

Contents

Issue 16: Ardgay

1. Schedule 4

2. Representations

Ardgay & District Community Council (951607)

Balnagown Castle Properties (968666)

Dowling (976043)

Network Rail (980184)

SEPA (906306)

SNH (909933)

3. Relevant Council's Supporting Documents

CD18: Highland-wide Local Development Plan, Apr 2012

Issue 16	ARDGAY	
Development plan reference:	Ardgay pages 67 - 70	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Ardgay & District Community Council (951607) Balnagown Castle Properties (968666) Dowling (976043) Network Rail (980184) SEPA (906306) SNH (909933)		
Provision of the development plan to which the issue relates:	Ardgay settlement text, placemaking priorities and site allocations.	
Planning authority's summary of the representation(s):		
<p>Ardgay General <u>Balnagown Castle Properties (968666)</u> We support the continued identification of Ardgay as a settlement and are encouraged to see the continuation of housing and economic development proposals there to the new plan. If there is any change proposed to this through the Examination process we would like to be involved in the discussion.</p> <p><u>Ardgay & District Community Council (951607)</u> Seeks the text about the Gearrchoille Ancient Woodland in paragraph 127 to be updated to reflect community ownership: it should be changed from, "The Gearrchoille Ancient Woodland is in the care of the local community" to "The Gearrchoille Ancient Woodland is owned by and is in the care of the local community."</p> <p>Paragraph 126 refers to land behind the public hall; this is currently a green space with occasional vehicles parked at it. It is contiguous with the Lady Ross site (AG02) therefore it would make more sense to consider how this area is used to meet needs when drawing up the plans for the regeneration of the Lady Ross site rather than being piecemeal and definitive about at this stage. Funding has been found for the regeneration of the AGO2.</p> <p>AG02 Lady Ross <u>Dowling (976043)</u> Feels strongly that something needs to be done with the site, but it must be something that is suitable for the local area. Access should only be taken from the front of the site off the main road. Housing is the preferred option, industrial units would not be suitable.</p> <p>AG03 Ardgay Railway Station Yard North <u>Scottish Natural Heritage (909933)</u> For consistency and clarity, the "Developer Requirements" should include text that "Development proposals will require to demonstrate that there would be no adverse effect</p>		

on the integrity of the Dornoch Firth & Morrich More SAC.”, rather than just requiring an otter survey.

Network Rail (980184)

This site is in continuous use for operational railway purposes; however there are potential 3rd party activities which would suit this location. The proposed ‘Business’ allocation is too restrictive and given the site’s present use, it is demonstrably suitable for Class 5 activities. Either Class 4 Business or Class 5 General Industrial should be encouraged for the site; subject to the requirements stated.

AG04 Ardgay Railway Station Yard South

SNH (909933)

For consistency and clarity, the “Developer Requirements” should include text that “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, rather than just requiring an otter survey.

SEPA (906306)

In line with Policy 65 of the Highland Wide Local Development Plan, connection to the public sewer is required for development unless the development is unable to connect for technical or economic reasons and the proposal is not likely to result in or add to significant environmental or health problems. Such an approach is also generally supported by SEPA’s Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements (available from www.sepa.org.uk/media/59942/policy-37-policy-and-supporting-guidance-on-provision-of-waste-water.pdf). Therefore SEPA objects to the developer requirement “Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer” and ask that it be removed. This amendment will ensure that this allocation is dealt with in the same manner as all other sites in settlements served by a public sewer i.e. it will be expected to connect. Policy 65 allows for exceptions where an alternative solution may be acceptable.

Modifications sought by those submitting representations:

Ardgay General

Ardgay & District Community Council (951607)

Delete wording, “The Gearrhoille Ancient Woodland is in the care of the local community” and replace with, “The Gearrhoille Ancient Woodland is owned by and is in the care of the local community.”

At paragraph 126 include working which states the land behind the public hall could also be considered when plans are being drawn up for the regeneration of the Lady Ross site.

AG03 Ardgay Railway Station Yard North

SNH (909933)

Developer requirements should include the following: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, and delete the requirement for an otter survey.

Network Rail (980184)

Industrial should be added to the range of acceptable uses for this site.

AG04 Ardgay Railway Station Yard South

SNH (909933)

Developer requirements should include the following: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.", and delete the requirement for an otter survey.

SEPA (906306)

Remove the following from the developer requirements: "Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer"

Summary of responses (including reasons) by planning authority:

Ardgay General

The support for the continued identification of Ardgay as a settlement along with the continuation of housing and economic development proposals, are noted.

If the Reporter is so minded, the Council is agreeable to the following text, "The Gearrchoille Ancient Woodland is in the care of the local community" being replaced with, "The Gearrchoille Ancient Woodland is owned by and is in the care of the local community."

With reference to paragraph 126, during the MIR consultation Ardgay and District Community Council asked for the site behind Ardgay Public Hall to be included as a site for mixed use for tourism, open space, business, access and community. This site was then subject to an additional period of consultation. One comment received thought that there was ample housing stock in the area and all the other respondents thought it would be best used as additional car parking. The site is in Council ownership, so there could be potential to transfer the site to a group, but these issues would need to be explored further in detail. It may be noted that the area of land does not form part of the two recent planning applications (referenced below in respect of site AG02) but that if those proposals do not proceed then the area of land could be considered for inclusion in any future alternative proposals.

AG02 Lady Ross

Note the (assumed) support for the allocation of this site. Industry is not one of the uses specified in the mixed use allocation. There is already a developer requirement which limits the site to one access point. Two recent planning applications have been approved for this site; 16/02633/FUL for a new village square, associated parking and refurbishment of a derelict barn to create a business hub and offices ; and 16/05646/FUL for 4 houses.

AG03 Ardgay Railway Station Yard North

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in

combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC." The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

The site is currently allocated in the Sutherland Local Plan for business use only. The adjacent uses including residential may not be good neighbours for industrial use. No modification is proposed by the Council.

AG04 Ardgay Railway Station Yard South

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC." The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

In order to ensure consistency with Policy 65 of the Highland wide Local Development Plan (CD18), the Council is content for the following to be deleted from the developer requirements, if the Reporter is so minded: "Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer".

Reporter's conclusions:

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Reporter's recommendations:

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