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John Gunn & Sons Ltd (MPP 84009)

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CD03: CaSPlan Proposed Plan Jan 2016
CD04: CaSPlan Main Issues Report, Oct 2014
CD07: CaSPlan Revised Environmental Report, Jan 2016
CD09: Habitat Regulations Appraisal Record, Aug 2016
CD10: Housing Need and Demand Assessment, Nov 2015
CD11: CaSPlan MS Addendum -Housing Background Paper
CD13: Flood Risk and Drainage Impact Assessment Supplementary Guidance, Jan 2013
CD17: Caithness Local Plan, Sept 2002 (as continued in force, 2012)
CD18: Highland-wide Local Development Plan, Apr 2012
CD22: Open Space in New Residential Developments Supplementary Guidance, Jan 2013
CD25: Wick and Thurso Charrette Report, May 2013
CD32: Hillhead Wick Development Brief, 1991

Issue 13	WICK	
Development plan reference:	Wick page 42 - 49	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p><u>Proposed Plan:</u> Robert Turner (983587) Elder (967345) SNH (909933) Clive Teuchert (976184) MM Miller (976780) John Russell (978206) Scottish Water (953627) SEPA (906306) Historic Environment Scotland (964857) Iain Banks (980087) David Dunnnett (980064) Wick Harbour Authority (980257) Ian and Katie Burns (980855) Sandra Macgregor (972167) Graham Begg (978528) Graeme Sutherland (976344) Caithness Chamber of Commerce (983321) SSE Plc (983775) George Connor (983538) Jan Haines (984013)</p> <p><u>Modified Proposed Plan:</u> John Gunn & Sons Ltd (MPP 84009)</p>		
Provision of the development plan to which the issue relates:	Wick settlement text, placemaking priorities and site allocations <i>* Please note that this part of the Plan was subject to a non notifiable modification which included updating the reference to the Beatrice Offshore Windfarm.</i>	
Planning authority's summary of the representation(s):		
<p>Wick General <u>Ian and Katie Burns (980855)</u> The neighbouring property is currently being cleared and it is understood that the purchaser intends to make this into private dwelling. The respondent questions whether they can expect to see and comment on the plans beforehand.</p> <p><u>Caithness Chamber of Commerce (CCC) (983321)</u> Welcomes the recognition of the growth potential of Wick due to developments in renewable energy and other developments such as the National Nuclear Archive. CCC are also pleased to see the adoption of a flexible approach to encourage reuse or</p>		

redevelopment of Council-owned buildings.

SSE Plc (983775)

In terms of the position set out within the Proposed Plan relating to Wick Harbour and BOWL, the agent confirms that paragraphs 116 and 117 capture the likely requirements for Wick Harbour arising from the BOWL development.

New Site Suggestions

Clive Teuchert (976184)

Objects to the land to the east of Murray Avenue at North Head not being taken forward as a Housing allocation because it was allocated for development since the 1990s. It is not costing the Council any money being in the Plan and it is not an eye sore. Removing the site would reduce the choice of sites for prospective homebuyers.

MM Miller (976780)

Objects to the area of land next to Murray Avenue in Broadhaven no longer being allocated for housing. The site was previously allocated for housing and MM Miller obtained planning permission (see the respondent's verbatim submission for extracts from their planning permission) for developing this area. While developing Murray Avenue MM Miller invested a substantial sum of money in drainage works, undergrounding overhead cables and obtaining planning permission with a view to extending the housing development into this field.

George Connor (983538)

Objects to land at Milton to the west of Wick not being taken forward as a Housing allocation (area shown in the attachment). There are frequently requests by the general public asking for plots of land to buy in order to build houses. The respondent attached a letter (see the verbatim submission) from 2008 which shows an expression of interest from a developer in developing the land if it was allocated in the Development Plan.

Graham Begg (978528)

The respondent owns the farm south of WK02 and requests the land be allocated for housing there due to the large amount of new houses which will be needed if the offshore wind proposals go ahead. At present there is not enough land identified for long term housing.

WK01 - Hill of Man

David Dunnett (980064)

The site was bought by Pentland Housing Association and was going to be made available for single house plots, not just affordable houses.

WK01, WK02, WK03, WK17, WK19 and WK22

SNH (909933)

Although the main text for Wick recognises the need to avoid an adverse effect on the integrity of the East Caithness Cliffs SPA, the developer requirements should also specify what is required. We therefore recommend adding text such as "Development proposals will require to identify what measures will be put in place to ensure that there would be no

adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing.”

WK03 - East Of Carnaby Road

SEPA (906306)

As identified in the Environmental Report, the Mill Lade watercourse which runs through the site is the water supply for a local distillery. As a result SEPA object unless the following developer requirement is added to the plan: “25 m development setback from watercourse; Avoid any discharge into the watercourse.” This amendment will help protect significant local water users and ensure consistency with other allocations in similar catchments elsewhere in the plan.

WK04 - North Of Coghill Street

SEPA (906306)

A small watercourse runs along the boundary of the site. Parts of the site are therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Historic Environment Scotland (HES) (964857)

HES supports the requirement for a minimum 20m buffer from the scheduled monument The Pap broch 350m E of Hillhead (Index no. 578) as well as the requirement to consider the setting of the monument through sensitive siting and design.

Jan Haines (984013)

Respondent reports frequent drainage issues in their property as a result of the development WK04 and is concerned about the impacts further development will have. A garage development within the neighbour’s garden has exacerbated the problem.

Graeme Sutherland (976344)

The landowner and developer of WK04 objects to the current allocation boundary and requests that it be extended to include the land to the north of Hillhead School. The whole site was granted planning permission in 2002 which is now ‘locked on’ as development commenced on site before it expired. It has been a mistake by the planning team not allocating it for development. The site is located in a good part of the town and WK04 is being steadily built out. The developer argues that they have invested a lot of money in

upgrading the site with the intention of continuing development into the area above Hillhead Primary School. There are a lot of brown sites in Wick in less desirable areas and which probably will not be developed in the future.

WK06 - West of Coronation Street

SEPA (906306)

The site is adjacent to River Wick and is at risk of flooding from high tides combined with storm surges and high river levels. There are also local records of flooding. As a result we object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

WK07 - Land at Broadhaven Farm

Clive Teuchert (976184)

The landowner of WK07 supports the site for future housing development (assumed long term housing). The only other site on the North Head (WK04) is not offering single plots for sale.

John Russell (978206)

Objects to WK07 (assumed) as Broadhaven is already over developed, there is a large amount of fast traffic along Broadhaven Road, the residents of the neighbouring nursing home will lose their view, it will lead to the coalescence of Wick with Papigoe and Staxigoe. Girnigoe Castle is a tourist attraction and the more rural the appearance of the area the better. Housing development should be directed to the west side of Wick to benefit from the proximity to the new school.

WK09 - North of Wick North Primary School

SEPA (906306)

A drain runs along the boundary of the site. Part of the site is therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial

strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

WK10 - North of Wellington Avenue

Wick Harbour Authority (980257)

Objects to the Mixed Use allocation. Consideration should be given to this area being zoned as Industry rather than Mixed Used in order to support Wick Harbour’s long term development plans.

Sandra Macgregor (972167)

Respondent objects to development of WK10 due to the rural feel of the area which would be adversely impacted by development. The respondent has enjoyed the view from her property of the fields and Wick Harbour for several decades. The respondent would like to see the space promoted as a greenspace as lots of people walk their dogs there.

SNH (909933)

The text recognises the potential for an impact on “environmental designations”, but does not specify which protected areas. It would be useful to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

WK11 – Site at The Shore

Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Ian and Katie Burns (980855)

Supports the range of uses but has concerns regarding the height of development if it were to be higher than the height of the embankment behind. Also concerned about the impacts development may have on the historic stone abutments which are acting as a support for the embankment.

WK12 – Lower Pulteneytown

Robert Turner (983587)

Mr Turner submitted a petition objecting to the former MacCaughey’s Boat Building yard within WK12. The following people signed the petition:

R Turner, Wick, B Ashand, Wick, S Smyth, Wick, W Feinhals, Wick, M Gill, Wick, J Scollay, Wick, G Scollay, Wick, B Scollay, Wick, R Turner, Wick, Kev McDonald, Wick, Donna E Loughlin, Wick, Louise Robertson, Thurso, Christine Robertson, Thurso, Sonia MacDonald, Wick, John Oman, Wick, James MacCaughey, Wick, Annette Durrand, Wick, Jo Sutherland, Wick, Dane Sutherland, Wick, Alan Youngson, Wick

The petition raised the following concerns:

1. The existing building was just over one storey high and did not block out sunlight. The petitioners request that any future development of the site should not exceed one storey.
2. Lower Pulteney has conservation area status and any future building should reflect that and the Harbour heritage.
3. Noise and privacy should be considered, such that any planning permission is not given to any building erected on this site which would contravene the current noise regulations for private property.
4. The working times applicable to any commercial building erected on this site should also comply with normal working hours, and evening, night-time or Sunday industrial working is expressly forbidden in any planning approval.

The allocation allows for both industrial and housing uses which often do not make appropriate neighbouring uses. Also there are many heritage sites nearby which means the site has considerable tourism appeal.

WK14 – Hillhead School

Elder (967345)

Objects to the Mixed Use allocation due to the site being surrounded by residential properties. The respondent supports Housing uses on the site but is concerned about the uncertain future use which a Mixed Use allocation allows.

SEPA (906306)

There is a small watercourse on the boundary of the site. Therefore part of the site is at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

John Gunn & Sons Ltd (MPP 84009)

John Gunn & Sons Ltd is at present in negotiations with the Highland Council with a view to purchase and re-develop, for private housing, the area of the Hillhead Primary School. They have discussed the proposal with the planning department who are in agreement in principle but not for the former playing field area which has been shown as greenspace in the Modified Proposed Plan. The greenspace forms part of the sale, but will be of no benefit to the developer. There is an existing, quite substantial playpark, adjacent to the site, respondent states they have monitored its use since expressing their interest and it is very seldom used by children.

WK15 - Wick High School Building

Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

WK16 - Land at Francis Street

SEPA (906306)

SEPA note that the developer requirement includes the need for a Flood Risk Assessment; however, SEPA are not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. In addition SEPA have checked with your flood prevention authority colleagues and they have not identified the need for a Flood Risk Assessment for this site.

As a result, unless the Council hold information SEPA are not aware of, SEPA recommend that you reconsider whether a Flood Risk Assessment is required for this allocation.

WK18 - West of George Street

Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Iain Banks (980087)

Supportive of the allocation and would like to see it brought back into use. Respondent raises the issue that bats may be present on the buildings along Robert Street.

WK19 - East of Wick Burial Ground

SEPA (906306)

The site is adjacent to the fluvial flood map and may be at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Graham Begg (978528)

The landowner of WK19 has not been involved in promoting this site and is unaware of the reasons being allocated for Community uses.

WK20 and WK21

Caithness Chamber of Commerce (983321)

With regards to the two sites at which installation of Real-Time Information displays for buses are mentioned, CCC would welcome the opportunity to provide input on this matter to ensure that any areas identified for this kind of investment are aligned with the priorities of local stakeholders.

WK22 - Wick Harbour

SEPA (906306)

Part of the site is within the Coastal Flood Map and is at risk of flooding.

SEPA note that this allocation is for development of a harbour for industrial use. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons such as navigation, transport and utilities infrastructure. We are content that this exception could be applied in this case.

Implementation of the current developer requirement "Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)" is likely to result in development of the site not being possible. As a result SEPA recommend the above developer requirement is deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures." Such an approach is in line with the mitigation proposed in the Environmental Report.

This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

SNH (909933)

The text recognises the potential for an impact on "environmental designations", but does not specify which protected areas. It would be useful to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

David Dunnett (980064)

Need to make sure the right of way stays open to the public and that the path network is maintained to a safe standard.

Wick Harbour Authority (WHA) (980257)

WHA seek clarity on what the requirements are for the Master Plan / Development Brief. Also the Plan states that existing core paths should be safeguarded. WHA would welcome a discussion with Highland Council as to how this might be achieved as to drive a path through an industrial site will be nearly impossible. Therefore WHA need to have some provision to permit re-routing/improving existing paths to provide reasonable access to roam within reason and HSE requirements.

SSE Plc (983775)

Objects to the Developer Requirement for the masterplanning of the harbour as it appears to be overly onerous. It would be appropriate for the LDP to specifically note that the planning requirements that would apply to Wick Harbour will be proportionate to the scale of development envisaged.

WK23 – Wick Industrial Estate

Robert Turner (983587)

Respondent submitted a petition objecting to WK23. The following people signed the petition:

D Smith, Wick, E Christie, Wick, Corris Leasor, Wick, Sheila Miller, Wick, Anne Taylor, Wick, V Gunn, Wick, H Bank, 22 Loch Street, J Sutherland, 12 Wellington Street, C Macleod, 15 Breadalbane Terrace, P Bruce, 45 Argyle Square, M Taylor, 8 Murray Avenue, M Apperly, 20 Robertson Crescent, E Shearer, Wick, V Mackay, Wick, H Mackay, Wick, Jo Sutherland, Wick, M Cormack, Wick, James Bruce, 15 Newton Road, D Rosie, 32 Kinnaird Street, P Darmag, Breckster, Camster, R L Silverwood, Wick, Donald McGregor, Wick, E M Scolley, Wick, R Dunbar, 4 Weir Crescent, Milton, S Szyfelbain, Wick, M Szyfelbain, Wick, Keith Macadie, 4 Hill Avenue, L Macadie, 4 Hill Avenue, W Szyfelbain, Wick, RA Szyfelbain, Wick, Rona Plowman, Wick, Kayrn Swan, Wick, Lynn Morrison, Wick, Kimberly Leith, Wick, Grace Sutherland, Wick, Merran Gunn, Wick, Fiona Miller, Wick, Katie Mackaie, Wick, Catherine McGregor, Wick, Jenny Cormack, Wick, Annette Durrand, Wick, Catherine Duffy, Wick, Claire Robertson, Wick, Barbara McLeod, Wick, Kimberly Leith, Wick, Heather Miller, Wick, Angela Johnstone, Wick, Loredana Neculau, Wick, Valerie Webster, Wick, Stephanie Webster, Wick, Margaret Webster, Wick, Stacey Webster, Wick, R Turner, Wick, B A Shand, Wick, C Bain, Wick, M Stewart, Wick, J Houston, Wick, John Deverson, Wick, Lorraine Mackay, Wick, Jennifer Scott, Wick, Andrew Scott, Wick, R Turner, Wick, Louise Robertsson, Thurso, Christine Robertson, Thurso, Sonia MacDonald, Wick John Oman, Wick, Alexander Mackay, Wick, Andrew Bruce, Wick, Elizabeth Richard, Wick, Margaret Richard, Wick, Tracy Macgregor, Wick, Graham Scollay, Wick, Colin Stirling, Wick, Amanda Stirling, Wick, A Johnston, Wick, R Johnston, Wick, J Nicolson, Wick, Anne Stewart, Alness, Jamie Stewart, Alness, Janis Scollay, Wick, Diane Mackenzie, Halkirk, Martin Mackenzie, Halkirk, Elizabeth Innes, Wick, John Forbes, Wick, Margaret Harper, Wick, Joy Robertson, Wick, Isobel Miller, Wick, J Ferrier, Wick, Brian Scollay, Wick, Annette Sutherland, Wick, Sharon Bremner, Wick, Allan Campbell, Wick, Catherine Miller, Wick, H Deverson, Keiss, Isobel Polson, North Keiss, Tom Bungay, Sarclet, Angela Davis, Wick, Mandy Wilson, Wick, Adam Polson, Wick, James Carter, Wick, Kristeen Campbell, Wick, Martin Campbell, Wick

The main points raised within the petition include:

1. Remove the section of land which is currently green space to the south of WK23. Realign the southern boundary of the site to be in line with the road through the industrial estate (as shown in the attachment). There are a number of vacant sites within the industrial park which can accommodate development rather than the area requested to be safeguarded as Greenspace. Industrial uses are also not suitable so close to residential properties.
2. Requests that the existing greenspace area is classified as protected Greenspace, safeguarding it from any built development. The area is well used by local residents and school children, helps provide privacy and prevents noise pollution from the industrial estate. It is understood that the area was safeguarded as greenspace in the 1980's/early 90's but the residents are unable to access the Council's archives to confirm this.
3. Requests that the existing businesses which would be included within the Greenspace area are notified that this is now a protected greenspace, and that no further building, development work, or change of use will be allowed to any building

currently in this area. Furthermore, any trees currently on their sites will require regular upkeep and maintenance in accordance with relevant guidelines.

4. The greenspace area contains a number of trees which are rare and precious in Caithness. Request that the conservation of these trees is addressed and that the area is adopted by the Council, and that all such forestry work as is necessary to conserve and develop these trees is commenced in the forthcoming Financial Year 2016/2017 and is maintained in a correct conservatory manner. The area is the only main urban woodland within the Wick settlement development area (SDA) boundary.
5. The proposed Greenspace currently collects and holds a considerable amount of rainfall as surface water. It is requested that the Council addresses the drainage for this area as part of the development plan process, and that the Council renew or alter the drainage as applicable to safeguard the trees.

Modifications sought by those submitting representations:

Wick General

SNH (909933)

Add the following suggested text as a Developer Requirement "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

New Site Suggestions

Clive Teuchert (976184) and MM Miller (976780)

Inclusion of land to the east of Murray Avenue as a Housing allocation.

Graham Begg (978528)

Inclusion of land to the south of WK02 as a Housing allocation.

George Connor (983538)

Inclusion of land at Milton as a Housing allocation.

WK01, WK02, WK03, WK17, WK19 and WK22

SNH (909933)

Add the following Developer Requirement: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

WK03 - East Of Carnaby Road

SEPA (906306)

Add the following developer requirement "25 m development setback from watercourse; Avoid any discharge into the watercourse."

WK04 - North Of Coghill Street

SEPA (906306)

Add the following developer requirement text "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

Graeme Sutherland (976344)

Inclusion of land west of WK04 as a Housing allocation.

WK06 - West of Coronation Street

SEPA (906306)

Add the following developer requirement text "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

WK07 - Land at Broadhaven Farm

John Russell (978206)

Removal of Long Term Housing site WK07 (assumed).

WK09 - North of Wick North Primary School

SEPA (906306)

Add the following developer requirement "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

WK10 - North of Wellington Avenue

Wick Harbour Authority (980257)

Reallocate from Mixed Use to Industrial.

Sandra Macgregor (972167)

Removal of Mixed Use allocation and safeguard as Greenspace.

SNH (909933)

Identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

Ian and Katie Burns (980855)

Developer requirements to ensure bank stability is not jeopardised by development and that any building is no higher than the embankment (assumed).

WK12 – Lower Pulteneytown

Robert Turner (983587)

Removal of Industry being part of the Mixed Use allocation on part of WK12. Developer requirements limiting height to one storey, restrictions on any noise generated and operating times and protection of privacy for neighbouring residents (assumed).

WK14 – Hillhead School

Elder (967345)

Change from a Mixed Use allocation to Housing only.

SEPA (906306)

Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

John Gunn and Sons Ltd (MPP984009)

Request that the playing field area (shown as Greenspace) be changed to form part of the Mixed Use allocation WK14 Hillhead Primary School.

WK16 - Land at Francis Street

SEPA (906306)

Reconsider whether a Flood Risk Assessment is required for this allocation.

WK19 - East of Wick Burial Ground

SEPA (906306)

Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

WK22 - Wick Harbour

SEPA (906306)

Replace existing flood risk assessment developer requirement with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

Wick Harbour Authority (980257)

Developer requirement relating to protection of existing core path should allow for potential rerouting of the path.

SSE Plc (983775)

Removal of the Developer Requirement for the masterplanning of the harbour expansion.

SNH (909933)

Developer requirement to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

WK23 – Wick Industrial Estate

Robert Turner (983587)

Remove the area south of the road through Wick Industrial Estate, including the existing businesses, from site WK23. Safeguard this area as Greenspace. Requests that the Council and businesses take responsibility for maintaining the trees. The Development Plan to address existing drainage issues within this area.

Summary of responses (including reasons) by planning authority:

Wick General

In relation to the comment querying a neighbouring development this is more likely to be a matter for the planning application process. Neighbour notifications at planning application stage are dealt with by Development Management rather than as part of the Development Plan preparation. Neighbours within 20 metres of the red line boundary are notified of planning applications. No modification is proposed by the Council.

Supporting comments by the Chamber of Commerce are noted.

Supporting comments by Jones Lang LaSalle relating to paragraphs 116 and 117 are noted.

Paragraph 116 refers to the 'pending' final investment decision which has now been made and the construction work of the project approved. As part of the preparation of the Modified Proposed Plan this was replaced with: "This is reinforced by the announcement that Wick will serve as the service base...". No further comments were made on this matter during the Modified Proposed Plan consultation and the Council does not propose any additional changes.

New site suggestions

Land East of Murray Avenue

The site was not taken forward as the planning consent (08/00474/OUTCA) which was approved in 2009 has since expired. In addition, the Housing Need and Demand Assessment (HNDA) 2015 (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. Although the site has some constraints, such as being close to a wastewater treatment works and on the fringes of Wick, it is recognised that there are arguments for the inclusion of the site including those raised by the landowner and the developer. These include that the site was intended to be the last phase of the development of the North Head and the road layout allows for access to be taken from Murray Avenue. As it lies within the Settlement Development Area (SDA) the principle of development is likely to be acceptable but to give greater certainty to both the neighbouring residents and the developer, and to gain greater control of its delivery, if the Reporter is so minded, the Council would be agreeable for the site to be included as a Housing allocation. If the Reporter chooses to include the site, Developer Requirements should be added to ensure the provision of suitable openspace and safeguarding of a development buffer of at least 100m from the WWTW.

Land at Milton, Wick

A large area at Milton, which was suggested to the Council by the landowner during Call for Sites stage, was assessed as part of the SEA site assessment process. It was recognised that the site benefits from being relatively close to the new high school and community campus and there is a pavement leading into Wick.

However, as part of the site assessment process it is not considered to be a suitable for inclusion in the Plan. The strategy set out in the Plan for Wick reflects the vision identified at the Wick Charrette (CD25) by focusing on regeneration and consolidation of the town

rather than growing in any particular direction. The Plan has taken forward only those sites which already have planning permission or which are important brownfield regeneration sites. The Plan did not allocate any new greenfield sites in Wick. The site goes against the strategy of consolidation as it lies outwith and separated from Wick and it is greenfield land. Overall there are also other sites in Wick which are considered more suitable for housing development in the short term.

The representation from the landowner at Milton included a letter (see verbatim submission from Mr George Connor, 983538) from a local developer dating from 2008 expressing their interest in building houses on the site. Although developer interest in a site indicates a certain level of effectiveness of the site it is not a defining factor in determining its suitability. It is also noted that the letter is over 8 years old now and the developer did not submit a representation in support of the site during any of the consultation stages of CaSPlan.

As part of the review of the Development Plan the Council took a fresh look at the supply and demand for new housing in Wick. The HNDA (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. It was noted that the existing Caithness Local Plan (CD17) allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity (planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for Wick with no need to allocate any other sites.

In addition, it was recently brought to the attention of the Development Plans Team that the development proposal at Milton was raised at the local community council (Tannach and District) meeting. A note distributed after the meeting stated that the community council members are strongly opposed to any development on the site.

For these reasons the Council are not minded to make the suggested modification to include the site in the Plan.

Land south of WK02

The suggested site may have some planning merit but has been lodged too late in the Plan's process to be considered. The Plan is at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and to the Main Issues Report in late 2014. The respondent did not lodge comment at either of these times despite extensive publicity. The Plan-led process in Scotland relies upon early and effective consideration of the environmental effects of Development Plan proposals and, in a similar way, an early and effective opportunity for the public and other potentially prejudiced parties to be able to lodge comments on development sites. The Plan is on a 5 year review cycle so a fresh Call for Sites stage is likely to commence in 2 or 3 years time which will provide an opportunity for the site to be considered for inclusion.

In addition, at this time there is no need to allocate any further development sites in Wick. The HNDA (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. It was noted that the existing Caithness Local Plan (CD17) allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity

(planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for Wick with no need to allocate any other sites. There may be some planning merit in the proposal but at this time no new greenfield sites have been taken forward for Wick. Therefore the Council does not support the inclusion of land south of WK02. No modification is proposed by the Council.

WK01 – Hill of Man

The comment made in relation to landownership and their intention for the site is noted.

WK01, WK02, WK03, WK17 and WK19

To help safeguard the integrity of the SPA, if the Reporter is so minded, the Council would be agreeable with the following Development Requirement being added “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing.”

WK03 - East Of Carnaby Road

The Council believes that SEPA’s request is based on sound evidence. If the Reporter is so minded, the Council would be agreeable with the following Developer Requirement being added: “25 metre development setback from watercourse; Avoid any discharge into the watercourse.” This will help protect significant local water users, particularly the distillery downstream, and ensure consistency with other allocations in similar catchments elsewhere in the Plan.

WK04 - North Of Coghill Street

Following further discussion with the Council’s Community Services it has been noted that there are surface water flooding issues arising due to run off from the field above. As a result if the Reporter is so minded, the Council would be agreeable with a requirement for a Drainage Impact Assessment being added to the Developer Requirements. This would also address the flood risk concerns of a neighbouring resident who made a representation on the Plan.

The Council believes that SEPA’s request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: “Flood Risk Assessment (no development in areas shown at risk of flooding)”. This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan (HwLDP) (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

Historic Environment Scotland’s support for the Developer Requirement is noted.

Land West of WK04

Although the site falls within the SDA in the adopted Caithness Local Plan (CD17) it was not suggested to us as a development site during previous stages of the preparation of

CaSPlan. The Plan is now at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and responses to the MIR in late 2014. The respondent did not lodge comment at these times despite extensive publicity.

Given the large amount of potential Housing land identified at the call for sites stage only the most effective sites were taken forward. The points raised by the developer have been noted including previous investment in infrastructure to service the proposed site. Although the effectiveness of some of the brownfield allocations in Wick may be questionable they are in prominent locations and would greatly benefit the town if they were redeveloped.

Further investigation shows that the land west of WK04 formed part of the original application for WK04 and may have a live, 'locked-on' planning permission for housing development. Therefore, if the Reporter is so minded, the Council would be agreeable to identifying the site as either an extension of WK04 Housing allocation or a Long Term Housing site. This could help to give greater certainty to the neighbouring residents and the developer. It would also allow the Council to have greater control of its delivery.

Despite open space provision being part of the original Hillhead Development Brief (1991) (CD32) for the area no open space was delivered. It was agreed with the developer at the last phase of WK04 that they would be required to deliver open space during the next phase. If the site were to be extended then openspace provision may be best provided near the existing play area north of the form Hillhead Primary School. Therefore, if the Reporter is so minded, the Council would be content to amend the existing Developer Requirement to "Open space to be provided through the next phase of development".

WK06 - West of Coronation Street

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13). Such an approach is in line with the mitigation proposed in the Environmental Report (CD07).

WK07 - Land at Broadhaven Farm

Support for the site is noted.

It should be noted that the site is a Long Term Housing site which provides only an indication of the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject of initial consideration through the preparation of this Plan. However, they are not being invited for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered.

Development of the site is not considered to lead to the coalescence of Wick, Papigoe and Staxigoe but help to round off the north eastern edge of Wick. The Settlement

Development Area has been drawn in from the boundary shown in the existing local plan which will help to protect the setting of Papigoe and Staxigoe (including Girnigoe Castle) and prevent continued sprawl of Wick to the north east.

The concerns over existing traffic issues are noted. As the site was suggested to the Council at the Call for Sites stage a site assessment was carried out as part of the SEA process. Mitigation was identified to address impacts from increased levels of traffic, including extending the 20mph limit further along Broadhaven Road and creation of traffic calming measures. As the site has been identified as a Long Term Housing site no Developer Requirements have been set. If the site was taken forward as an allocation in the future it is likely that such transport requirements would be added and would address concerns raised. No modification is proposed by the Council.

WK09 - North of Wick North Primary School

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13).

WK10 - North of Wellington Avenue

The mix of uses which the site has been identified for include only Business and Industry. This reflects the support for employment generating uses and it is anticipated that these would be associated with harbour related activities. The allocation of both Business and Industry provides a more flexible approach for future development. Given that the requirements of the marine renewables sector and the harbour expansion are still uncertain this approach is considered to be suitable. No change is proposed to the site allocation.

Although the Council are sympathetic to concerns of people who live next to potential development sites the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity and through the HwLDP (CD18) general policy 28 Sustainable Design.

Resulting from discussions with SNH regarding the HRA the following mitigation was identified: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea)." As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

SNH had requested to replace the reference to "surrounding environmental designations" with "East Caithness Cliffs SPA and MPA". Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA "Demonstration that there will

be no adverse effect on the East Caithness Cliffs MPA”.

WK11 – Site at The Shore

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

The support for the Mixed Use allocation is noted.

The Council are not minded to add any additional Development Requirements in terms of the height of the building, residential amenity or the stability of the cliff as these are issues which will be given due consideration at the planning application.

No modifications are proposed by the Council.

WK12 – Lower Pulteneytown

In response to the points raised in the petition:

1. The Council are not minded to add any additional Development Requirements in terms of the height of the building or residential amenity as these are issues which will be given due consideration through any planning application.
2. The Council agrees with the statement regarding development within conservation areas. The Council is required to implement appropriate controls over development, demolition and advertising to safeguard and enhance conservation areas. Most works to the outside of a building or structure in a conservation area require planning permission and listed building consent. Development must comply with policies set out within the HwLDP (CD18) and national guidance.
3. Residential amenity and construction operation hours are issues which will be given due consideration at the planning application stage.
4. Residential amenity and commercial operation hours are issues which will be given due consideration at the planning application stage.

Due to the heritage value of Lower Pulteneytown the allocation already identifies Tourism as a potential use. A wide range of uses were identified to provide flexibility and encourage renovation and redevelopment of key vacant and derelict sites.

No modifications are proposed by the Council.

WK14 – Hillhead School

The range of uses which have been included in the allocation seek to encourage its redevelopment. The uses taken forward have also been identified as suitable for residential areas. It is recognised that Housing is likely to be the most attractive use to a developer given its location. No modification is proposed by the Council.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) in Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the

associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (13).

The Hillhead Primary School site was included as a 'preferred' site within the Main Issues Report (CD04) as it was identified by the Council to be surplus to requirements in early 2016. The playing field north of the primary school was included within the MIR site as it was considered to be beneficial to its prospects of being redeveloped. Several residents of Broadhaven submitted comments during the MIR consultation opposing residential development in the area. One of the main reasons cited was the lack of any formal greenspace delivered as part of the wider development of the North Head area. To address this issue the former playing fields north of Hillhead Primary School were shown as Greenspace and excluded from allocation WK14, as shown in the Proposed Plan (CD03) and Modified Proposed Plan.

During the consultation on the Proposed Plan the developer of the neighbouring land WK04 North of Coghill Street requested that the boundary of the site be extended to the area north of the school playing field as it had formed part of the original application (02/00165/FULCA). Investigation found that although the application appeared to be locked on (as development had commenced shortly after permission was granted) the developer had not delivered any openspace provision despite it being identified within the original Hillhead Development Brief (1991) (CD32). As highlighted in WK04 above, to address this the Council would be content, should the Reporter be so minded, with a Developer Requirement being added to WK04 to ensure that "Open space to be provided in the next phase of development."

Due to the lack of formal greenspace in the area and problems with ensuring sufficient provision as part of developments in recent decades the Council does not propose to include the Greenspace within the Mixed Use allocation WK14. To clarify and strengthen the existing reference to openspace provision within the Developer Requirements for WK14 the Council would be content if the Reporter was so minded to replace "Play ground area should be retained for public access" with "The playing fields to the north of WK14 must be protected from development and, where possible, enhanced". The level of openspace provision relating to development of WK14 would therefore be decided against the standard criteria set out in Policy 75 of the HwLDP (CD18) and the Open Space in New Residential Developments Supplementary Guidance (CD22).

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

WK15 – Wick High School Building

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage. No modification is proposed by the Council.

WK16 - Land at Francis Street

The Council believes that SEPA's comments are based on sound evidence. If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA and the Council's Flood Risk Team.

WK18 – West of George Street

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

Support for the Mixed Use allocation is noted. A bat survey is already identified as a Developer Requirement.

No modification is proposed by the Council.

WK19 - East of Wick Burial Ground

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13). Such an approach is in line with the mitigation proposed in the Environmental Report (CD07).

The site was suggested to the Council by the Community Services section of the Council as a possible extension to the cemetery. As a result the site has been taken forward as Community allocation in the Plan. No modification is proposed to the Plan.

WK20 and WK21

The comments by the Chamber of Commerce are noted.

WK22 - Wick Harbour

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

Resulting from discussions with SNH regarding the HRA (CD09) the following mitigation was identified: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea)." As the HRA requires to be signed off by SNH for the plan to be adopted, if the Reporter is so minded, the Council is

content for this Developer Requirement to be added to this site.

SNH had requested to replace the reference to “surrounding environmental designations” with “East Caithness Cliffs SPA and MPA”. Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA “Demonstration that there will be no adverse effect on the East Caithness Cliffs MPA”.

The existing core path which runs through WK22 Wick Harbour has been a popular coastal path. However the former quarries at the South Head form important parts of the long term expansion plans of Wick Harbour Authority. Given the importance of harbour for the future growth of the local economy it is recognised that imposing a requirement to safeguard the existing core path may hinder development proposals. Due to its location close to the coast the path is also prone to storm damage. As a result if the Reporter is so minded the Council would be content with the Developer Requirement being amended to: “Safeguard and improve core path where possible, re-routing may be appropriate”.

The Developer Requirement for a masterplan/development brief reflects Policy 2 Delivering Development in CaSPlan which requires all larger developments to be appropriately masterplanned. Paragraph 46 of the plan notes that masterplanning of larger developments can make a positive contribution to the creation of high quality, sustainable and successful places. It is an effective tool for engaging the community and others in the planning process to deliver high quality environments, good transport connections and well designed developments. As such, the Plan encourages a masterplanned approach to new developments which should be carried out at the earliest possible opportunity and taken into consideration at all stages of the planning application process. Each phase of development will need to show its relationship to the overall masterplan and demonstrate how the required infrastructure will be delivered. The requirements of the masterplan must be appropriate to the type and scale of development proposed for WK22 and should be agreed in advance of any planning application coming forward.

WK23 – Wick Industrial Estate

The Industrial Estate was created several decades ago and is now well established. However, with the potential need for business and industrial sites resulting from the growing offshore renewables industry the site was allocated for Industrial uses in the Plan to promote the development opportunities which still exist. The industrial estate benefits from large areas of greenspace including both undeveloped industrial plots and a network of green spaces which run through the estate.

The woodland to the south provides an important buffer between the residential properties at Hill Avenue and the Industrial Estate. It is understood that the woodland helps to reduce noise from activities within the Industrial Estate and at the airport. It is also recognised that the woodland is of local importance as an amenity area for local residents including an informal play area for children. However, the suggested realignment of the southern boundary of WK23 to the road running through the estate and the identification of the land as the area as Greenspace is not appropriate given commercial properties/businesses which currently operate there. The request that existing businesses will not be permitted to carry out any further development is unreasonable and could unnecessarily constrain local

businesses. Issues arising from further development (such as the impact on the amenity of local residents) would be considered at planning application stage and determined against Council and national policies.

The Council acknowledges however that the local community would take greater comfort if the Plan were to refer explicitly to this issue in respect of this site, rather than relying solely on the application of general policies. Given that in certain other locations the Plan identifies specific locations for expansion of the green network, the Council acknowledges that this would be a suitable option in this case and commends it to the Reporter for consideration. Therefore if the Reporter is so minded, the Council would be content with the area between the existing businesses at the industrial estate and the properties of Hill Avenue and North Road remaining within the Industrial allocation but with the existing woodland (excluding the recently approved application 15/03666/FUL) being identified as Expansion of the Green Network. In addition the following Developer Requirement could be added: "Development at the southern part of the WK23 must avoid and where appropriate enhance the woodland area as part of the Green Network". This will ensure that the area is safeguarded from development and, where possible, development could be used to enhance the woodland area.

The petition also indicated a desire to set up a community group to enhance and manage the woodland. As this is not yet a formalised community initiative the Council do not propose to amend the Plan to specifically refer to any such arrangements. However if a such a community initiative is formed in the future it may be considered for inclusion in the Action Programme.

Reporter's conclusions:

Reporter's recommendations: