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CD04: CaSPlan Main Issues Report, Oct 2014
CD16: Sutherland Local Plan, Jun 2010 (as continued in force, 2012)
CD18: Highland-wide Local Development Plan, Apr 2012

Issue 18	BRORA	
Development plan reference:	Brora pages 74 - 78	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Brora Community Council (967669) Brora & District Action Group (980301) SEPA (906306) SNH (909933) Tulloch Homes Ltd (979063) Network Rail ((980184)		
Provision of the development plan to which the issue relates:	Brora settlement text, placemaking priorities and site allocations	
Planning authority's summary of the representation(s):		
<p>Brora General</p> <p><u>Brora Community Council (967669)</u> The Community Council agrees with the placemaking priorities but objects to there being no mention of the existing tourist facilities such as James Braid Golf Course, river and loch fishing, award winning beaches, surfing beaches, caravan sites etc.</p> <p>Support (assumed) for the content of paragraph 136 - regeneration of the town centre should remain of paramount importance. The condition of these buildings is an area of ongoing local concern.</p> <p>Objects to Lower Fascally not being a separate allocated site. Access to Core Path at Lower Fascally should be protected. Improving the existing recreational area and changing rooms in Lower Fascally would be useful (paragraph 139).</p> <p><u>Brora & District Action Group (980301)</u> Support (assumed) for text in paragraph 137. Brora & District Action Group provide administrative support to the local Harbour Users Group for their project to provide pontoons to enhance the service provision for visitors to the harbour.</p> <p>Objects to the following visitor attractions not being mentioned in the plan: Brora Golf Club; Clynesh Distillery with its visitor tours and retail area; sea and river fishing, sandy beaches; and easily accessible local and hill walks.</p> <p>BR01 Rosslyn Street</p> <p><u>SNH (909933)</u> Objects to the following wording in the developer requirements, "Avoid intrusion into adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of</p>		

the need to consider the relevant environmental interests.

Brora Community Council (967669)

Supports the allocation and agrees with the developer requirements. Affordable housing should form part of the site (assumed).

BR02 Old Woollen Mill

Brora Community Council (967669)

Supports the allocation as it enables working from home. Affordable housing should form part of the site (assumed).

Tulloch Homes Ltd (979063)

Supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the remaining phase of the Old Woollen Mill site in Brora where redevelopment to form 20 units has already been completed and a further 23 remain to be built per the existing planning consent.

BR03 East Brora Muir

Brora Community Council (967669)

Object to the site for the following reasons:

- Lack of alternative access, particularly emergency access to Golf Road and the houses beyond i.e. Ben Mailey Gardens, Victoria Drive, Victoria Crescent, Muirfield Drive, Muirfield Road. Currently the sole access is under the railway bridge from the A9. An alternative access has been an ongoing issue in this area of Brora.
- The area has grown exponentially.
- A water table survey was done some time ago and the area is known to flood.

BR04 Former Radio Station Site

Brora Community Council (967669)

Supports allocation as it is important for tourism and recreation.

Network Rail (980184)

Supports the inclusion of the developer requirement for a Transport Assessment to fully assess the potential impacts of the site's development on the level crossing. It is essential that a Transport Assessment is submitted in support of any planning application to quantify in detail the likely impacts on the rail network.

BR05 Scotia House

SEPA (906306)

Objects to the inclusion of a developer requirement for a Flood Risk Assessment. SEPA is not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. In addition SEPA has checked with the Council's Flood Team and they have not identified the need for Flood Risk Assessment for this site. Unless the Council holds information SEPA is not aware of, it is recommended that the Flood Risk

Assessment requirement is reconsidered.

BR06 Former MacKay's Garage

SNH (909933)

Objects to the following wording in the developer requirements, "Avoid intrusion into adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of the need to consider the relevant environmental interests.

Tulloch Homes Ltd (979063)

Generally supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the Former MacKay's Garage, Brora. The economic downturn of 2008 onwards affected the progress of many Highland development opportunities in the smaller towns and villages however as market conditions continue to prove more favourable it is important that opportunities exist to provide both private and affordable housing along with business opportunities. However the indicative housing capacity should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

BR07 Upper Fascally

Brora Community Council (967669)

Supports developer requirements. Funding is currently being sought by a community group to redevelop the recreation/play area in Upper Fascally. This is an opportunity to regenerate the area for the community and for recreational uses.

BR08 Adjoining Industrial Estate

Brora Community Council (967669)

Supports allocation as it is needed in the local community. The existing industrial estate has been there since 1961 (assumed).

Modifications sought by those submitting representations:

Brora General

Brora Community Council (967669) and Brora & District Action Group (980301)

Include the following tourism facilities in the general text: Golf course; river, sea and loch fishing; award winning beaches; surfing beaches; caravan site; Clynelish Distillery with its visitor tours and retail area; and easily accessible local and hill walks.

Brora Community Council (967669)

Include Lower Fascally as an allocation. Include text stating that access to the core path at Lower Fascally will be protected.

BR01 Rosslyn Street

SNH (909933)

Remove the following developer requirement, "Avoid intrusion into adjacent SSSI" and

replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

BR03 East Brora Muir

Brora Community Council (967669)

Remove allocation (assumed).

BR05 Scotia House

SEPA (906306)

Remove the developer requirement for a Flood Risk Assessment.

BR06 Former MacKay’s Garage

SNH (909933)

Remove the following developer requirement, “Avoid intrusion into adjacent SSSI” and replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

Tulloch Homes Ltd (979063)

Make the indicative housing capacity more flexible.

Summary of responses (including reasons) by planning authority:

Brora General

The support from Brora Community Council for the placemaking priorities and in particular promoting the regeneration of the town centre is noted.

The support from Brora and District Action Group for the inclusion of text about the harbour at paragraph 137 is noted.

The purpose of paragraph 138 was to highlight the importance of tourism to Brora and was not intended to list all the tourism facilities/attractions. Therefore the Council do not feel it is necessary to include a list of these in the settlement text. However, if the Reporter is so minded the Council would be agreeable to some extra tourist facilities being listed in paragraph 138.

Land at the Lower Fascally - or as it is referred to in the plan the Former River Fascally recreation area – is not allocated for development in the Plan. It is however included in the settlement text for Brora at paragraph 139. It was identified as a potential development site during the Call for Sites and Ideas. It was then included in the Main Issues Report (CD04) as a non –preferred site. The site is at high risk of flooding and SEPA has advised that because of this it is unsuitable for most forms of development. It is also separate from the rest of the settlement, with no footpath link. The site has historically been used for recreation use and this use can continue. The Council considers that it is not appropriate to allocate it as a site in the plan and therefore no modification is proposed by the Council. However if the Reporter is so minded, the Council would be agreeable to additional text being added to paragraph 139 to reflect the presence of the Core Path as shown on the settlement map.

BR01 Rosslyn Street

Policy 57 in the Highland-wide Local Development Plan (HwLDP) (CD18) already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, "Avoid intrusion into adjacent SSSI" is sufficient. However if the Reporter is so minded, the Council is content for this developer requirement to be deleted and replaced with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site" as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support from Brora Community Council for the allocation and developer requirements is noted. As per Policy 32 in the HwLDP (CD18), where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal.

BR02 Old Woollen Mill

The support from Brora Community Council for the allocation is noted. As per Policy 32 in the HwLDP (CD18), where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal. The site is covered by an extant planning permission and affordable housing on site is a condition of the planning permission.

The support from Tulloch Homes Ltd as the owner of the site is also noted.

BR03 East Brora Muir

The site is currently allocated in the Sutherland Local Plan (CD16) and there has been no housing completions in or around the site since this plan was adopted.

There is a developer requirement for a Transport Statement to assess impact on existing residential streets and extent of any mitigation required. Traffic calming remote from the site is also noted as potentially being required. There is no objection from Transport Scotland and Transport colleagues in the Council are content with the developer requirements for the allocation.

We are requiring a masterplan for the site to try and prevent piecemeal development. This will also ensure that the scale of development on the site can be appropriate to the nature of the roads accessing the site.

SEPA advised that there is a small part of the site which is at risk from surface water flooding but advised that a Flood Risk Assessment was not required. Advice from the Council's Flood Team confirmed that no flood risk assessment is required.

No modification is proposed by the Council.

BR04 Former Radio Station Site

The support for the allocation for tourism and recreation uses is noted. The support for the Transport Assessment requirement is also noted.

BR05 Scotia House

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.

BR06 Former MacKay's Garage

Policy 57 in the Plan HwLDP (CD18) already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, "Avoid intrusion into adjacent SSSI" is sufficient. However if the Reporter is so minded, the Council is content for the this developer requirement to be deleted and replaced with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site" as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support of the site owner is noted and the Council welcomes their statement that they intend to progress with development of the site. Indicative site capacities are given for each allocated site and are based on the need to promote efficient use of land. It is expected that planning applications will be generally consistent with the indicative capacity. It is however recognised that a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and satisfactory site layout. This is set out in the supporting text to Policy 2 Delivering Development and therefore it is not felt that any change needs to be made to the indicative capacity for this site.

BR07 Upper Fascally

Support from Brora Community Council is noted.

BR08 Adjoining Industrial Estate

Support from Brora Community Council is noted.

Reporter's conclusions:**Reporter's recommendations:**