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Our ref: LDP-270-3

28 September 2011

Dear Mr McKenzie

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)
(SCOTLAND) REGULATIONS 2008
HIGHLAND COUNCIL – HIGHLAND WIDE LOCAL PLAN
NOTICE: REQUEST FOR FURTHER INFORMATION**

I am writing regarding Highland Wide Local Plan which has been submitted to DPEA for examination by Scottish Ministers. Under Regulation 22 of the Town and Country Planning (Development Planning)(Scotland) Regulations 2008 the appointed reporters can request, by way of notice, further information in connection with the examination. This letter is a notice under Regulation 22.

The reporters have identified that further information, as listed below, should be provided by the Highland Council. It would be helpful if you could send this information to me, to pass on to the reporters, by 12 October 2011.

Issue 35, Policy 35: Settlement Development Areas

Village design statements (representation 353)

The Association for the Protection of Rural Scotland urges the use of village design statements as a way of protecting the character, integrity and setting of villages. Presumably they wish to see reference to such statements in the policy or supporting text. The council is invited to respond to that suggestion.

Detrimental land uses (representation 444)

Because Policy 35 references certain general policies of the plan but not others, it carries the implication that those other general policies (for example Policy 41: Retail Development) do not apply. The council's responses and paragraph 18.2 would suggest otherwise.

Croft inbye land (representation 271)

It appears from the council's response to the representation from the Crofters Commission that the question of whether croft inbye land should be protected from development will have been considered in drawing the boundaries of Settlement Development Areas. In other words, there would be support for development proposals on croft inbye land located within a Settlement Development Area, subject to compliance with those other policies specified within Policy 35. The terms of the policy also seem to carry the implication that proposals judged satisfactory in those terms would not be subject to the other general policies of the plan, including Policy 48. However, the council's responses indicate that this is not their intention.

Cross-referencing (representations 326, 444)

Similar points arise to those in the above two sections. The council's argument that cross-reference to specific policies would potentially lead applicants to consider that these may be the only relevant policies would seem to apply also to the cross-references in Policy 35 as presently formulated.

With respect to the above 3 sections, the council is invited to submit alternative text to clarify matters.

Please acknowledge receipt of this letter and confirm that it and, in due course, the Council's responses, have been posted on the Council's website. Please do not hesitate to contact me if there is anything you would like to clarify.

Yours sincerely

Brian Archibald

Brian Archibald
Development Plan Officer