Basin Management Plan for the Scotland River Basin District



and associated Area Management Plans and supporting information on opportunities for improvements and constraints. (see Figure 8).

***The alternative is to have a single comprehensive policy to all water environment related issues.***

#### **Policy 64 - Flood Risk**

Development proposals should avoid areas susceptible to flooding and promote sustainable flood management.

Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy through the submission of suitable information which may take the form of a Flood Risk Assessment.

Development proposals outwith indicative medium to high flood risk areas may be acceptable. However, where:

- better local flood risk information is available and suggests a higher risk;
- a sensitive land use (as specified in the risk framework of Scottish Planning Policy) is proposed, and/or;
- the development borders the coast and therefore may be at risk from climate change;

A Flood Risk Assessment or other suitable information which demonstrates compliance with SPP will be required.

Developments may also be possible where they are in accord with the flood prevention or management measures as specified within a local (development) plan allocation or a development brief. Any developments, particularly those on the flood plain, should not compromise the objectives of the EU Water Framework Directive.

Where flood management measures are required, natural devices such as wetlands should be incorporated or a justification provided as to why they are impracticable.

***The alternative is to have a single comprehensive policy to all water environment related issues.***

#### **Policy 65 - Waste Water Treatment**

Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is required for all new development proposals:

- either in settlements identified in the plan with a population equivalent of more than 2000; or
- wherever single developments of 25 or more dwellings (or equivalent) are proposed.

In all other cases a connection to the public sewer will be required, unless the applicant can demonstrate that:

- the development is unable to connect to a public sewer for technical or economic reasons; and
- that the proposal is not likely to result in or add to significant environmental or health problems.

The Council's preference is that any private system should discharge to land rather than water. Within areas of cumulative drainage impact (as defined by SEPA), applicants will be required to submit evidence to SEPA and the Council that their proposal will not result in or add to significant environmental or health problems.

For all proposals where connection to the public sewer is not currently feasible and Scottish Water has confirmed public sewer improvements or first time public sewerage

within its investment programme that would enable the development to connect, a private system would only be supported if:

- the system is designed and built to a standard which will allow adoption by Scottish Water;
- the system is designed such that it can be easily connected to a public sewer in the future.

Typically this will mean providing a drainage line up to a likely point of connection. The developer must provide Scottish Water with the funds which will allow Scottish Water to complete the connection once the sewerage system has been upgraded.

***The alternative is to have a single comprehensive policy to all water environment related issues.***

#### Policy 66 - Surface Water Drainage

All proposed development must be drained by Sustainable Drainage Systems (SuDS) designed in accordance with The SuDS Manual (CIRIA C697) and, where appropriate, the Sewers for Scotland Manual 2nd Edition. Planning applications should be submitted with information in accordance with Planning Advice Note 69: Planning and Building Standards Advice on Flooding paragraphs 23 and 24.

***The alternative is to have a single comprehensive policy to all water environment related issues.***

#### Policy 67 - Renewable Energy Developments

Renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation. The Council will also consider:

- the contribution of the proposed development towards meeting renewable energy generation targets; and
- any positive or negative effects it is likely to have on the local and national economy;

and will assess proposals against other policies of the Development Plan, the Highland Renewable Energy Strategy & Planning Guidelines and where appropriate the On-Shore Wind Energy Supplementary Guidance and have regard to any other material considerations.

Subject to these considerations and taking into account any mitigation measures to be included, the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental, either individually or cumulatively with other developments (see Glossary), having regard in particular to any significant effects on the following:

- natural, built and cultural heritage features;
- species and habitats;
- public health and safety;
- visual impact, and impact on the landscape character of the Highlands (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations);
- community amenity at sensitive locations including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary);

- the safety and amenity of any regularly occupied buildings and the grounds that they occupy- having regard to visual intrusion or the likely effect of noise generation and, in the case of wind energy proposals, ice throw in winter conditions, shadow flicker or shadow throw;
- ground water, surface water (including water supply), aquatic ecosystems and fisheries;
- the safe use of airport, defence or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure, or on aircraft flight paths or MoD low-flying areas;
- other communications installations or the quality of radio or TV reception;
- the amenity of users of any Core Path or other established public access for walking, cycling or horse riding;
- tourism, recreation and film industry interests;
- land and water based traffic and transport interests.

Proposals for the extension of existing renewable energy facilities will be assessed against the same criteria and material considerations as apply to proposals for new facilities.

In all cases, if consent is granted, the Council will approve appropriate conditions (along with a legal agreement under Section 75, where necessary), relating to the removal of the development and associated equipment and to the restoration of the site, whenever the consent expires or the project ceases to operate for a specific period.

***No Reasonable alternatives have been identified for policy 67***

**Policy 68 - “Community” Renewable Energy Developments**

The Council’s initial assessment of renewable energy proposals will apply the same tests of acceptability for a community project as it would to a commercial proposal. However, where a community wishes to develop a small project solely as a community venture, or takes a share in a larger project, then where it is the only community significantly impacted by the proposal the Council will regard this as a material consideration. In such circumstances and subject to the proposals being assessed as acceptable under other relevant policies of the Plan, the Council may grant consent for renewable energy development with greater impacts upon the amenity of that community’s area as a place in which people reside or work than would normally be the case.

***The alternative to policy 68 is to assess all renewable energy developments in the same way and do not have community ventures given the status of a material consideration.***

**Policy 69- Electricity Transmission Infrastructure**

Proposals for electricity transmission infrastructure (including lines, pylons/ poles, transformers, switches and other plant) will be supported if assessed as not having a significantly detrimental impact on the environment. In locations that are sensitive, mitigation may help to address concerns and should be considered as part of the preparation of proposals. Underground or sub-sea alternatives to overground route proposals will generally be supported where they would not have a significantly detrimental impact on the environment. Where new infrastructure provision will result in existing infrastructure becoming redundant, the Council will seek the removal of the redundant infrastructure as a requirement of the development.

***No Reasonable alternatives have been identified for policy 69***

**Policy 70 - Waste Management Facilities**

The Council will support waste management facility proposals at the following preferred sites:

- Former Longman landfill site, Inverness
- Seater Landfill Site, Caithness
- Former landfill site, Portree
- Glen Nevis Industrial Area, Fort William

Proposals for waste management facilities will also be acceptable where they are located on existing or allocated industrial land, specifically Classes 5: General Industrial and Class 6 Storage or Distribution.

All proposals will be assessed against the following criteria:

- conformity with the Plan's Spatial Strategy in terms of the origin of existing and future waste generation;
- conformity with other waste policies - the Highland Area Waste Plan, Zero Waste Plan, Scottish Planning Policy and, where relevant, the Council's Municipal Waste Strategy;
- minimisation of transport of waste from its source
- public health or safety impacts;
- compatibility with surrounding existing and allocated land uses, and;

whether the applicant has submitted:

- sufficient information with the application to enable a full assessment to be made of the likely effects of the development, together with proposals for appropriate control, mitigation and monitoring
- a design statement in support of the application, where the development would have more than a local landscape and visual impact
- land restoration, after care and after-use details (including the submission of bonds)
- a justification, if applicable, as to why the sites/areas outlined above have not been pursued

In respect of landfill sites, proposals will also be assessed against the Landfill (Scotland) Regulations 2003. Applicants should also assess the likely cumulative impacts of additional landfill (both new landfill sites and extensions to existing landfill sites), including consideration of site design, increases in road traffic, period and intensity of disturbance to settlements and the length of time and level of landscape impact. Developers should indicate what measures will be taken to mitigate likely cumulative impacts.

***No Reasonable alternatives have been identified for policy 70***

**Policy 71 - Safeguarding of waste management sites**

Existing, former and allocated strategic waste management sites (identified on Figure 8) shall be safeguarded from alternative development, except where demonstrated to be surplus or no longer suitable to meet future requirements, or where they have been allocated in the development plan for redevelopment. Development proposals on or adjacent to the site of such a facility will be assessed against Scottish Planning Policy, the Zero Waste Plan, the Highland Area Waste Plan and, where relevant, the Council's Municipal Waste Strategy, and will be subject to consultation with SEPA. If the proposed

development would adversely affect the operation of the waste management facility, or would be likely to cause the site of the facility to be unavailable or unsuitable for future waste management purposes, for which it will be required, the proposed development will not be favoured.

***No Reasonable alternatives have been identified for policy 71***

### **Policy 72 - Pollution**

Proposals that may result in significant pollution such as noise (including aircraft noise), air, water and light will only be approved where a detailed assessment report on the levels, character and transmission and receiving environment of the potential pollution is provided by the applicant to show how the pollution can be appropriately mitigated.

Where the Council applies conditions to any permission to deal with pollution matters these may include subsequent independent monitoring of pollution levels.

Major Developments and developments that are subject of Environmental Impact Assessment will be expected to follow a robust project environmental management process, following the approach set out in the Council's Guidance Note "Construction Environmental Management Process for Large Scale Projects" or a similar approach.

***The alternative to policy 72 is to have no policy and rely on the regulatory role SEPA play.***

### **Policy 73- Air Quality**

Development proposals which, individually or cumulatively, may adversely affect the air quality in an area to a level which could cause harm to human health and wellbeing or the natural environment must be accompanied by appropriate provisions, such as an Air Quality Assessment, (deemed satisfactory to the Local Authority and SEPA as appropriate) which demonstrate how such impacts will be mitigated.

Some existing land uses may have a localised detrimental effect on air quality. Any proposals to locate development in the vicinity of such uses and therefore introduce receptors to these areas (e.g. housing adjacent to busy roads) must consider whether this would result in conflict with the existing land use. Proposals which would result in an unacceptable conflict with the existing land use to air quality impacts will not be approved.

***The alternative to policy 73 is to have no policy and rely on the regulatory role SEPA play.***

### **Policy 74 - Green Networks**

Green Networks should be protected and enhanced. Development in areas where Green Networks have been identified should seek to avoid fragmentation of a network and/or improve connectivity, where appropriate. The Council will identify green networks around regional and sub-regional centres (see Figure 10) using the methodology described in Green Networks: Supplementary Guidance.

***The alternative is to have a single policy coving all green network elements.***

### **Policy 75 - Open Space**

High quality, accessible and fit for purpose open spaces will be safeguarded from inappropriate development and enhancement will be sought, where appropriate. All sites identified in the Highland Council's Audit of Greenspace will be safeguarded unless:

- It can be suitably demonstrated that the open space is not fit for purpose;
- Substitute provision will be provided meeting the needs of the local area; or
- Development of the open space would significantly contribute to the spatial strategy for the area.

For any new residential development of 4 or more dwellings, publicly accessible open space should be provided in line with the requirements of the Open Space in New Residential Development: Supplementary Guidance.

***The alternative is to have a single policy coving all green network elements.***

#### **Policy 76 - Playing Fields and Sports Pitches**

Playing fields will be safeguarded from development and should not be redeveloped, except where:

- The proposed development is ancillary to the principal use of the site as a playing field;
- The proposed development involved a minor part of the playing field which would not affect its use and potential for sport and training;
- The playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintain or improved the overall playing capacity in the area; or
- It can be clearly demonstrated that there is an excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.

***The alternative is to have a single policy coving all green network elements.***

#### **Policy 77 - Public Access**

Where a proposal affects a route included in a Core Paths Plan or an access point to water, or significantly affects wider access rights, then The Council will require it to either;

- retain the existing path or water access point while maintaining or enhancing its amenity value; or
- ensure alternative access provision that is no less attractive, and is safe and convenient for public use.

For a proposal classified as a Major Development, the Council will require the developer to submit an Access Plan. This should show the existing public, non-motorised public access footpaths, bridleways and cycleways on the site, together with proposed public access provision, both during construction and after completion of the development (including links to existing path networks and to the surrounding area, and access point to water).

***The alternative is to have a single policy coving all green network elements.***

#### **Policy 78 - Long Distance Routes**

The Council, with its partners, will safeguard and seek to enhance long distance routes (as indicated on Figure 12), and their settings. Consideration will be given to developing/improving further strategic multi user routes both inland and along the coast.

***The alternative is to have a single policy coving all green network elements.***