#### INVERLOCHY AND TORLUNDY COMMUNITY COUNCIL

H.C. PLANNING AND DEVELOPMENT SERVICE

1 5 DEC 2009

PASS TO INITIALS DATE

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FILE REF;

Birchfield Happy Valley Torlundy Fort William PH33 6SW

14th December 2009

Mr Tim Stott
Principal Planner
The Highland Council
Glenurqubart Road
inverness IV3 5NX

Dear Mr Stott.

Examination of the West Highland and Islands Local Plan Hearing Session - Thursday 21 January 2010 at 14.00

As instructed by Mr Brian Archibald, Development Plan Officer, please find enclosed the Written Statement and other relevant documents submitted by Inverlochy and Torlandy Community Council that relate to the abovementioned issue.

I will attend this Hearing Session accompanied by one other member of the community to put the Community Council's case.

Yours sincerely,

Empe Weir

Chairman, Inverlocity and Torlundy Community Council

Lucs

#### INVERLOCHY AND TORLUNDY COMMUNITY COUNCIL

#### DOCUMENTS REFERENCED IN THE WRITTEN STATEMENT

All of the documents listed below are shown in bold and underlined in the Inverlochy and Torlundy Community Council's Written Statement.

The following can be viewed on the Highland Council web-site at www.highland.gov.uk

- 1 Highland Structure Plan approved March 2001
- 2 West Highland and Islands Local Plan (WHILP) Deposit Draft Plan December 2008.
- 3 Strategic Environmental Assessment SEA Site Assessment Matrices for Sites MU9 and B3
- 4 Lochaber Local Plan adopted February 1999

A copy of the relevant sections or pages of each of the following are enclosed.

- 5 Map A
- 6 Map B
- 7 Red Squirrel Stronghold (more information available on line at www.forestry.gov.uk/strongholdsconsultation).
- 8 Forest Design Plan
- 9 March 2008 EDAW Master Plan
- 10 Local Public Enquiry Report

#### INVERLOCHY AND TORLUDY COMMUNITY COUNCIL

#### WRITTEN STATEMENT

1 What are the sites currently allocated for in the adopted Lochaber Local Plan and has planning permission been granted for any development already?

Map A is misleading because it includes within site MU9, properties that have already been developed. Torlundy Courtyard and North Steadings are part of the existing community.

Map B reveals the true picture of what could be developed

A similar situation obtains concerning the private houses and business properties that exist on site B3.

Apart from the former brickworks and a semi-derelict area adjacent to the North Steadings, the remainder of MU9 is allocated mainly for agriculture and woodland.

Within MU9 planning permission exists for two detached houses.

The majority of B3 is allocated for woodland management with safeguards for recreational use. There is an allocation for further business development adjacent to the C1205 road.

Within B3 planning permission exists for one detached house and for a forestry educational unit,

2 What, if any, provisions of the Structure Plan are relevant to the consideration of these proposals?

Inverlochy and Torlundy Community Council (ITCC) is not aware of any specific reference to either site in the current **Highland Structure Plan** 

Section 1 of the Structure Plan contains statements that are counter to what is being proposed in the draft <u>West Highland and Islands Local Plan (WHILP)</u>. See sections 1.3.1, 1.4.1, 1.4.3, 1.5.17 and 1.5.23

Policy G2: Proposed developments will be assessed on the extent to which they: are compatible with service provision (public utilities, roads, schools) demonstrate sensitive siting and high quality design in keeping with local character impact on individual and community residential amenity impact on non-renewable resources such as locally important agricultural land impact on habitats, species, landscape and scenery

Policy G3: Proposed developments that by virtue of their nature, size or location, will have significant adverse environmental and/or socio-economic impacts will only be approved if no reasonable alternatives exist.

Policy G4: The Council will expect developments to benefit the local community

Policy H3: Housing developments in the countryside will generally be within existing settlements. In the hinterland of towns new building will not be permitted, unless it can be demonstrated that it is required for the management of the land and related purposes.

Policy H5: Affordable housing secured as part of a larger development should not be of significantly higher density or lower quality

Policy B1: Site B3 is not identified as a strategic business site

Policy B2: Site B3 is not identified as a new high quality business and industrial site.

Policy A1: Development on locally important agricultural land will not be permitted except where the development is essential to the interests of the local economy and no reasonable alternative location is feasible

Policy N1: Developments will be assessed for their effects on the interests of sites of local conservation importance and will be resisted where these are judged to be unreasonably detrimental

Policy L4: The Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals

3 Are there any findings of the Environmental Report or Appropriate Assessment which are relevant to the consideration of these proposals?

The <u>Strategic Environmental Assessment</u> for these sites identified possible flood risk and adverse effects on the landscape and protected species.

Leanachan Forest is soon to be designated a <u>Red Squirrel Stronghold</u> and the <u>Forest Design Plan</u> for the area, recently amended, will improve the habitat for this species. Site B3 is within Leanachan Forest and site M9 is directly adjacent

The proposals for MU9 are incompatible with the existing settlement pattern and would have a number of negative impacts but bring no material benefits.

Contrary to the claim of Highland Council (HC) planners the existing settlement pattern is not suburban in character. All of the houses constructed within recent years both in Happy Valley and along the C1156 road, had planning permissions granted with conditions attached to fit their rural setting. The Torlundy Courtyard and North Steadings developments are typically rural as are the older houses in Happy Valley.

Previously no development has been permitted west of Happy Valley to protect the setting of Inverlochy Castle Hotel (ICH), which is a listed building. On whose authority has this restriction now been removed?

4 Does the Torlundy site have the potential to develop a "new community with a degree of self-containment"?

Development of MU9 would not create a "new community". It would result in the enlargement of an existing settlement, a fact that has been acknowledged by EDAW in two Master Plans already drawn up on behalf of ICH in anticipation of the site becoming approved for development. This is an important issue as there are different criteria that have to be met with compliance.

The <u>March 2008 EDAW Master Plan</u> clearly demonstrates that the intention is to create two significant housing developments having between them only the minimum of community facilities.

Within a housing development is hardly the place to locate the suggested possible Scottish Arts and Craft Centre. Therefore apart from the former brickworks there would be no land west of the A82 available for other uses. Hence very few, if any, employment opportunities could be created, rendering any claim for a meaningful degree of self-containment unsustainable.

The enlarged community would not come near achieving "critical mass"

#### 5 What scope is there to accommodate different uses?

There would be no scope for any other type of development onsite if virtually the entire site were to be given over to housing. In any case, apart from the small detached parcel of brown land adjacent to North Steadings on the east side of the A82, industrial and other business uses would be inappropriate in this rural setting.

#### 6 How does the Torlundy proposal relate to the proposal for Leanachan Forest?

The belated inclusion of B3 in the December 2008 Draft of the <u>WHILP</u> is clearly an attempt to give some credence to HC's claim that MU9, if approved, would offer local employment opportunities. However B3 is a separate site and does nothing to confer any degree of self-containment on MU9

If B3 were to be restricted to a corridor either side of the C1205 road as suggested in a previous ITCC response then access to B3 from MU9 would require using an unlit section of the A82 where neither a cycle track nor a pavement exists. The alternative for pedestrians and cyclists alike would be the significantly longer road through the forest that is now closed to motor vehicles.

If, as advocated by HC, the businesses permitted on B3 were to be tourist related, the resulting employment opportunities most probably would be only seasonal and few would be likely to be high skilled.

### 7 What are the physical, servicing and environmental constraints on development?

The main physical constraint would appear to be the poor drainage that exists on most of MU9 caused by the nature of the soil. All of the Auchindaul Farm land would have to be drained to overcome this problem and even the ICH land, which was redrained in recent years, still suffers from surface water accumulation during and after periods of heavy precipitation

Any construction of new or reconfiguration of existing road junctions or realignment of the trunk road to the west would be extremely expensive as these would involve realigning the telecommunication cables that are embedded in the ground adjacent to the northbound lane of the A82 over the entire length of the MU9 frontage.

The spare capacity that currently exists in the recently upgraded local wastewater treatment plant is nowhere near capable of coping with the additional waste that would arise from an additional 300 houses plus any other permitted types of development. In the interests of the wider environment any further upgrading of the existing wastewater treatment plant should not and possibly would not be permitted.

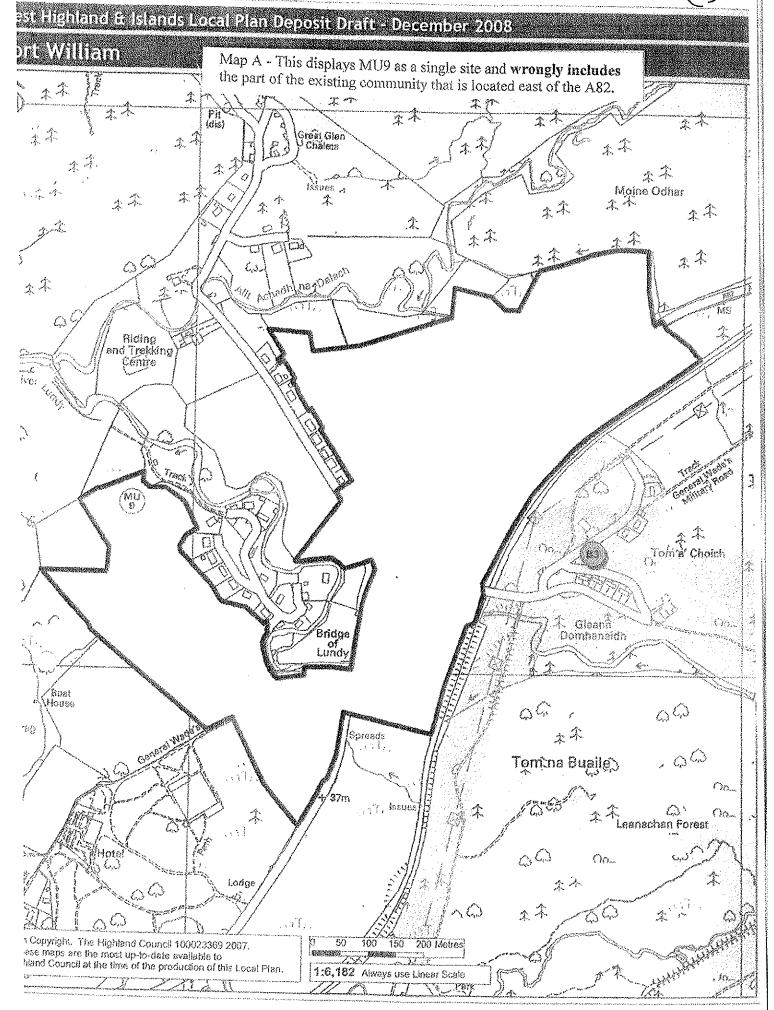
Connection to the main sewerage system for the Fort William area, which is located some distance away from MU9 at Carr's Corner would involve considerable expenditure, as would connection to the recently upgraded but equally remote mains water system.

Apart from the need to protect endangered species and vulnerable wildlife habitats mentioned above, the need to safeguard the landscape has to be a major concern in order to preserve the views currently on offer to both residents and tourists alike whether viewed from the A82 that is a major tourist route or from the surrounding mountains. In a previous Local Public Enquiry Report relating to the extant Lochaber Local Plan the government reporter rejected HC proposals for a much smaller housing development on Auchindaul Farm land within MU9 than what is now being proposed. His reasons for doing so, nearly all of which remain valid today, led him to the conclusion that it would constitute a considerable intrusion in a prominent location in the Aonach Mor corridor.

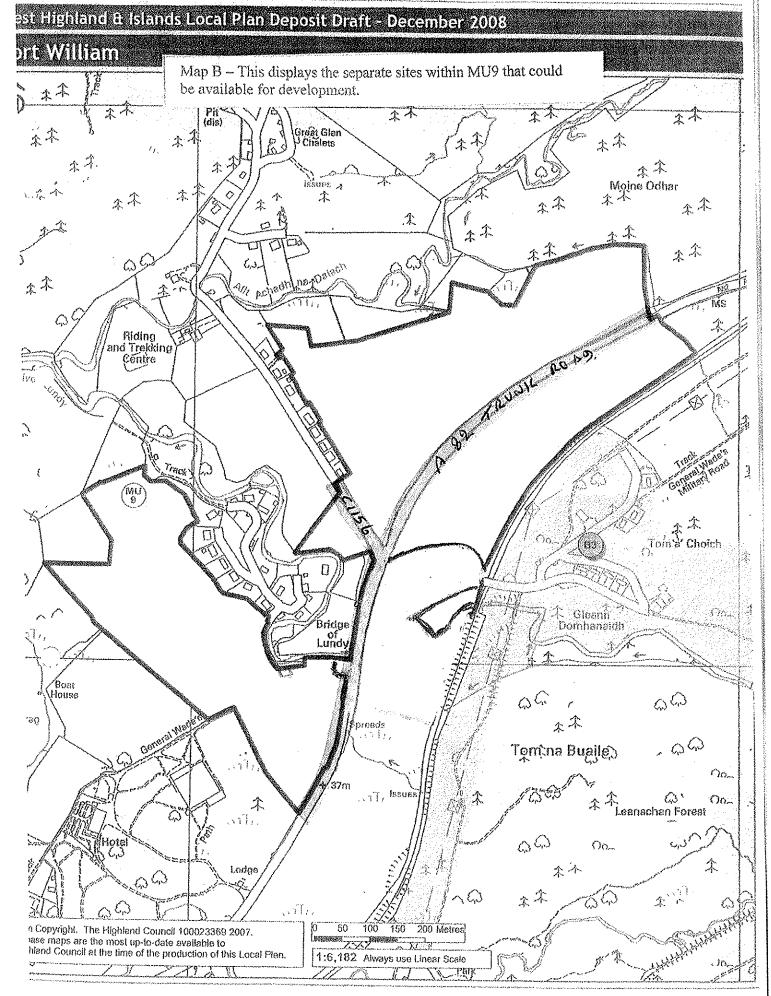
8 Is there scope for allocating specific parts of the sites for particular uses and if so, specifically which parts and which uses?

Matters relevant to these issues are covered above in Sections 4 and 5.

Apart from redeveloping the small detached brownfield site adjacent to North Steadings for business use the <u>March 2008 EDAW Master Plan</u> excludes the possibility of any type of development other than housing









# Red Squirrel Strongholds Consultation

Part of the Scottish Government's strategy to secure the red squirrel's future in Scotland

We welcome your views on these proposals

The closing date for responses is Friday 26 June 2009

The Scottish Government is seeking views on whether it has identified an appropriate suite of 'stronghold' sites to allow the sustainable conservation of red squirrels in Scotland, even if grey squirrels were eventually to spread throughout the country.

The introduced grey squirrel is a particular threat to native red squirrels: they compete for food and other resources, and in most habitats the larger grey squirrel wins. In strongholds we believe we can tip the ecological balance in favour of red squirrels, and so these sites will act as refuges for red squirrels if grey squirrels do continue to spread.



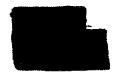
#### RECEIVED

1 0 OCT 2006

# FOREST ENTERPRISE - Application for Forest Design Plan Approvals Forest Enterprise - Property

Forest District :	Lochaber
Woodland or property name :	Leanachen
Nearest town, village or locality:	Torlundy Fort William
	205785
Local Authority:	Highland Council

- 1. I apply for Forest Design Plan approval for the property described above and in the enclosed Forest Design Plan. (This is a 10 Year formal review of an existing Forest Plan)
- 2. I confirm that the scoping, carried out and documented in the Consultation Record attached, incorporated those stakeholders which the FC agreed must be included. Where it has not been possible to resolve specific issues associated with the plan to the satisfaction of consultees, this is highlighted in the Consultation Record.
- 3. I confirm that the proposals contained in this plan comply with the UK Forestry Standard.
- 4. I undertake to obtain any permissions necessary for the implementation of the approved Plan.



Signed

Forest District Manager

District Lochaber Forest District

Date 18/08/06

Conservator

Hyhland Conservancy

Date of Approval	10 October 2006
Date approval ends	9 00/08/11 2016

Received

11 OCT 2008

e anhohar F.D.

<sup>\*</sup>delete as appropriate

#### 6. Progress Against Original Plan

Using the 1997 data and keeping to the same format, this table give indicative species proportions to demonstrate restructuring progress.

	1997 (Actual)	2006 (Actual)	2026 (Revised)
Sitka	1600	1437	968
Larch	203	115	131
Lodgepole	129	116	94
Scots Pine	16	9	24
Norway Spruce	23	17	20
Other Conifers & increase in planted Broadleaves grown for timber	23	12	84
Total High Forest	1996	1706	1321
Broadleave (Mainly 231 Natural Regeneration)		315	461
Open	508	715	954
Total	2736	2736	2736

#### Forest Plan Brief

#### Economic Issues

- Maximise local benefits from Timber operations
- Continue to invest in visitor facilities to maximise downstream benefits to the visitor industry in Lochaber.
- The design of specific coupes should be reviewed and simplified where not visually sensitive. Unnecessarily complicated coupe shapes have in the past resulted in a large number of amendments to the existing plan due to wind damage. In doing this the plan will recognise the requirement under the Forestry Standard to increase the diversity of larger coupe shapes. This will be carried out at detailed coup planning stage.
- Review current roads plan submitting EIA determination for any road construction that falls within the first five year period of the plan.

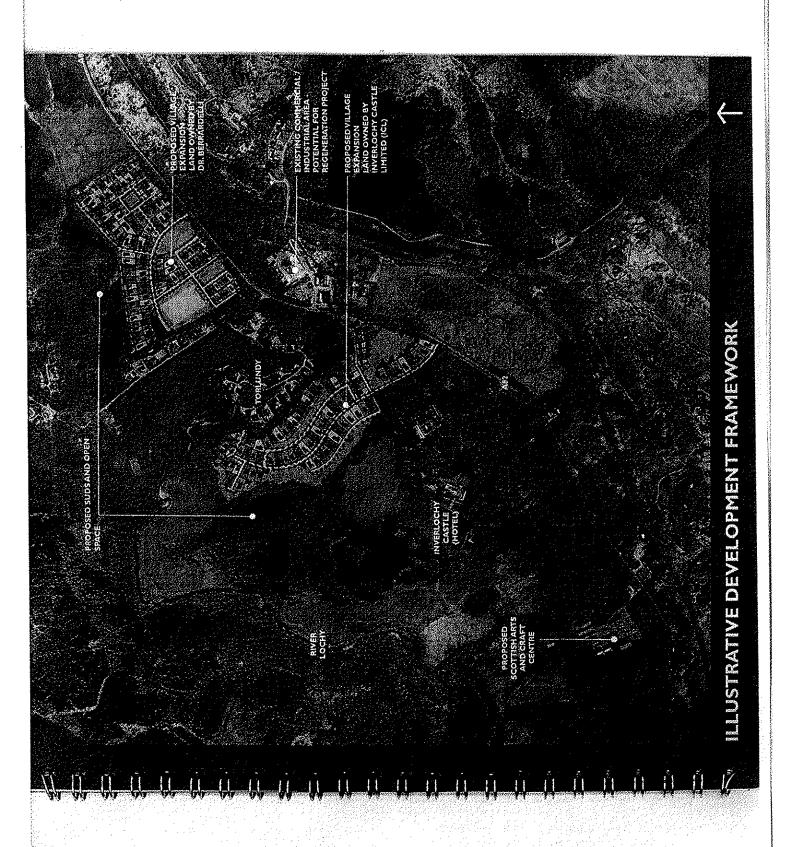
#### Social Issues

- This review of the plan should address the restructuring of the visible face as viewed from the commando memorial. An alternative solution should be put forward
- The timing of coupes in the Anoach Mor corridor should be reviewed. The aim of which is to retain flexibility in the event that the forest can contribute positively to the local Lochaber plan.

			formally submitted.
Highland Council	1/05/06	1/06/06	<ul> <li>Content with the proposal to solve the problem of restructuring the visible face. Would however like to see the perspectives particularly from the Commando.</li> <li>Would like to see cooperation between neighbours on red squirrel work should the opportunity arise.</li> <li>Accepted and will be included as part of the submission</li> <li>Accepted, however Red Squirrel numbers in Leanachen are at best low. The current species structure not lending itself to the species. We would explore any potential projects with our neighbours.</li> </ul>
SNH	1/05/06	1/06/06	<ul> <li>Avoid SS regeneration on the bog areas</li> <li>Welcomed the upper margins of commercial species being brought down the hill.</li> <li>Request to identify and not restock geological features associated with the Parallel roads SSSI</li> <li>Possible funds for interpretation through Geo-park bid</li> <li>Accepted ongoing program of non native removal for these sites. Some of which will be achieved in the longer term through clearfell operations.</li> <li>Geological features will not be restocked. These will be identified and marked as part of our detailed coupe planning process.</li> <li>Possible funds for interpretation through Geo-park bid</li> </ul>
Community Groups	1/05/06	1/06/06	None
Lochaber Rural Education Trust.	1/03/00	1700/00	TAORO
Neighbours			
Tillhill	1/05/06	1/06/06	<ul> <li>Supported current level of Deer Control</li> <li>Conservation corridors to join up wherever possible</li> <li>Co-operation on access projects where possible</li> <li>Timing of felling proposals fits with Plan for Killechonate. It is also Tillhill's intention to bring commercial species further down the hili. This will allow a natural tree line of upland birch to be established.</li> <li>Current aim is to keep populations at a level to allow regeneration of both native and commercial species.</li> <li>Agreed the Cour burn provides a riparian focus between the two land holdings and the corridors will naturally feed into this network.</li> <li>Noted. Access projects will probably be where opportunities for long distance routes arise.</li> <li>Both plans have the same strategic intent of lowering the commercial Forest and increasing the native woodland on the upper margin.</li> </ul>
Bidwells Representing	ig 1/05/06	1/06/06	The possibility of increased

# 9

## MARGH 2008 EDAW MASTER PLAN



PROPOSED NEW ACCESS ROAD housing at an average density of NOTE: Illustrative plan shows ILLUSTRATIVE LAYOUT OF LAND WITHIN ALLOCATION AREA 3.2 / acre or 8.1 / ha EXISTING ROAD CLOSED TO TRAFFIC OWNED BY INVERLOCHY CASTLE LIMITED (ICL) PROPOSED – PRIMARY SPINE ROAD RECREATIONAL ENHANCEMENT PROPOSED SUDS AND OPEN SPACE / ECOLOGICAL PROPOSED SPACE

LLUSTRATIVE LAYOUT OF LAND WITHIN ALLOCATION AREA PROPOSED SPACE ! OWNED BY DR. BERRARDELL housing at an average density of NOTE: Illustrative plan shows 4.2 / acre or 10.3 / ha

- 7.37 The community does not object to individual applications for house building on single plots, and there are opportunities for such housing along the Camisky road north of Tomacharich. However, every resident is opposed to both the housing sites allocated in the Deposit Draft Local Plan. It is considered that the green field sites should remain as agricultural land. It is maintained that the Tomacharich Road is inadequate for the scale of housing proposed, and that the junction with the A82(T) has become more dangerous with the increase in traffic on the trunk road following the construction of the Aonach Mor development.
- 7.38 Mr. Mee contends that there is no evidence of a strong demand for housing in Tomacharich. He maintains that the demand for housing is urban generated, and that there is a sufficient range and choice of sites in Fort William, where shops, schools, churches, community halls and public transport are available, to meet projected needs. In this respect, he refers to the table on housing need and supply in the council's production Annex 1: Housing. He points out that, whereas the forecasted need for housing in North Lochaber is 100 houses, there is land allocated with a capacity of 310 houses. In Fort William, where the forecasted need is 110 houses, there is land allocated with a capacity of 760 housing units. He submits, therefore, that there is no clear cut need for further housing land at Tomacharich.
- 7.39 There are doubts about the capacity and the reliability of the sewage treatment plant to cope with more development. Reference is made to previous problems with the operation of the treatment plant at Tomacharich which was installed in 1990/91. He also considers that the allocated site 8.6.4(a) on Achindaal lands is in a prominent location. It is an open site, exposed to the weather and to views from the A82(T) and from Ben Nevis and Aonach Mor. There are no existing landscape features or woodland/tree planting which would enable a housing development to fit into the landscape. The site is also outwith the settlement pattern of Tomacharich/Torlundy.
- 7.40 Mrs. Mee emphasises that a footpath/cycleway is needed between Tomacharich and Fort William. She also points out that, in addition to the houses which have been built at Tomacharich over the past 10 years, a further 40 houses approximately have been built at Torlundy bringing the total for the area to over 50 houses.

#### Findings and Conclusions

- 7.41 The Deposit Draft Local Plan allocates two areas of land for housing at Tomacharich, site 8.6.4(a) on Achindaal Land and site 8.6.4(b) at Tomacharich Farm, with a combined capacity of 37 houses. NOSWA has confirmed that this additional development could theoretically be connected to the treatment facility at Tomacharich, although there have been operational problems at the works. The local community objects to any housing development on either of these sites, and is not convinced that the treatment plant is capable of accommodating further development. The local community would accept the continuing development of individual houses on single plots.
- 7.42 As a result of the objections received, the council now proposes to delete site 8.6.4(b) from the Plan, and to reduce the number of houses on site 8.6.4(a). The owner of site 8.6.4(a), considers that the modified proposal for 12-15 houses on 2.5ha of land would involve high servicing costs and would be uneconomic. He requests that, if the number of houses on the site allocated for housing under policy 8.6.4(a) is to be reduced, the area

- 7.47 With regard to access, after a short initial stretch of road from the junction with the A82(T), the Tomacharich Road is only some 3-4m wide along most of its length. Some improvements to this road would be required between the junction with the A82(T) and the location of any development access. Access to site 8.6.4(a) would be obtained from the southern end of the existing ribbon of houses along the Tomacharich Road. The owner of site 8.6.4(a) owns all the land on the eastern side of the Tomacharich and would be able to effect improvements to this road. Access to site 8.6.4(b) would be likely to be further north. The owners of this site own most, but not all, the land on the western side of the Tomacharich Road and would be able to effect some improvements to this road.
- 7.48 On the evidence submitted, I am not satisfied that there is an overwhelming need for additional land for housing at Tomacharich. There would appear, from the statistical evidence provided by the council, to be sufficient housing land in the Fort William area to meet forecasted need and provide an adequate range and choice of housing sites. At Tomacharich, there are no local social, community or educational facilities, only an infrequent bus service, and the existing settlement pattern does not lend itself to further development of the scale and form proposed. There would appear to be little prospect of a rail halt at Torlundy or a footpath/cycleway link to Fort William in the foreseeable future.
- 7.49 I conclude that housing development on either of the proposed areas would not fit the existing settlement pattern, is not supported by known housing demand, and is strongly resisted by the local community. The site allocated 8.6.4(a) would be particularly intrusive in the Aonach Mor Corridor, although I am not convinced that either of the proposed sites would have any material impact on views from Ben Nevis or the Aonach Mor Skiing Area.
- Tomacharich in this Plan. I am aware that the council is reviewing its structure plan, and I consider that any decision on the allocation of land for housing at Tomacharich should await any review of housing need and land supply in the structure plan review. However, I am conscious of the fact that the council wishes to maximise recent investments in water and drainage services. If this is a priority, and if the council is satisfied, contrary to my view, that there is an overwhelming need for further houses in Tomacharich, the evidence suggests that a development on site 8.6.4(b) would be the most acceptable from a planning point of view. This site is bounded by housing development to the west, by the former brickworks identified for redevelopment for business purposes to the south, by the ribbon of houses along Tomacharich Road to the east, and by buildings associated with the pony-trekking centre to the north. A housing development on this site, integrated with substantial landscaping and open space, would not have a detrimental impact on the surrounding area.

#### Recommendation

7.51 It is recommended that policy 8.6.4 be deleted in its entirety. It is also recommended that policy 8.6.7(b) be deleted from the Plan. It is suggested that consequential changes be made to paragraph 8.6.1 in respect of the references to the creation of a township etc. Also, that Fig. 1, which indicates that there is capacity in the drainage system for an additional 100 houses when, in fact, it is 100 persons (40 houses approximately), should be amended. It is recommended that policy 8.6.11, which applies to the whole area surrounding Torlundy/Tomacharich, be reworded as proposed by the council (see paragraph 7.7 above).

#### ISSUE 8: AONACH MOR CORRIDOR

#### 8.1 Policy 8.2.19 states:

"The council will promote development and land use activity in the lower Great Glen between Fort William and Spean Bridge in accordance with the following principles. These recognise the major economic, recreation and conservation value of this corridor and are founded on safeguards for sensitive landscape and habitats and (without prejudice to existing uses) a strict presumption against sporadic or piecemeal development for which no operational/management need exists:

- (d) maintaining the mixed pastoral/wooded landscape west of the A82(T) and distinctive ridge, enabling diversification of existing activities where development is small scale and related visually to existing buildings....."
- 8.2 Policy 3.2.14(i) maintains a strong presumption against new housing in the surrounding countryside up to 10 miles from Fort William. The north eastern end of the Aonach Mor Corridor lies within the Parallel Roads of Lochaber SSSI. Policy 3.6.3 states that the council will maintain a presumption against development which would have a significant detrimental effect upon designated NNRs/SSSIs.
- 8.3 A representation in respect of policy 8.2.19 has been received from Mr. MacGregor of Achnaboban Farm which lies 2.5km west of Spean Bridge, and some 500 metres to the north of the A82(T). The landowner has offered the Achnasol woodland, which is to the west of Achnaboban Farmhouse, as a location for housing development. He requests that part of this woodland be allocated for housing purposes.
- Mr. MacGregor maintains that there is a shortage of medium priced affordable housing in the Spean Bridge area. He points out that the council has recently granted planning permission for two houses within the Achnasol plantation, and that there is considerable scope for further housing within this plantation. The site is south facing, towards the Grey Corries, in maturing woodland comprising 14 years old spruce and pine trees. Tree cover would ensure that any development is screened, and a very attractive development could be achieved. There are no objections from neighbours, there is mains water supply and septic tank provision could be made. The farm access road between the A82(T) and Achnaboban is being brought up to adoptable standard, and an access drive from this road is being constructed to serve the two new houses in the Achnasol woodland. This could also be constructed to adoptable standard if more development is allowed in the plantation.
  - 8.5 For the council, Mr. Short explains that the adopted Fort William Local Plan applies the council's General Housing in the Countryside Policy. This allows for well sited and well designed single houses in rural situations. The Fort William/Aonach Mor Interim Guidelines, produced in 1989, recommended a presumption against development, except small scale