

Appendix 2:

Sutherland Local Plan - Report to PED Committee 18 March 2009

Representations* received on Deposit Draft Local Plan

**NB - Includes text of previous representation where appropriate.*

Representations* received on Deposit Draft Local Plan - November 28 2008 to January 23 2009 Consultation

*NB - Includes text of previous representation where appropriate.

Representee	Comment
Whole Policy Text WS General Comment	
Scottish Water	<p>In relation to the Local Plan Map Booklet, we welcome the inclusion of the table prepared for each settlement, suggesting the level of capacity for both water and sewerage treatment. A detailed assessment of the proposed site allocations provided in the map booklet has been undertaken in terms of capacity and future capacity of Scottish Water's infrastructure to accommodate the level of development detailed within the local plan. The capacity data section in the map booklet appears to be consistent with our assessment and the planned future development of our infrastructure.</p>

Scottish Natural Heritage	<p>Master Planning and Design Statements SNH recommends that relevant PANs such as PAN83 Masterplanning, PAN68 Design Statements are referred to and their requirements consistently applied in relation to housing allocations within the Local Plan.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Not done – but para 2.6 1st b/p advises applicants to check the Scottish Government website for current PANs – which are listed in topic order – and SNH has no further comments on this.</p>

Scottish Natural Heritage	<p>Renewable energy, and some other development related issues will, SNH understands, be taken forward soon in policy terms through the Highland-wide Local Development Plan in order that they can be considered at the Highland rather than at any Area level. While SNH can appreciate the reasoning behind this, it does create potential confusion for those issues where it would be expected that a policy framework will be found in this Local Plan. Accordingly SNH recommends that a section is inserted towards the front of this Plan which sets out what issues of relevance for Sutherland will be included in the forthcoming Highland-wide Local Development Plan, with a brief interim policy commentary. SNH understands that this would include the following (if unable to be added to a modified version of this Local Plan): - Renewable energy spatial policy framework for large scale and community scale projects Marine fish farming spatial policy framework, including classification of the coast in terms of guidance in NPPG 13 Wild land areas Open space strategy AGLVs, especially citations</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>There is reference now to natural identity and heritage, and so despite no explicit reference to landscape, this representation is considered met.</p> <p>Paragraph 2.7 refers to HLDP, and that the SLP does not seek to cover pan-Highland and strategic issues. While it doesn't specify such</p>

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Representee	Comment
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Whole Policy Text WS General Comment

issues as listed in SNH's letter, it is acknowledged that these may be specified in the Development Plan Scheme to be prepared by the Council by March 2009.

Scottish Natural Heritage

SNH Position

SNH welcomes many aspects of the local plan. In particular, it seeks to be a "user friendly" document that is as succinct as possible and also seeks to give local expression to the wider principles of sustainability. The importance of the natural heritage is recognised through the identification of features of international, national and local/regional importance. We commend the Council's work on the identification and mapping of features of local/regional importance. The importance of landscape character in seeking to accommodate housing sites and define settlement boundaries was recognised by the Council in the joint commissioning with SNH of a Housing Landscape Capacity Study for Sutherland. For many settlements and proposed allocations, SNH has no comments on the Local Plan approach.

SNH understands that an appropriate assessment is required in respect of the provisions of the plan in line with the requirements of Article 6.3 and 6.4 of the Habitats Directive and that this has not yet been undertaken. SNH therefore objects to the proposals, as currently submitted, that are likely to have a significant effect on Natural sites, either alone or in combination. This objection will be reviewed once the required assessment has been undertaken. The main settlements of concern with regard to appropriate assessments are: Dornoch, Ardgay, Bonar Bridge, South Bonar Industrial Estate, Rosehall, Invershin. While our concerns are focussed on these settlements and the possible impact of the allocations on the River Oykel SAC, Dornoch Firth and Morrich More SAC and the Dornoch Firth and Loch Fleet SPA, the requirement for appropriate assessment needs to be considered throughout the Local Plan Area.

All Dornoch allocations are likely to require Appropriate Assessments, individually and cumulatively in relation to their possible effect on the Dornoch Firth SAC and so SNH objects until the results of the Council's appropriate assessment can be considered.

DEPOSIT DRAFT NOV 08 RESPONSE -

This objection is sustained until a satisfactory appropriate assessment has been prepared by the Council.

Historic Scotland

General Comments

Changes in Policy Background

We note the inclusion of NPPG 5 and 18 within the document but draw your attention to the recent changes in the policy background outlined below.

- Scottish Planning Policy 23: Planning and the Historic Environment (SPP 23): This SPP supersedes and consolidates National Planning Policy Guidelines – NPPG 18: Planning and the Historic Environment and NPPG 5: Archaeology and Planning. It sets out the national planning policy for the historic environment and indicates how the planning system will contribute towards the delivery of Scottish Ministers' policies as set out in the current Scottish Historic Environment Policy (see below).

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Representee	Comment
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Whole Policy Text WS General Comment

• Scottish Historic Environment Policy (SHEP). This outlines Scottish Minister’s policies on the Historic Environment and is produced by Historic Scotland and available at <http://www.historic-scotland.gov.uk/shep.pdf>. Please note that SHEP supersedes the policy elements of Passed to the Future.

Rider-French Consulting

Thank you for asking for a comment on from Rider-French Ltd. On the developemnt plans for the centre of Rogart. May I reply on behalf of the company.

Rider-French moved to Rogart in 1982 in order to benefit from its excellent natural environment. After 25 years of very satisfactory activity in the community, the company has now re-located, a direct result of the inappropriate construction of unecessary windfarms acreoss East Sutherland and in Rogart parish itself, with the consequent destruction of this once excellent location. From the experience of the Windfarm planning process, it is clear that the council does not heed the results of public consultations but follows its own agenda regardless. I realise these comments are negative.

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Representee	Comment
<p>Chapter 02 IC 2.06 Scottish Natural Heritage</p>	<p>Annex 1 SUTHERLAND LOCAL PLAN DEPOSIT DRAFT -WRITTEN STATEMENT SNH COMMENTS</p> <p>Chapter 2 - Introduction and Context</p> <p>SNH recommends that section 2.6 at the beginning of the plan be strengthened to include specific reference to other relevant plans and strategies, including those of other agencies, to allow these to be considered as material considerations. This is included in the Wester Ross Local Plan (adopted June 2006) and so there is a significant inconsistency here. Whilst other plans and strategies are mentioned in a general sense in section 2.6, more details presently can only be found in the Environmental Review, and this would not be a working document once the Local Plan is adopted. It is therefore strongly recommended that a link should be made to a further appendix which lists and summarises the most significant plans and strategies which require to be taken into consideration.</p> <p>These would include: Core Path Plan Aquaculture framework plans The Sutherland Local Biodiversity Action Plan Caithness and Sutherland Peatlands Management Strategy Caithness and Sutherland Landscape Character Assessment (already included as Appendix 3) Sutherland Landscape Capacity Study: an analysis of housing potential (SLCS) SNH Natural Heritage Futures documents</p> <p>In addition, further cross-references can be made by noting relevant plans and strategies in the supporting text to policies. For example, PAN 83 Masterplanning (when issued) can be added to the supporting text for Policy 18, the Sutherland LBAP can be added to the supporting text for Policies 11-13 and the SLCS can be added to the supporting text for Policies 1, 3 and 16.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>No list has been included in the Plan of other key strategies and plans. However we acknowledge that para 5.1.2 before Policy 1 includes references to the LCA and HLCS, and Policy 12 includes a link to the LBAP.</p> <p>Beyond this however we still recommended that “Relevant Documents for Sutherland” should be listed in the Local Plan for completeness and ease of reference.</p>

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Chapter 02 IC 2.06

Later under the submission on access, we note that there is no reference anywhere in the Draft Plan to the Sutherland Core Path Plan (in contrast say to the LCA and LBAP), and while it is in the ER Appendix, it is considered still desirable for reference to the Core Path Plan to be included in the Local Plan, in accordance with SPP11. This would allow for the time lag until HLDP comes into play, which will include a section on access. A reference to the Core Path Plan may be possible in the context of Policy 18 Design Quality and Place Making, and so a strong recommendation is included below under (1082) Additional Issues for Consideration in the Sutherland Local Plan 5.3 Access and Rights of Way.

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Representee	Comment
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Chapter 03 G General Comment

The Theatres Trust

The Theatres Trust is a statutory body established by the Theatres Trust Act 1976 and The Theatres Trust (Scotland) Act 1978 'to promote the better protection of theatres for the benefit of the nation'. The Town and Country Planning (General Development Procedure) (Scotland) Order 1992, Article 15, Para l(k) sets out the requirement of all local authorities to consult the Trust before they issue a decision on any planning application involving land on which there is a theatre.

Our main objective is to safeguard theatre use in the UK, or the potential for such use but we also provide expert advice on design, conservation, property and planning matters to theatre operators, local authorities and official bodies. Due to the specific nature of the Trust's remit we are concerned with the protection and promotion of theatres and therefore anticipate policies relating to cultural facilities. We have read most of the documents available on the website and our comments are of a general nature but are nevertheless essential for the future well-being of the residents of Sutherland.

An objective of the Local Plan should be to protect and enhance town and village facilities and services. In order to increase participation in cultural activity and meet future community needs for cultural facilities consideration should be given to developing local facilities that combine space or resources for a range of cultural, commercial and community activities in one place.

This is especially important in villages to enable groups to have the opportunity to participate where they are excluded from, or are less able to access, mainstream services in town centres, such as younger or older people and those without access to a car. Local activities such as performance arts can promote social inclusion, bringing together existing and new communities of all ages, particularly in areas of growth, and good quality, accessible local cultural facilities are key to creating communities where people will want to live and work.

DEPOSIT DRAFT NOV 08 RESPONSE -

Chapter 03 G General Comment

We will withdraw our objection as your response states that Objective I will be strengthened to include the provision of accessible and varied leisure and recreational facilities. Although the provision of a strategic network of fuel stations would be useful we hope that the delivery of further services will provide constructive motivation for their use.

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Representee	Comment
Chapter 03 PO 3.04 3.4.1 Scottish Natural Heritage	<p>3.4.1 (d) - The reference to "forest crofts" here is unclear (see also 4.43(0)) - for its interests SNH would wish this to be linked to resultant opportunities for improved woodland management while at the same time having full regard to housing in the countryside policies</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE-</p> <p>SNH notes the text added here which refers to "effective woodland practice", which more clearly identifies the purpose of forest crofts.</p>
Scottish Natural Heritage	<p>For sub-theme 3.4.1(a), this could be made clearer and could develop the main theme if it commenced - "Conserve and promote the uniqueness of Sutherland's natural, cultural and social heritage, including its landscape I9 The reference to "heritage" in sub-theme 3.4.1 c should be expanded to make it clearer that this relates to both the cultural and the landscape heritage.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Some additional wording has been added here which goes some way to addressing this concern e.g. a reference to natural identity, and so although there is no explicit reference to landscape, this representation is considered met.</p> <p>There is reference now to natural identity and heritage, and so despite no explicit reference to landscape, this representation is considered met.</p>
Chapter 03 PO 3.04 3.4.2 Scottish Natural Heritage	<p>The promotion of opportunities for small scale community-led renewable energy developments is included in 3.4.2(h) and repeated in 4.34 under the Strategy, however, this should still be balanced with the consideration of environmental impacts, including cumulative effects. Although the spatial framework for wind farms required under SPP 6 is primarily geared to developments over 20MW generating capacity, SNH sees great merit in the Council having a spatial framework for developments of less than 20MW to guide smaller scale developments to the optimum locations and to address cumulative impacts. This would take forward the work so far carried out under the Highland Renewable Energy Strategy and Planning Guidelines (2006) where local scale schemes are defined as less than SMW capacity.</p> <p>DEPOSIT DRAFT RESPONSE NOV 08 -</p> <p>Paragraph 2.7 refers to HLDP, and that the SLP does not seek to cover pan-Highland and strategic issues. While it doesn't specify such issues as listed in SNH's letter, it is acknowledged that these may be specified in the Development Plan Scheme to be prepared by the Council by March 2009.</p>

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Representee**Comment**

Chapter 04 G General Comment**Laid Grazings Committee**

We were surprised to find that, after two detailed paragraphs on the subject in Background Paper No 2 distributed under cover of Mr Ogilvie's letter of 8th December 2005, there is no mention of the superquarry in the Local Plan. It has been explained by your services that this is a wider issue to be considered in the round and in a broader Highland context.

We still feel that you should follow the conclusion of your own Durness Coastal Quarry Study which recommended "that no further consideration should be given to the development for aggregate use of any of the rock resources at Durness".

Why this project is still being considered, and resources wasted on keeping it alive, despite the clear and unequivocally negative conclusions of your own study (which was accepted by the Planning Committee at that time) has never been clear to us.

But by including it in the Structure Plan and in your Background Paper No 2 you put a planning blight on this area.

Having made these attempts to keep this outrageous project alive, at the very least you should explain why there is no mention of what would be the biggest project in Sutherland's history in its Local Plan - and at the same time record the total opposition of Laid to this project. Your letter of May 2008 on the Council consulting again on the Subhead Local Plan was tabled and discussed at the Grazings Committee meeting of 31st May and I was asked to write to make the following points.

As you know from our submission of 24th January 2008, the way the superquarry was not mentioned in the final draft of the Sutherland Local Plan has always rankled with the Grazings Committee.

We were most alarmed by the two paragraphs in Sutherland Local Plan Background Paper No 2 dated November 2005 and pointed this out to you at the time.

We were totally mystified by the fact that it then received no mention whatsoever in the final draft which we commented on in our submission of 24th January 2008. And even more planned when your people, asked about this omission, said it was being held back "as a wider issue to be considered in the round in a broader Highland context" according to a note I made of a telephone conversation.

As set out in your own Highland Council Durness Coastal Study of April 1994 the superquarry would be the biggest project in Sutherland's history involving inter alia; - removal of 275 million tonnes from the limestone site @age 12)

- 235 million tonnes from the gneiss site (page 13)

- a marine terminal on Loch Eriboll of 125 acres (page 25) - a G mile conveyor belt 1.5-2.0 metres above the ground (page 19)

- 24 hour working (pages 19, 35 and 53)

- five times a week, two weeks a year blasting (page 36)

- other plant noise and vibration (pages 36 and 39)

- bulk carriers coming into Loch Eriboll with the inevitable threat of pollution (page 48)

- dust giving rise to possible health hazards (pages 29, 30 and 32)

In other words the effect on one of the most peaceful and beautiful environments in the Highlands would be disastrous and Laid itself would quite simply be wiped out as it stands at the moment.

And, as we have pointed out, a final draft Sutherland Local Plan has been compiled without any mention of the above, quite apart from carrying out an official environmental assessment which we believe is now a legal requirement before such a project is even considered far less given the detailed analysis of paragraph 3.4 of your Background Paper No 2.

Incidentally we would appreciate your confirmation of the legal position on the environmental assessment.

Since the Sutherland Local Plan is apparently being revisited from an environmental point of view, we would ask for these factors to be taken into account - and, as a result, ask for the superquarry to be eliminated officially from all planning activities.

The conclusions of your 1994 Report were clear, unequivocal, totally negative for any superquarry project in this area and accepted by

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Representee	Comment
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Chapter 04 G General Comment

Highland Council Planning Committee at the time (meeting of 14/4/94).

Yet here we are some 14 years later with the proposal first in then out of the Sutherland Local Plan but apparently still going, presumably in the hope of slipping it through "in a wider Highland context", despite £50,000 of public money being spent on proving it was a non-starter in 1994.

DEPOSIT DRAFT NOV 08 RESPONSE -

There is however one particular comment which we cannot let pass. To our suggestion that this Sutherland Local Plan should take the opportunity of ditching once and for all the Eriboll superquarry project you reply: "Whilst the desire for an unequivocal position from the Council on this matter is understandable, for us to say that no superquarry development should happen in Northwest Sutherland without the necessary evidence and consideration would not be a tenable position".

The conclusions of our own Durness Coastal Quarry Study (which cost fifty thousand pounds of taxpayers' money and which was approved by Highland Council Planning Committee on 20th April 1994) are unequivocally dismissive of the Eriboll superquarry. This report runs to 83 pages with as many again of annexes – yet you say there is "no necessary evidence". The Scottish Government rejected the Lingerbay proposal (which did have a positive viability and local support) out of hand. Mr Ian Wilson of Durness Estate at our Grazings Committee meeting on 3rd November 2008 informed us that the superquarry proposal was "dead".

Yet against all this you persist in trying to keep this proposal alive, against all the evidence and current thinking – and also against the final conclusion of your own 1994 Report "that no further consideration should be given to the development of any of the rock resources at Durness".

And you publish a Sutherland Local Plan which makes no mention of what, if you had your way, would be the biggest project in Sutherland's history. To one of our submissions you have replied "dealing with the issue is outside of the local plan which is a land-use planning document". Yet you choose not to mention the possible removal of 235 million tons of that land and just sweep it under the carpet.

We take great exception to this and enclose the form confirming this as a formal objection to the Plan on which we would wish a Scottish Government Reporter to provide an independent judgement.

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Representee	Comment
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Chapter 04 ST Caring for the Heritage 4.34

Airtricity Developments (UK) Ltd

Airtricity is disappointed that there is not a section in the deposit draft local plan dedicated to renewable energy but welcomes the promotion of renewable energy development opportunities throughout the plan. It is also acknowledged that the deposit draft local plan seeks to accommodate an appropriate mix of land uses including renewable energy; 'an integrated and balanced regime of land uses able to draw investment .. is required' including onshore 'wind renewable energy' (para 4.34).

Whilst it is disappointing that the deposit draft local plan does not contain any policies specific to renewable energy development and the proposals map does not identify any preferred areas of search for renewable energy development, it is recognised that any proposed onshore wind farm development will be 'guided' by the Council's emerging revised "Renewable Energy Strategy and Planning Guidelines (HRES), and assessed against new supplementary planning guidance (currently being prepared). Airtricity welcome the introduction of these documents but request that a full consultation exercise be undertaken before they are adopted as supplementary planning documents to the development plan.

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Representee	Comment
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Chapter 04 ST Supporting Communities 4.32

Laid Grazings Committee

We feel that there should be much more emphasis on job creation and services - if we get these right the houses will follow.

But the balance in places like Laid where the problem of services risks outweighing the other attractions is not addressed in the Plan. And there is little point in forecasting additional housing unless the services are there which is not the case at present for Laid. We have several suggestions in that respect.

We will return to job creation later but services do not receive nearly enough attention in the Plan.

Here in Laid the only service which has shown any improvement over the last years is the electricity supply where big advances have been made in ensuring a regular uninterrupted supply.

All other services have either deteriorated (water, library, transport, road maintenance) or failed to keep up with improvements elsewhere (roads, telephone, care of the elderly, police, fire). This is in a township which has more than tripled the number of resident households over the last fifteen years - and is still growing - and which can therefore be said to be expanding. You give as a Strategic Objective on page 5 "Confident & thriving settlements". Laid is thriving but how can we be confident when the three emergency services are all a very minimum of half an hour away and such services as we have in Laid are deteriorating?

We feel that improvement in services in small communities must be addressed as a matter of absolute priority otherwise people will just leave.

Fire protection

We heartily endorse the sentiment in para 4.38 on page 19 about the deficiencies in services being "addressed and the quality and accessibility of services improved where necessary".

As we have already said, all our services in Laid have deteriorated over recent years and continue to do so.

Fire protection is perhaps an exception in that recent improvements have been introduced for which we are grateful. But Laid still has no fire hydrants and this is a major worry for households in the township.

Care for the elderly

There are various references to the ageing of the Sutherland population and we agree that this is a trend likely to continue.

We also agree with the objective in para 4.42j on page 20 about "most communities well equipped with health/day facilities".

But our community which is part of Durness parish has no day care facilities and the elderly have to travel to Tongue of Kinlochberrie for this. This is something which should be addressed in the Plan Furthermore we would strongly suggest that the aim of the Plan should be for the elderly to go into care in their own communities when they can no longer cope at home. The aim therefore should be for day care and residential care to be available near to their home community and in this respect any investment in Migdale (para 4.32 page 17) makes no sense to us. Certainly they should have their own residential care facility for Bonar Bridge but to try and centralise residential care there for Sutherland with old folk being taken out of their own communities to pass their last days there, is wrong especially as there is no public transport. And money spent on centralising services in Migdale will automatically detract from money spent in their own communities which is where the elderly must be cared.

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Representee	Comment
Chapter 04 V 4.43 Airtricity Developments (UK) Ltd	One of the main constraints to the utilisation of onshore wind farm development within the Highland region is the current grid infrastructure. This is highlighted as a constraint in theme 4.43 'A Competitive Place (q)'. We respectfully request that Highland Council pursue this through the national planning framework.

Representee	Comment
<p>Chapter 04 V 4.44 Friends Of The Far North Line</p>	<p>FoFNL is concerned to ensure that the future construction of a railway line along a corridor from the Dornoch Firth Bridge (A9), through Dornoch and across Loch Fleet at Littleferry, to Golspie is not compromised by planning decisions in the local plan. We are particularly concerned about the suggested outward spread of Dornoch in designated blocks H3, H4, MU1 and the northern block marked LT. No reference is made to the safeguarding of a route through these areas and therefore we must object to the plan as it stands.</p> <p>FoFNL would suggest that the situation at Dornoch is resolved by the designation of a linear corridor (with no sharp bends) through the area which would be primarily for recreational use, but wide enough to support insertion of a railway line at a later date. Such a green corridor would be an asset which could be enjoyed by present townsfolk and by all the future residents of the newly designated blocks of land.</p> <p>The value of a railway to the Dornoch area would be in helping creating prosperity (para 4.29) by improving connectivity and accessibility (4.40), choice in public transport (4.43b), and by helping to justify major new investment (4.42c). It would also be a "key driver in (Dornoch's) economic prospects" just as the plan envisages for Lairg, Ardgay and Bonar Bridge (4.44c). The value of the railway to communities northwards from Golspie into Caithness and Orkney would also be considerably increased by virtue of the shorter route.</p> <p>FoFNL does not agree that the safeguarding of the route can be left to a future development plan (4.44c). There have been several case in recent years where earlier developments have compromised routes for new or reopened railways (e.g.. The Borders Railway) and made the process more difficult. We believe the route has to be safeguarded now that our suggestion of a recreational corridor would be one very feasible way to do this.</p> <p>The timing of the new railway is difficult to judge, but we would expect there to be a major shift, of freight in particular, from road to rail when oil scarcity and high prices really begin to bite in about ten years' time. Climate change preventative measures could bring about this change sooner. Another factor which might bring forward construction of this line would be if there was a major regeneration initiative for Caithness to counter the run down in employment at Dounreay.</p> <p>This emphasis on freight would also underline the increasing importance of Lairg as a freight transshipment point. Such a major modal switch would require some doubling of the single track Highland routes north of Perth and the provision of extra passing loops. A route through Dornoch and one through Lairg would effectively provide such a double track facility.</p> <p>We therefore ask that the plan should take note of the likelihood of a renaissance for the railway and designate a corridor for a new line from Ardachie on the Dornoch Firth to Golspie. It would be inexcusable to prevent such an asset being created by failing to protect such a route in the 2008 plan.</p>
	<p>DEPOSIT DRAFT NOV 08 RESPONSE -</p>
	<p>Issues-</p>

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Representee	Comment
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Chapter 04 V 4.44

Safeguard Route for railway from Ardachie to Golspie. Do this in Dornoch area by means of a recreational corridor wide enough to include a railway line.

Letter-

I am writing on behalf of Friends of the Far North Line following your response to our request that the future construction of a railway line from the Dornoch Firth Bridge (A9) to Golspie through Dornoch and Littleferry should not be compromised by planning decisions in the new Sutherland Local Plan.

We are disappointed that you do not appear to support our suggestion of a corridor through Dornoch primarily for recreational use, but wide enough to also accommodate a railway line at a later date. We were very mindful indeed of the undesirability of planning blight and aware of the continuing history of residential estates being created without sufficient community facilities. To our mind, our suggestion goes a long way towards a positive resolution of such issues combining them with facilitating a future railway. A “win win” solution in modern parlance.

The principal purpose of planning is to facilitate sensible and sustainable growth and that tenet is behind recent government changes to the planning system, we note that the Sutherland Local Plan is to be the last of this type of plan and that work is already under way on the new pan-Highland Development Plan to replace the old Structure Plan. We would expect this to encourage and protect transport corridors and it would be a pity if the last local plan was to impede progress.

Accordingly, we would wish the need to facilitate a route for a future railway to be further examined in a wider planning context. In Caithness, East Sutherland, regional and even national interests it is important that a future sustainable transport link between Ardachie and Golspie is not jeopardised.

It seems that to continue this representation we need to make it an “objection.” Our completed response form is enclosed herewith. Thank you for your attention.

Thurso Community Council

The Community Council for many years favoured the Dornoch Rail Link. This would link Golspie to Dornoch by way of Loch Fleet and bridge the Dornoch Firth to Tain. We hope that in your plan you will make allowance for this route to be built. When this link is built it will bring great benefit to all residents of North East Sutherland, Caithness and Orkney. It will slash journey times drastically, instead of going via Lairg as at present, a direct route will be available to Inverness, to be used for freight as well as passengers. Good luck in your Local Plan.

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Representee	Comment
Chapter 04 V 4.44	
Railfuture Scotland	Request for railway route safeguarding to facilitate a Dornoch- Tain/ Golspie raillink.
Scottish Natural Heritage	<p>4.44 c) - Reference to a possible Dornoch Firth Rail Link and possible protection of a route in a future Local Development Plan will need to have been preceded if necessary by an appropriate assessment with regard to likely significant effects on the Special Area of Conservation and Special Protection Area embracing the Dornoch Firth</p> <p>4.44 (e) and (f) - Paragraph 4.44(e) regarding water and waste-water treatment looks more appropriately placed under "a regenerating place" and para</p> <p>4.44(f) regarding renewable technologies looks more appropriately placed under "a competitive place" rather than them being under "a connected and accessible place"</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE-</p> <p>4.44 c) No specific reference to the possible need for an Appropriate Assessment has been included, however, SNH acknowledges that this requirement will be swept up by other policies. SNH has no further comment on this.</p> <p>4.44 (e) and (f) Paragraph 4.44(e) regarding water and waste-water treatment looks more appropriately placed under "a regenerating place" and para 4.44(f) regarding renewables technologies looks more appropriately placed under "a competitive place" rather than them being under "a connected and accessible place"</p> <p>□Although this has not been done SNH has no further comment.</p>
Scottish Natural Heritage	<p>3.1 Brora Similarly, SNH also recommends that the possible corridor for the A9 bypass should be indicated on the Brora map.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE-</p> <p>SNH maintains the recommendation that the Council indicates the bypass route, or at least maintains it free from development allocations, in this Local Plan. There is a need to consider the longer term impacts of climate change on this trunk road. It is important to safeguard at least one route now that a number of the alternative options have been allocated.</p>

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Representee	Comment
<p>Chapter 04 V 4.44 Scottish Natural Heritage</p>	<p>SNH recommends that the possible corridor for the A9 bypass should be indicated on the Golspie map, despite it not yet being programmed for construction. It should be protected from development as there are no other real options.</p> <p>DEPOSIT DRAFT RESPONSE NOV 08 -</p> <p>SNH maintains the recommendation that the Council indicates the bypass route, or at least maintains it free from development allocations, in this Local Plan. There is a need to consider the longer term impacts of climate change on this trunk road. It is important to safeguard at least one route now that a number of the alternative options have been allocated.</p>
<p>Donald MacKintosh</p>	<p>The paragraph should surely be altered to include Golspie, Brora and Helmsdale.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>I regret that I have mislaid the form you sent me showing the changes made to the Sutherland Local Plan but I am not persuaded that this made the plan acceptable to the development of a modern railway service to Dornoch and all points North. I therefore wish this issue to be dealt with as a formal objection.</p>
<p>Stewart MacLennan</p>	<p>As a resident of Inverness, I have over many years used the train for travel north to Caithness for purposes of business or meeting with friends.</p> <p>By any standards, the extremely long and wearisome length of rail journey from Inverness to Caithness, taking almost 4 hours to Thurso and even more to Wick, is really a public disgrace, and not surprisingly the many of the trains I have travelled on are 'nearly empty' for the northern part of the line after about Tain. Even at the fairly sizable villages such as of Golspie, Brora or even Helmsdale very few people ever get on or off the train which is a reflection of the time wasted, for going the 'long way round' by Lairg and Rogart - where hardly even a soul from those low population areas actually uses the train nowadays.</p> <p>Yet it has always seemed to me that there is, very probably would be a much greater demand for rail travel in the north of Scotland, to the main centres of population, if the journey could be made much faster.</p> <p>I note from last week's local paper that a Study has shown that journey times by train to Caithness, and Golspie, Brora etc could be reduced by around 45 minutes, by a rail crossing over the Dornoch Firth. This visionary project has been talked about for many years now in the Highlands and would certainly give the railway a real boost, to encourage more use of the line. Many of us fear that this antiquated, and poorly patronised railway north to Caithness cannot really survive in the longer term, without the benefit of such long-deferred investment to better compete with a constantly improving A9 road..</p> <p>A faster and more competitive line to Caithness would probably be very attractive to also helping get some of the excessive A9 heavy lorry road freight traffic back on to the railway !</p>

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Chapter 04 V 4.44

Yet when I read a copy of your 'Draft Deposit of the Local Sutherland Plan' there is only a very weak, 'wishy washy', skimped and wholly inadequate reference to the required Dornoch Firth rail crossing. The Plan statement fails to give proper or adequate recognition to the very many substantial benefits which would be conferred on the majority of the Sutherland area population (who overwhelmingly live in the coastal settlements between Dornoch and Helmsdale).

There does seem to be an unfortunate element of discrimination against those areas which, astonishingly, are even mentioned in the Plan statement Page 23 - item 'c'. Yet these areas are all shown as 'growth zones' in other parts of your Plan, and the maps contained within the 2006 Consultation Draft.

I would respectfully suggest that in your further revision of this Plan, you will be prepared to give a fuller and more supportive outline of the broader benefits, to the greatest numbers, arising from a Dornoch Firth rail route.

Whilst I accept that Highland Council would not be responsible for the major financing of this vital rail project, your Plan has a duty to positively highlight potential benefits from the achievement of various projects - which it finds no difficulty in doing for other inherently desirable projects elsewhere within the Plan document.

I trust you will find it possible to incorporate such more fulsome and supportive remarks concerning the required Dornoch Rail route in your further stages of this Plan scrutiny.

DEPOSIT DRAFT NOV 08 RESPONSE -

Many thanks for our meeting on Wednesday it was good of you to see me at such short notice, and also the views and guidance you expressed. However I feel strongly that there is a lack of urgency from both the Scottish Government at Holy rood and also the H.R.C on this very important issue. There is also a lack of commitment from certain people in the H.I.T.R.A.N.S set up and sadly that in itself is a draw back and the future of The Dornoch Rail Link. Once again thanks you fro your help.

Transport Scotland

Objecting to -

Paragraph number:
4.30 and 4.44

Other part of Plan:
(please describe clearly)

Under the Strategy sub-heading of "Creating Prosperity", paragraph 4.30 states the findings of the HITRANS Strategy which is as follows
"The HITRANS Strategy concluded that the priority for the A9 North Corridor (encompassing road, rail, bus-based public transport)

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Chapter 04 V 4.44

should comprise works at Conon Bridge and speed enhancement measures on the existing alignment of the Far North Rail Line, together with the delivery of a Route Action Plan approach on the A9 North road to provide climbing lanes and other improvements (including bypasses) to reduce the average journey time on the road. The HITRANS Strategy flags the option of by-passing Golspie and Brora in particular, although the earliest that schemes may be prepared would be towards the end of the period covered by this Local Plan. This Plan does not therefore identify routes for safeguarding but the definition of the settlement development areas tightly around the existing built form and allocated sites will help to maintain options for future investigation. The HITRANS Strategy also identifies the A838 Kinlochbervie to Lairg road, for route enhancements in the medium term. Continued promotion of the Invernet commuter rail service can be expected to increase custom, and the strategic “gateway”/ distribution role of Lairg will maintain the rail-freight capacity of the Far North Line which is an important contributor to economic and social prospects of communities in Central Sutherland. There may be opportunities to promote strengthening of rail-freight infrastructure through the further development of a network of strategically located sidings with loading facilities.”

Under the “Vision” heading of “A Connected and Accessible Place”, paragraph 4.44 lists a number of transport interventions which are reproduced below:

“a. A9 improvement schemes - notably the long awaited by-passes of Golspie and Brora which are already promoted by the HITRANS Strategy – could be Regional Transport Authority priorities, worked up as proposed schemes. Congestion relief, community safety and shortened journey times are anticipated. The Development Plan of the time protecting any formal preferred and programmed route announced in each case and future expansion options for communities being fitted with these routes, enabling enhancement of their commercial thoroughfares.

B.; a significant increase in rail-freight which consolidates Lairg as a major transit/ break-of-bulk and distribution “hub” for the north-central Highlands as part of a network of strategically located sidings with loading facilities (serving the import and export needs of the forestry, farming, fuel supply, aggregates and renewables industries) which could be underwritten by a consortium.

C. Substantial increase in passenger numbers on the Far-North rail line as efficiencies reduce the Inverness-Wick journey time. A sustained, full peak-time return Invernet commuter service extending to Lairg, Ardgay and Bonar Bridge. The rail service as a key driver in their economic prospects, as well as places further north and west. The possibility of a Dornoch Firth rail crossing (which is being promoted by a campaigning group with some wider support) may have been explored further through the preparation and review of Highland-wide, regional and national planning and transportation strategies, with due consideration given to the economic, social and environmental impacts of such a scheme. In the event of such a scheme being favoured and any formal preferred and programmed route being announced, the Development Plan of the time could protect such a route.

D. Maintaining and pursuing the case for twin-tracking the ‘lifeline routes’ or ‘locally important roads’ to the north and west coast communities and seeking improvement of other roads which are under stress, such as the Dornoch-Embo road, and progress made with the A838 route enhancement scheme.”

Proposed Transport Scotland Objection 1

Further to the publication of the STPR, Transport Scotland would also request that the following wording is inserted within the Plan:

“The Strategic Transport Projects Review (STPR) identifies interventions to be delivered, designed or developed beyond 2012 and

Representee	Comment
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Chapter 04 V 4.44

primarily between 2012 and 2022. Projects relevant to the Sutherland Plan area are as follows:

- Strategic Road Safety Plan;
- Maintenance and Safe Operation of Scotland's Rail Network;
- Integrated ticketing;
- Rail system enhancements, including the replacement of the Radio Electronic Token Block signalling in the Highland region; and
- Road safety improvements in North and West Scotland.

However a number of other measures will have positive implications for the Sutherland area, including projects aimed at increasing the frequency of rail services and reducing journey times between Aberdeen and Inverness, and the Highland Mainline Rail Improvements Project aimed at improving network capacity for passengers and freight between Inverness and Perth.”

With regard to the transport interventions relating to the strategic network, the Plan should be amended to provide more information on the background and status for each project and to refer to processes that would be required to be followed in order to progress them. Transport Scotland appreciate that this was recognised by the Highland Council Planning, Environment and Development Committee on 24th September 2008, however this does not appear to have been undertaken within this draft of the Plan.

The strategic transport network interventions indicated within paragraphs 4.30 and 4.44 are not included within STPR and therefore do not have Transport Scotland approval or funding. However, the Scottish Government's concordat with the Local Authorities recognises that many transport interventions are best delivered locally. Therefore should any transport interventions identified require Transport Scotland approval, these would require to be appraised using Scottish Transport Appraisal Guidance (STAG). STAG advocates an evidence-based, objective-led appraisal framework which allows the identification and appraisal of interventions most likely to address identified issues, therefore, Transport Scotland welcomes the reference to STAG within the Plan.

It is appreciated that these transport interventions are identified within the Vision and that the Council has previously commented stating that “The Vision is not saying that these ‘transport interventions’ will happen but rather that they have the potential to come forward and sit well with the strategy of the Plan.” (Appendix B) However, Transport Scotland would still require the status of each intervention to be clearly presented with regard to Transport Scotland funding and approval, particularly where interventions do not have Transport Scotland funding or approval in place. This will assist in providing certainty and avoid doubt as to the status of these interventions when they appear in the Plan.

.....

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Representee	Comment
Chapter 05 G General Comment	
Scottish Environment Protection Agency	<p>Objection Policy and Part of Plan</p> <p>Omission of Policy on Contaminated Land</p> <p>Objection</p>
	<p>While Policy 10 refers to land with possible contamination issues, it does not provide clear guidance to developers on how contaminated land needs to be risk-assessed, remediated and redeveloped. SEPA therefore objects to the omission of clear policy on contaminated land. Land subject to contaminative uses is an important issue in the Highland Council area, as it contains a significant area of such land. Planning Advice Note 33 'Development of Contaminated Land' (PAN 33) Paragraph 27 states "In preparing development plans, planning authorities are expected to encourage and promote the reuse of Brownfield land, including contaminated sites. Development plans provide an opportunity for authorities to set out their priorities for the reclamation and re-use of contaminated land, and to inform developers of the availability of sites, and the potential constraints attached to them."</p>
	<p>In addition PAN 33 states that "Planning authorities should therefore require that applications include suitable remediation measures. If they do not, then there are grounds for refusal. Where applications are approved, conditions should be put in place to ensure that land is re-mediated before the commencement of any new use."</p>
	<p>PAN 33 Paragraph 27 states "The planning authority must consider whether a developer's restoration plan is adequate to avoid unacceptable risks to human health and the wider environment from the contamination on the site, both during the restoration period and for the final end use. The end use of the site is a crucial consideration when determining whether a restoration plan is adequate".</p>
	<p>SEPA considers that the Planning Authority should satisfy itself that the potential for contamination is properly investigated, that risks associated with any contamination are assessed and that any necessary remediation is undertaken to ensure that the land is suitable for its proposed new use and does not represent a risk to the wider environment.</p>
	<p>SEPA wishes to highlight that SEPA's role is to provide advice to Local Authorities primarily with respect to the water environment aspects of the identification and treatment of contaminated sites.</p>
	<p>Further guidance on this policy should be sought from your contaminated land colleagues.</p>
	<p>Modification Required to Remove SEPA's Objection</p>
	<p>SEPA would remove its objection if the following amendment is made</p> <ol style="list-style-type: none"> 1. A separate policy is inserted into the Plan to the following effect: "Where development is to take place on land that has been subject to contaminative uses, the developer is required to undertake an adequate risk assessment of the site, and to propose measures to avoid unacceptable risks to human health and the wider environment

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Chapter 05 G General Comment

both during the restoration period and for the final end use."

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Contaminatd Land

12.1 SEPA would withdraw its objection provided that the Planning Authority makes a formal commitment to including a Policy on Contaminated Land witiin the forthcoming Highland Wide Local Development Plan.

Scottish Environment Protection Agency

Objection

SEPA objects to the omission of a specific policy on protection of the water environment.

National Planning Policy Guidance 14 'Natural Heritage' Paragraph 55 states "Lochs, ponds, watercourses and wetlands are often both valuable landscape features and important wildlife habitats, and planning authorities should seek to safeguard their natural heritage value within the context of a wider framework of water catchment management." This is particularly important in this Plan area where allocations in close proximity or enclosing watercourses are common.

SEPA notes that the SEA Environmental Report assesses whether allocations contain watercourses. SEPA also notes that in some instances where an allocation within the Deposit Draft West Highland Local Plan contains a watercourse, the Allocation Developer Requirements states "Requirement to retain and integrate watercourses as natural features within the development." Highland Structure Plan FA11 states "The Council will, in co-operation in partners, use the planning system and voluntary codes of good practice to ensure the proper management of river systems". The Water Environment and Water Services (Scotland) (WEWS) Act 2003 implements the EC Water Framework Directive (2000/60/EC), which is aimed at maintaining and improving the quality of aquatic ecosystems and requires that any ecological risks to the water environment associated with development (including engineering operations) be identified and controlled.

Scottish Planning Policy 1 'The Planning System' Paragraph 22 states "The obligations specified in these Directives have a number of implications for the use of land which should be recognised and reflected in development plans and development control decisions. The reference to "these Directives " includes the Water Framework Directive (200/60/EC).

Furthermore under the WEWS Act Local Authorities are Responsible Authorities and therefore must give consideration to the aims of the Water Framework Directive when exercising their functions, including preparation of Development Plans.

One of the key tasks of the Water Framework Directive regime is the production of River Basin Management Plans (RBMP) and the land use planning system has an important role to play in maintaining and enhancing the water environment, particularly prior to River Basin

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Chapter 05 G General Comment

Management Plans being produced. The Highland Council is partner in the production of RBMP covering this area.

Modification Required to Remove SEPA's Objection
 SEPA would remove its objection if the following amendment is made.

1. A policy is included in the Plan which states that planning applications will be determined in compliance with the Water Framework Directive. SEPA will be happy to discuss a detailed form of words for this policy with the Planning Authority, incorporating a general recommendation that the Policy states that any development that may have a detrimental impact on the water environment would not be supported unless suitable mitigation can be put in place to ensure compliance with the objectives of the Water Framework Directive or SEPA have confirmed that an exemption from Water Framework Directive requirements will apply.
2. For all allocations containing a watercourse the Allocation Developer Requirements should state "Requirement to retain and integrate watercourses as natural features within the development".

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Protection of Water Environment and All Allocations Containing Watercourses

SEPA welcomes the inclusion of allocation Developer Requirements "To retain and integrate watercourses as natural features withi11 the development" for all allocations containing significant watercourses. SEPA would withdraw its objection provided that the Planning authority makes a formal commitment to including a Policy on Protection of Water Environment within the forthcoming Highland Wide Local Development Plan.

Scottish Environment Protection Agency

Objection Policy and Part of Plan

Water Supply- Each Settlement where the Plan identifies a water capacity deficiency

Objection

SEPA welcomes the assessment of the capacity of the public water supply network and the detailing of this for each settlement. I- however SEPA objects to the Plan as it stands as it is contrary to Scottish Planning Policy 3 'Planning for housing' (SPP 3) as it is unclear whether water supply network improvements can be implemented.

It is SEPA's understanding that "allocations Vs capacity" refers to an assessment of whether the existing water supply network can accommodate the Plan allocations. It is unclear what the deficiency is and if the capacity assessments assess network capacity and

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Chapter 05 G General Comment

ability of the water environment to accommodate further development. SPP 3 Paragraph 85 states "Creating a new settlement or major extension will generally require partnership between the public sector, private developers and other interests. Development plans should be clear about the likely scale of developer contributions, which for some sites may include provision of all or most new infrastructure, road improvements and similar requirements. Such provisions should be drawn up in consultation with the relevant parties, and the cost of providing the necessary infrastructure should be commensurate with the scale of the development proposed ."

In the light of the new role of SEPA and Scottish Water as key agencies in cooperation in the preparation of development plans, SEPA considers that it would be more useful to the public, developers and planners to identify not only the public water supply capacity for each settlement, but mechanisms which could be implemented to address capacity constraints. SEPA would be happy to work with Scottish Water and the Council to assist in this process.

Modification Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendment is made

1. Where there are infrastructure issues the settlement descriptions should set out the nature of these issues and how they could be addressed without adverse impact upon the water environment (e.g. network capacity, scale of development that could facilitate upgrades to infrastructure).

DEPOSIT DRAFT NOV 08 RESPONSE -

Water Supply- Each Settlement where the Plan identifies a water capacity deficiency

SEPA welcomes the ongoing tri-partite meeting between Scottish Water, Highland Council and SEPA to resolve water supply deficiency across Highland. SEPA considers this an appropriate forum to resolve outstanding water deviancies relating to the Plan area and therefore withdraws its objection to this element of the Plan.

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Representee	Comment
Chapter 05 G General Comment Scottish Environment Protection Agency	<p data-bbox="490 240 882 268">Objection Policy and Part of Plan</p> <p data-bbox="490 301 1671 328">Omission of Policy on Protection of Water Environment and All Allocations Containing Watercourses</p> <p data-bbox="490 362 607 389">Objection</p> <p data-bbox="490 422 2101 571">SEPA objects to the omission of a specific policy on protection of tile water environment. National Planning Policy Guidance I 4 'Natural Heritage' Paragraph 55 states "Lochs, ponds, watercourses and wetlands are often both valuable landscape features and important wildlife habitats, and planning authorities should seek to safeguard their natural heritage value within the context of a wider framework of water catchment management." This is particularly important in this Plan area where allocations in close proximity or enclosing watercourses are common.</p> <p data-bbox="490 604 2040 695">SEPA notes that the SEA Environmental Report assesses whether allocations contain watercourses. SEPA also notes that in some instances where an allocation contains a watercourse, the Allocation Developer Requirements states "Requirement to retain and integrate watercourses as natural features within the development."</p> <p data-bbox="490 697 2096 756">Highland Structure Plan FA11 states "The Council will, in co-operation in partners, use the planning system and voluntary codes of good practice to ensure the proper management of river systems".</p> <p data-bbox="490 758 2107 849">The Water Environment and Water Services (Scotland) (WEWS) Act 2003 implements the EC Water Framework Directive (2000/60/EC), which is aimed at maintaining and improving the quality of aquatic ecosystems and requires that any ecological risks to the water environment associated with development (including engineering operations) be identified and controlled.</p> <p data-bbox="490 850 2101 941">Scottish Planning Policy 1 'The Planning System' Paragraph 22 states "The obligations specified in these Directives have a number of implications for the use of land which should be recognised and reflected in development plans and development control decisions." The reference to "these Directives" includes the Water Framework Directive (2000/60/EC).</p> <p data-bbox="490 943 2101 1091">Furthermore under the WEWS Act Local Authorities are Responsible Authorities and therefore must give consideration to the aims of the Water Framework Directive when exercising their functions, including preparation of Development Plans. One of the key tasks of the Water Framework Directive regime is the production of River Basin Management Plans (RBMP) and the land use planning system has an important role to play in Installing and enhancing the water environment, particularly prior to River Basin Management Plans being produced. The Highland Council is partner in the production of RBMP covering this area.</p> <p data-bbox="490 1125 1126 1152">Modifications Required to Remove SEPA9s Objection</p> <p data-bbox="490 1185 1317 1212">SEPA would remove its objection if the following amendment is made.</p> <p data-bbox="490 1214 2096 1367">1. A policy is included in the Plan which states that planning applications will be determined in compliance with the Water Framework Directive. SEPA will be happy to discuss a detailed form of words for this policy with the Planning Authority, incorporating a general recommendation that the Policy states that any development that may have a detrimental impact on the water environment would not be supported unless suitable mitigation can be put in place to ensure compliance with the objectives of the Water Framework Directive or SEPA have confirmed that an exemption from Water Framework Directive requirements will</p>

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Chapter 05 G General Comment

apply.
 2. For all allocations containing a watercourse the Allocation Developer Requirements should state "Requirement to retain and integrate watercourses as natural features within the development".

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Protection of Water Environment and All Allocations Containing Watercourses

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Scottish Environment Protection Agency

Objection
 SEPA welcomes the assessment of the capacity of the public water supply network and the detailing of this for each settlement. However SEPA objects to the Plan as it stands as it is contrary to Scottish Planning Policy 3 'Planning for Housing' (SPP 3) as it is unclear whether water supply network improvements can be implemented.

It is SEPAs understanding that "allocations Vs capacity" refers to an assessment of whether the existing water supply network can accommodate the Plan allocations. It is unclear what the deficiency is and if the capacity assessments assess network capacity and ability of the water environment to accommodate further development.
 SPP 3 Paragraph 85 states "Creating a new settlement or major extension will generally require partnership between the public sector, private developers and other interests. Development plans should be clear about the likely scale of developer contributions, which for some sites may include provision of all or most new infrastructure, road improvements and similar requirements. Such provisions should be drawn up in consultation with the relevant parties, and the cost of providing the necessary infrastructure should be commensurate with the scale of the development proposed."
 In the light of the new role of SEPA and Scottish Water as key agencies in cooperation in the preparation of development plans, SEPA considers that it would be more useful to the public, developers and planners to identify not only the public water supply capacity for each settlement, but mechanisms which could be implemented to address capacity constraints. SEPA would be happy to work with Scottish Water and the Council to assist in this process.

Modification Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendment is made.

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Chapter 05 G General Comment

1.□Where there are infrastructure issues the settlement descriptions should set out the nature of these issues and how they could be addressed without adverse impact upon the water environment (e.g. network capacity, scale of development that could facilitate upgrades to infrastructure).

DEPOSIT DRAFT NOV 08 RESPONSE -

Water Supply- Each Settlement where the Plan identifies a water capacity deficiency

SEPA welcomes the ongoing tri-partite meeting between Scottish Water, Highland Council and SEPA to resolve water supply deficiency across Highland. SEPA considers this an appropriate forum to resolve outstanding water deviancies relating to the Plan area and therefore withdraws its objection to this element of the Plan.

Scottish Environment Protection Agency

SEPA objects to the omission of an appropriate policy addressing air quality. SEPA notes that Structure Plan Policy W12 requires the Council to adhere to certain principles in considering development proposals, and where appropriate, new developments will be required to submit an environmental assessment which address air pollution.

SEPA draws attention to policy guidance from the Scottish Executive dated March 2004 'Air Quality and Land Use Planning'. It states "It is important that the LAQM process is dealt with in an interdisciplinary way by local authorities if its aims are to be met, with support and endorsement from all relevant departments. The planning system has a particularly important role to play both in efforts to improve air quality and to at least ensure that existing air quality does not deteriorate. The enclosed guidance is being reissued as a separate document to emphasise this."

The enclosed guidance within the remainder of the policy guidance document states:

"The land use planning system is integral to improving air quality."

"Local authorities should integrate air quality considerations within the planning process at the earliest possible stage. To facilitate this they should consider developing supplementary planning guidance or protocols" [It should be noted that in the case of the Sutherland Local Plan, the review of the Local Plan provides the opportunity for such integration of air quality considerations.]

"Some issues that should be considered in the preparation of development plans, and may also be material in the consideration of individual planning applications, are as follows:

- ensuring that land use planning makes an appropriate contribution to the achievement of air quality objectives;
- the need to identify land, or establish criteria for the location of potentially polluting developments and the availability of alternative sites;

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Chapter 05 G General Comment

- inclusion of policies on the appropriate location for new development, including reducing the need to travel and promoting public transport;
- the potential effects of particular types of development on existing and likely future air quality, particularly in and around AQMAs; and
- the requirements of air quality action plans."

Modification Required to Remove SEPA's Objection
 SEPA would remove its objection if the following amendment is made.

1.A specific policy is included in the Plan which states that the Planning Authority will take into account the impact of development on air quality in general and the findings of its Local Air Quality Management review and assessment of air quality in particular. In addition the Policy should state that an assessment of the impact on air quality would be required for all development proposals that are likely to have significant air quality impacts.

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Air Quality

SEPA would withdraw its objection provided that the Planning Authority makes a formal commitment to including a Policy on Air Quality within the forthcoming Highland Wide Local Development Plan.

Scottish Environment Protection Agency

SEPA notes that several policies (for example, Policies 3 and 16) contain a requirement for consistency "with other policies in the Highland Structure Plan and this Local Plan" whilst other policies (for example, Policies 1, 10, 14, 17) do not. SEPA considers that there is a danger from this approach that the general public and developers may mistakenly assume that Structure Plan and other Local Plan policies do not apply where this is not specifically stated. SEPA objects to this inconsistency as the Local Plan does not provide clear guidance to developers and the public as to which policies apply and therefore the Local Plan does not appear to have due regard for impacts upon the environment.

Modification Required to Remove SEPA's Objection
 SEPA would remove its objection if either of the following amendment is made.

1.The wording is removed from specific policies and clarified at the beginning of the Local Plan as a general requirement for all development, or

2. The following wording is inserted into all policies: "All proposals should be consistent with other policies in the Highland Structure Plan and this Local Plan."

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Chapter 05 G General Comment

DEPOSIT DRAFT NOV 08 RESPONSE -

SEPA welcomes the explanation of how to use the general policies contained within the Introduction and Context chapter and in the introduction section 5.0.2 of the General Policies Chapter. SEPA therefore withdraws its objection to this element of the plan.

**Scottish Environment
Protection Agency**

Objection Policy and Part of Plan

Omission of Policy on Air Quality

Objection

SEPA objects to the omission of an appropriate policy addressing air quality. SEPA notes that Structure Plan Policy W12 requires the Council to adhere to certain principles in considering development proposals, and where appropriate, new developments will be required to submit an environmental assessment which address air pollution.

SEPA draws attention to policy guidance from the Scottish Executive dated March 2004 'Air Quality and Land Use Planning'. It states "It is important that the LAQM process is dealt with in an interdisciplinary way by local authorities if its aims are to be met, with support and endorsement from all relevant departments. The planning system has a particularly important role to play both in efforts to improve air quality and to at least ensure that existing air quality does not deteriorate. The enclosed guidance is being reissued as a separate document to emphasise this."

The enclosed guidance within the remainder of the policy guidance document states:

"The land use planning system is integral to improving air quality."

"Local authorities should integrate air quality considerations within the planning process at the earliest possible stage. To facilitate this they should consider developing supplementary planning guidance or protocols" [It should be noted that in the case of the Sutherland Local Plan, the review of the Local Plan provides the opportunity for such integration of air quality considerations.]

"Some issues that should be considered in the preparation of development plans, and may also be material in the consideration of individual planning applications, are as follows:

- ensuring that land use planning makes an appropriate contribution to the achievement of air quality objectives;
- the need to identify land, or establish criteria for the location of potentially polluting developments and the availability of alternative sites
- inclusion of policies on the appropriate location for new development, including reducing the need to travel and promoting public transport;
- the potential effects of particular types of development on existing and likely future air quality, particularly in and around AQMAs; and - the requirements of air quality action plans."

Modification Required to Remove SEPA's Objection

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Chapter 05 G General Comment

SEPA would remove its objection if the following amendment is made,

1. A specific policy is included in the Plan which states that the Planning Authority will take into account the impact of development on air quality in general and the findings of its Local Air Quality Management review and assessment of air quality in particular. In addition the Policy should state that an assessment of the impact on air quality would be required for all development proposals that are likely to have significant air quality impacts.

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Air Quality

SEPA would withdraw its objection provided that the Planning Authority makes a formal commitment to including a Policy on Air Quality within the forthcoming Highland Wide Local Development Plan.

Scottish Environment Protection Agency

While Policy 10 refers to land with possible contamination issues, it does not provide clear guidance to developers on how contaminated land needs to be risk-assessed, remediated and re-developed. SEPA therefore objects to the omission of clear policy on contaminated land. Land subject to contaminated uses is an important issue in the Highland Council area, as it contains a significant area of such land.

Planning Advice Note 33 'Development of Contaminated Land' (PAN 33) Paragraph 27 states "In preparing development plans, planning authorities are expected to encourage and promote the re-use of brownfield land, including contaminated sites. Development plans provide an opportunity for authorities to set out their priorities for the reclamation and re-use of contaminated land, and to inform developers of the availability of sites, and the potential constraints attached to them."

In addition PAN 33 states that "Planning authorities should therefore require that applications include suitable remediation measures. If they do not, then there are grounds for refusal. Where applications are approved, conditions should be put in place to ensure that land is re-mediated before the commencement of any new use."

PAN 33 paragraph 27 states "The planning authority must consider whether a developers restoration plan is adequate to avoid unacceptable risks to human health and the wider environment from the contamination on the site, both during the restoration period and for the final end use. The end use of the site is a crucial consideration when determining whether a restoration plan is adequate.

SEPA considers that the Planning Authority should satisfy itself that the potential for contamination is properly investigated, that risks associated with any contamination are assessed and that any necessary remediation is undertaken to ensure that the land is suitable for its proposed new use and does not represent a risk to the wider environment.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 G General Comment

SEPA wishes to highlight that SEPA's role is to provide advice to Local Authorities primarily with respect to the water environment aspects of the identification and treatment of contaminated sites. Further guidance on this policy should be sought from your contaminated land colleagues.

Modification Required to Remove SEPA's Objection
SEPA would remove its objection if the following amendment is made.

1. A separate policy is inserted into the Plan to the following effect:

"Where development is to take place on land that has been subject to contaminative uses, the developer is required to undertake an adequate risk assessment of the site, and to propose measures to avoid unacceptable risks to human health and the wider environment both during the restoration period and for the final end use.

DEPOSIT DRAFT NOV 08 RESPONSE -

Omission of Policy on Contaminated Land

12.1 SEPA would withdraw its objection provided that the Planning Authority makes a formal commitment to including a Policy on Contaminated Land within the forthcoming Highland Wide Local Development Plan.

Scottish Natural Heritage

Chapter 3 - Plan Objectives
SNH recommends that an additional policy is included to make a clear link to the plan objectives, for example:

All development proposals will be assessed for the extent to which they contribute to the achievement of the plan objectives or, Developments will be supported, having regard to the Plan Objectives in Section 3, which promote and enhance the social, economic and environmental wellbeing of the people of Sutherland.

DEPOSIT DRAFT NOV 08 RESPONSE -

Although not a policy, this wording has been inserted in paragraph 2.2 and so on that basis this recommendation is met.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 G General Comment

Scottish Natural Heritage

Policy 1

SNH strongly recommends that this policy (or Policy 2) be augmented by a further policy that takes account of policy advice now contained in SPP 11 Open Space and Physical Activity with regard to (a) a presumption against development on open space as identified in Local Plans, (b) a specific policy for playing fields, whether or not these are also identified as open space in the Local Plan, and c) criteria for the provision of open space within larger new housing developments. The identification and protection of open space as shown on the Proposals Map insets will need to be reviewed, ideally in the light of an Open Space Audit and Strategy as per SPP 11.

Open Space will also need to be picked up as a theme for the imminent Highland wide Local Development Plan.

DEPOSIT DRAFT NOV 08 RESPONSE -

The glossary entry for open space (added from the previous draft) provides the context for protection in terms of SPP 11 and SNH accepts this as an acceptable alternative approach. In addition THC is now preparing Supplementary Guidance on Open Space, which will address open space provision in new developments. However, SNH recommends that the definition of open space in the glossary adds that where the Council proposes to grant planning permission for development which would lead to the loss or partial loss of an open space identified in the Local Plan, the application must be notified to Scottish Ministers (SPP 11, para 43).

Scottish Natural Heritage

Additional policy required

SNH strongly recommends the inclusion of an additional policy to safeguard important habitats in the wider countryside. NPPG 14 refers specifically to the need for planning authorities to take particular care to avoid damage to habitats protected under the European Directives. The Inverness Local Plan (adopted March 2006) includes protection for important habitats under Policy GP23 and so it would be inconsistent if there was no equivalent policy for Sutherland. An additional policy is therefore required and we would suggest the following wording:

Full consideration will be given to habitats listed in Annex 1 of the EC Habitats Directive and the habitats of species protected under Annex 1 of the EC Birds Directive outwith designated nature conservation areas in the assessment of any development proposal which may affect them. Consent will not normally be granted where any adverse effects are judged to be significantly detrimental. Where we judge that the reasons in favour of a development clearly outweigh the desirability of retaining such a habitat, we will seek mitigation measures including habitat creation or enhancement of retained habitat.

DEPOSIT DRAFT NOV 08 RESPONSE -

The new policy 13 re Important Habitats deals with this, and this is warmly welcomed.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Chapter 05 G General Comment	
Mono Consultants	<p>We write to your planning authority on behalf of the Mobile Operators Association (MOA), which consists of: - . Hutchison 3G UK Limited ("3), 02 (UK) Limited ("O;), Orange PCS Limited ("Orange"), T-Mobile UK Limited ("T-Mobile"); and Vodafone Limited ("Vodafone").</p> <p>The MOA monitors all emerging development plan policies and supplementary planning guidance that relate to telecommunications development and those which would have an impact on their member's agreements to supply a mobile telecommunications service in the UK. Mono Consultants undertake this project on behalf of the MOA.</p> <p>Whilst we have no objections to the draft plan we note that Section 5: General Policies does not appear to include any generic policy relating to telecommunications development. It is noted that the approved Highland Structure Plan contains Policy U4 relating to telecommunications development and NPPGIQ: Radio Telecommunications recommends that Local Plans contain policies to facilitate telecommunications development.</p> <p>Given the above we would consider it important that the Sutherland Local Plan contains such a generic policy which would be broadly in accordance with the current Structure Plan Policy and the national planning guidance in NPPGIQ. On this basis we would suggest that within the Local Plan there should be a concise and flexible telecommunications policy which should give all stakeholders a clear indication of the issues which development will be assessed against. We would suggest a policy which reads;</p> <p>Proposals for telecommunications development will be permitted provided that the following criteria are met: -</p> <p>(i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;</p> <p>(ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;</p> <p>(iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.</p> <p>(iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.</p> <p>When considering applications for telecommunications development, the Council will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology. We would consider it appropriate to introduce the policy and we would suggest the following;</p> <p>Modern telecommunications systems have grown rapidly in recent years with more than two thirds of the population now owning a mobile</p>

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Representee	Comment
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Chapter 05 G General Comment

phone. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With new services such as the advanced third generation (3G) services, demand for new telecommunications infrastructure is continuing to grow. The Council are keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and location on existing tall structures and buildings.

We trust the Council give due consideration to the inclusion of a policy facilitating telecommunications development as suggested above being incorporated in the Sutherland Local Plan, and look forward to receive consultation on the finalised draft plan in due course.

DEPOSIT DRAFT NOV 08 RESPONSE

Withdraw - On basis policy in structure plan and to include ones in emerging LDP.

Chapter 05 GP 01 Settlement Development Areas 5.02

Airtricity Developments (UK) Ltd

Paragraph 5.0.2 confirms that compliance with 'a single local plan policy will not necessarily indicate that a proposed development is acceptable'. It could also be argued that non-compliance with a single local plan policy will not necessarily indicate that a proposed development is unacceptable. This paragraph should be reworded to clarify that each development proposal will be assessed on its individual planning merits as acknowledged in Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 and the House of Lords decision in 1988 (City of Edinburgh Council v the Secretary of State for Scotland 1998, SLT120).

Chapter 05 GP 03 Wider Countryside 5.06

Scottish Natural Heritage

As well as the LCA, the supporting text should make cross-reference to the SHLCS as a possible material consideration. Once again however the qualification should be made in the text that the LCA may need to be augmented by finer-grained analysis at a smaller scale (NB: in the preamble the text should be amended to read - "..... And where there is generally less intensive development already as part of the landscape")

DEPOSIT DRAFT NOV 08 RESPONSE -

SNH is disappointed that this has not been done as the SHLCS covers more settlements than those provided with SDAs in the Local Plan and so would have a use in the wider countryside. SNH maintains this request as a recommendation for reference in para 5.3.2 or 5.3.3.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP 03 Wider Countryside 5.06

Airtricity Developments (UK) Ltd

Policy 3- "Wider Countryside" addresses development outwith 'settlement development areas'. The policy states that developments may be 'acceptable' where they 'support communities in fragile rural areas who are having difficulties in keeping their population and services by helping to repopulate communities and strengthen services'. Firstly, there should be a greater explanation of what constitutes a 'fragile area' and settlements that fit this category should be listed or identified on the proposals map. Secondly, it is generally accepted that larger wind farm development sites are more suited to sites outwith settlement areas (as directed through SPP6) i.e. wider countryside locations. However, this policy does not appear to accommodate onshore wind farm development as it is considered unlikely that this type of development will 'repopulate communities and strengthen services'. Thirdly, the policy also does not appear to consider the impact of development outwith settlement development areas on rural communities that are not of a fragile nature.

The policy continues; 'suitably designed proposals will be supported if they: do not involve infrastructure out of keeping with the rural character of the area'. Onshore wind farm development infrastructure is not indigenous to the countryside. However, this does not mean that is inappropriate in a rural location. The policy wording should be amended as appropriate to reflect wind farm development in a rural location.

Chapter 05 GP 05 Affordable housing 5.14

Scottish Natural Heritage

Policy 5
The penultimate paragraph of this policy should make reference to Structure Plan Policy G2, i.e. "Proposals which include affordable housing should accord with Structure Plan Policy G2 and should be carefully designed ", to reinforce the need for sustainable design.

DEPOSIT DRAFT NOV 08 RESPONSE -

It is clear from elsewhere that Structure Plan Policy G2 would generally apply, so SNH has no further comment on this.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Chapter 05 GP 15 Developer Contributions 5.32 Scottish Environment Protection Agency	<p>Objection Policy and Part of Plan</p> <p>Developer Contributions - Policy 15</p> <p>Objection</p> <p>Whilst SEPA welcomes the inclusion of a policy considering developer contributions, SEPA objects to the Policy as it stands as it does not provide clear guidance as to what is required of developers.</p> <p>Policy 15 does not refer to water and sewerage infrastructure improvements. Given the importance of this issue in the area covered by Highland Council SEPA considers it important to advise developers of these possible developer requirements</p> <p>Modifications required to Remove SEPA'S objection</p> <p>SEPA would remove its objection if the following amendment's made.</p> <p>1. The supporting text for Policy 15 includes reference to the need for water and sewerage improvements.</p> <p>Developer Contributions - Policy 15 SEPA welcomes tthe modifications to the supporting text. SEPA therefore withdraws its objection to this element of the Plan.</p>
<hr/> Scottish Environment Protection Agency	<p>Whilst SEPA welcomes the inclusion of a policy considering developer contributions, SEPA objects to the Policy as it stands as it does not provide a clear guide as to what is required of developers.</p> <p>Policy 15 does not refer to water and sewerage infrastructure improvements. Given the importance of this issue in the area covered by Highland Council SEPA considers it important to advise developers of these possible developer requirements</p> <p>Modification Required to Remove SEPAs Objection SEPA would remove its objection if the following amendment is made.</p> <p>1. <input type="checkbox"/>The supporting text for Policy 15 includes reference to the need for water and sewerage improvements.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Developer Contributions - Policy 15 SEPA welcomes the modifications to the supporting text. SEPA therefore withdraws its</p>

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Representee	Comment
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Chapter 05 GP 15 Developer Contributions 5.32

objection to this element of the Plan.

The Theatres Trust

Sutherland Local Plan Pre-Deposit Draft

Thank you for your letter dated May 2008 consulting The Theatres Trust on the Pre-Deposit Draft May 2008 for the Sutherland Local Plan

The Theatres Trust is a statutory body established by the Theatres Trust Act 1976 and The Theatres Trust (Scotland) Act 1978 'to promote the better protection of theatres for the benefit of the nation'. The Town and Country Planning (General Development Procedure) (Scotland) Order 1992, Article 15, Para 1(k) sets out the requirement of all local authorities to consult the Trust before they issue a decision on any planning application involving land on which there is a theatre.

Our main objective is to safeguard theatre use in the UK, or the potential for such use but we also provide expert advice on design, conservation, property and planning matters to theatre operators, local authorities and official bodies. Due to the specific nature of the Trust's remit we are concerned with the protection and promotion of theatres and therefore anticipate policies relating to cultural facilities.

We have read the document and have one comment make regarding community facilities.

Policy 15 Developer Contributions

We note there are references to community facilities throughout the document but for clarity and especially for this particular policy we request a definition of the term 'community facilities' either in the text or within a Glossary and suggest community facilities provide for the health, welfare, social, educational, leisure and cultural needs of the community.

We look forward to being consulted on further local plan documents in due course

DEPOSIT DRAFT NOV 08 RESPONSE -

Chapter 05 GP 15 Developer Contributions

We will withdraw our objection although we are not satisfied with your explanation. The document has managed to specify sports facilities for this policy but it is still unclear what particular facilities would be included under the term 'community facilities'. This term is used frequently in many other local authority planning policies and its extent is usually vague. However, we request to be consulted on the Supplementary Planning Guidance for Developer Contributions in due course.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Chapter 05 GP 16 Housing in the Countryside 5.34 Edderton Community Council	<p>Edderton Community Council welcomes the flexibility in the deposit draft Sutherland local plan regarding the settlement of Edderton in contrast to earlier plans. In particular it appreciates that area along Manse Road that is designated for mixed business/ housing development.</p> <p>We wish the following matters be taken into consideration in compiling the final draft:</p> <p>That the areas around Ardmore and Balleigh be removed from hinterland restrictions since they already have such a concentration of building that they no longer resemble the landscape Highland Council's hinterland policy is designed to protect.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>We note that our earlier proposals do not appear to have been taken into consideration in compiling the final draft, namely;</p> <p>That the areas around Ardmore and Balleigh be removed from hinterland restrictions since they already have such a concentration of building that they no longer resemble the landscape Highland Council's hinterland policy is designed to protect</p>
Peter Harrison	<p>Thank you for sending the CD giving the details of the proposed Local Plan and I am writing to object to certain elements within it that cover restrictive aspects of it as follows.</p> <p>The proposed area of hinterland proposed for the Dornoch area is excessive and stifles development within this large area. It is my understanding that the hinterland is considered the surrounding area of Tain and not Dornoch and as such the distance should be taken from the centre of Tain to the boundary of this area which I believe is taken as being seven miles by road.</p> <p>The present arrangement is similar to that proposed and I have had three applications refused by the local planning office. The applications were for the conversion of an existing building to a dwelling house and the proposed erection of a house for a member of the crofter's family both of which appear to meet your guidelines in the new plan but were refused under the old.</p> <p>This increase in the area of hinterland except for some reason an area East of the Achu road means that the present crofters or farmers are severely restricted in the development of their land, with the difficulties being experienced by this sector some form of compensation should at least be offered if the present restrictive requirements are to be extended or the proposed restrictions eased.</p> <p>A large area of the land to be incorporated within the hinterland is classed as "wider countryside" or of "local regional importance" and only some parts of being of "national importance" and as such should be considered as areas for possible development rather than be stifled by being classed as hinterland.</p> <p>In the written statement [strategic objectives] it mentions the need to put people first and develop thriving settlements which I also</p>

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Representee	Comment
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Chapter 05 GP 16 Housing in the Countryside 5.34

assumes to also mean crofting communities and this is the last thing the proposals will address as it basically restricts any development to the main villages.

In support of this I had a application for a house on the family croft refused even though the local community council, crofters commission, and all other interested parties except for the planning department as the proposed house was marginally out of the envelope although this had not applied to other applications in the area.

In the Dornoch area this has already allowed development on a well known flood plain in the area and which I believe will come back to haunt the council in the years to come. In other villages the restrictive envelope enclosing them means that any development is effectively stifled as the document presumes that the landowner will make the sites shown on the plan available.

While I quite understand that development in Sutherland over recent years leaves a lot to be desired and in certain parts appears not to meet the councils own guidelines. However it appears to me that reasonable design and positioning of buildings can enhance an area without spoiling the environment and this should be by guidelines which allow for individual development in conjunction with the planning department rather than a blanket ban.

In your written statement 443 [a competitive place] it is made quite clear that crofting and development by the sporting estates should be encouraged in the seaboard area of the county but with the restrictions shown on the proposed plan this is not possible.

In conclusion I feel that the proposed local plan ignores the needs of local people, crofting and farming Communities and fails to address the need of the local more rural communities by restricting any building basically to limited sites in the villages I hope my views will be made to the relevant committee.

DEPOSIT DRAFT NOV 08 RESPONSE -

Conversion of existing buildings to dwelling house - attached copy of e-mail- re-conversion and response from local planning officer which shows the difficulties experienced at the current time.

Confirm that restrictions stifle design and development of the Tain Dornoch Hinterland.

.....

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
<p>Chapter 05 GP 16 Housing in the Countryside 5.34 Scottish Natural Heritage</p>	<p>Policy 16 In the penultimate paragraph of this policy, as well as reference to Structure Plan Policy G2, there should also be reference to PAN 72 Housing in the Countryside.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Although not done as suggested, reference to PAN 72 has been added to para 5.16.3 and this is an acceptable alternative.</p>
<p>Ian Robichaud</p>	<p>Following the release of the draft local plan for Sutherland I would like to make the following objection. I would like to see the area outlined in red on the accompanying map included in the Sutherland Local Plan. The area, which I own, lies at Balnapolaig, just outside Dornoch.</p> <p>This area is situated in the garden of "Balnapolaig Farmhouse" which I own and which has a sitting tenant. I would like to build a new dwelling house at Balnapolaig which would be suitable for my sitting tenant to move into, thus allowing me to upgrade the existing "Balnapolaig Farmhouse". As I write, I have an appointment with the Scottish Rental Housing Panel to discuss the current living standard of "Balnapolaig Farmhouse".</p> <p>The "upgraded" property could then be used to meet the demand for housing within the Dornoch area. The site itself is not in an isolated rural location, as there is other housing in the surrounding area of Balnapolaig.</p> <p>The existing septic tank and soak away could be used to accommodate the "new" house as well as continuing to serve what would be the "upgraded" house. The access road for the new house would be the same road as used by "Balnapolaig Farmhouse".</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Although I have ticked the "withdraw my view" column I would now like to pursue the above three issues (representations numbers 572, 573 and 574 above) through the supplementary guidance when it comes out. I therefore wish to be consulted when this work is underway</p>
<p>Anne Roden</p>	<p>At present I own the croft at 45 Astle, Dornoch. My husband and I build a one and a half storey house in 1995 and decrofted the building area.</p> <p>Approaching retirement, my plan was to build a bungalow in the scrub land. We have spent a fair amount on this area (drainage/fencing) from our own funds as crofting community did not consider this as agricultural ground.</p> <p>When I investigated into outline planning permission, I was told this area is now considered as Hinterland (albeit on the very edge) and therefore could not build a smaller house on my own land.</p>

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Representee	Comment
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Chapter 05 GP 16 Housing in the Countryside 5.34

If I have to sell my croft, I would have to sell or euphonize my own livestock and poultry.

I also allow the use of 8 acres of arable ground to a crofter friend and look after his cattle and sheep for him. Obviously, if I have to leave the croft and sell privately, the land would be lost to livestock.

We have turned the land from neglected, weed infested ground into arable land to support animals and the crofting environment.

I feel it's in the interest of the crofting community that I can stay here and continue to improve the land.

I would be grateful if you could consider more flexibility in the Hinterland policy in S.E. Sutherland area.

I would welcome your comments and hopefully support.

DEPOSIT DRAFT NOV 08 RESPONSE

Wish to build smaller house on designated scrub land on croft with view to retirement, as present house is too large due to back problems. I am on long term incapacity, and manage on the flat, and to look after livestock, but house was built to include B&B and now too much. Have already spent own funds to drain scrub as croft comm. Designated it as such. Would spend more to improve arability as I would still have 3 acres to improve for livestock. If I had to leave the croft I would have to euthanase animals, as I would not be able to buy another house locally enough to run the croft. Have improved 8 acres of neglected land to arable, which enables a young crofter friend to run more stock, and there would be no guarantee a new buyer would be interested in utilising the land for crofting.

G C W Beazley

Thank you for your letter of 28th November 2008. As you may know we have sold Blarich Farm and Rovie Lodge and we are retaining the Rovie hill and the lowland crofts in Strathfleet which formerly were attached to the Rovie Lodge Estate. We have no further comments to make on your Draft Deposit Plan other than to say we would be hopeful of restoring out of historic interest croft house 219 Rossel. We have retained ownership of the croft house site and access thereto and none of it is subject to crofting tenure. It is a particularly interesting croft house of historic design and has not been improved. We would like to think that careful restoration to secure the future features of a traditional 18th century croft house would be worth preserving and should be part of Planning policy to preserve where appropriate historic traditional crofting dwellings.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP 16 Housing in the Countryside 5.34

Dave MacDonald

I have been approached by Mr Gordon Davidson of Dronish concerning the identification of land at croft 336-339 (north of Achinchanter Farm), Hilton of Embo, Dornoch for residential purposes.

It is my understanding the site has a history of planning approval which has lapsed and appears now to be out of favour with the Sutherland Planning Office, though I will not be able to familiarise myself with the details until next week, as I am presently on Orkney, returning tomorrow evening.

Given the background, it may be that the new Local Plan is the best vehicle to seek to have the site's residential status reconfirmed.

With the deadline for representations to the Sutherland Local Plan being tomorrow, January 23, I would ask you to confirm receipt of this e-mail. Fuller details (hard copy) of plan, justification etc will be forwarded to the Director of Planning and Development next week.

Chapter 05 GP Policy 1 Settlement Development Areas 5.03

Scottish Natural Heritage

It is recommended that the first part of the policy reads: "We will support proposals within Settlement Development Areas (as shown on the Proposals Map insets) as long as they meet the requirements of Structure Plan Policy G2 Design for Sustainability (see Appendix x) in addition to other policies in this plan". This emphasises that Policy G2 is not the only control over development within SDAs and avoids the presently-worded confusion with Policy 6. SNH recommends that Policy G2 be included as an additional Appendix to the Local Plan.

DEPOSIT DRAFT NOV 08 RESPONSE -

This has not been done in the manner suggested. However, SNH acknowledges that para 5.0.2 does say that all policies should be considered, not just one and we have no further comment on this matter. Structure Plan Policy G2 has now been included after Policy 6.

Scottish Natural Heritage

The third bullet point in the supporting text states that Settlement Development Areas have been defined taking into account the ability of the landscape to allow for development. It is assumed this includes reference to the Landscape Character Assessment (LCA) and the SHLCS, but for the avoidance of doubt this should be clarified here. A further cross-reference to these background documents should be given here, stating however that the LCA may need to be augmented by fine-grained analysis at a smaller scale.

DEPOSIT DRAFT RESPONSE NOV 08 -

There are now specific references here to LCA and SHLCS and so this representation has been met. SNH welcomes this change. SNH in addition strongly recommends that a cross-reference to landscape character should be within this policy itself by amending the second paragraph to: "We will also judge proposals in terms of how compatible they are with the existing pattern of development and landscape character,". This would bring it into line with the amended Policy 3 (second bullet point) and ensure landscape character is a consideration for proposals within SDAs as well as in the definition of the SDA boundaries.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP Policy 1 Settlement Development Areas 5.03

Scottish Natural Heritage

1. Features of natural and cultural heritage importance occur within the SDAs but do not appear on the inset maps. This fact is recognised in the text of Policy 1 with its cross-reference there to Policy 4. However, SNH recommends that this would be made stronger if each "Development Factor" list for the settlements on the Proposals Map insets included words along the lines of - "Features of natural and cultural heritage importance (Appendix I) may occur within the SDA boundary and reference should be made to the Background Maps and Policy 4":

2. In the text of Policy 1 there is reference in the second paragraph to a Box 1 in association with Policy 4 but the location of this is unclear. Perhaps this refers instead to Appendix 1 (Definition of Natural and Cultural Heritage Features), in which case the text should be amended accordingly.

DEPOSIT DRAFT NOV 08 RESPONSE -

1. The Council proposes instead that where a natural or cultural heritage feature is present within a SDA, this is mentioned within the Development Factors list. SNH welcomes this, and requests a careful check is made to ensure that for NSAs, SSSIs, NNRs and Ancient/Long-Established Woodland (assuming no overlaps of SDAs now with Natura and Ramsar sites) these are so listed. SNH strongly recommends that the relevant NSA or other designation is named in the Development Factors.

2. Done

Sport Scotland

There is an allocation for Open Space however there is no Open Space policy or justification. In sport Scotland's letter of 12 December 2006 the need to incorporate such a policy was raised (copy attached). In November 2007 the Scottish Government published SPP 11 Open Space and Physical Activity which sets out national planning policy on the provision and protection of open space. The local plan needs to address the SPP 11 objectives. There is no evidence that the local plan is based on an open space audit and strategy which would include one for playing fields and sports pitches.

The local plan does identify areas of open space within settlement proposal maps. However there are some inconsistencies for example in Brora and Kinlochbervie where the school playing fields are designated as open space whereas the adjoining football grounds are not. Under SPP 11 all playing fields would be covered by paragraphs 45-47 and the criteria of paragraph 46 if subject to any proposal for redevelopment came forward.

Therefore SportScotland recommends that the local plan addresses the need to comply with SPP 11 and specific open space policies.

DEPOSIT DRAFT NOV 08 RESPONSE -

Issue -

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP Policy 1 Settlement Development Areas 5.03

Rep 907 & 1267 - Insertion of structure plan policy G2 is not appropriate in relation to the protection of playing fields, as no specific reference is made to them.

All school and other playing fields should have appropriate policy protection in the local plan. This is required by SPPII (para 48) and see also structure plan policies SR1 & SR2.

Representee	Comment
<p>Chapter 05 GP Policy 10 Physical constraints 5.25 Scottish Environment Protection Agency</p>	<p>Objection Policy and Part of Plan</p> <p>Physical Constraints - Policy 10</p> <p>Objection</p> <p>SEPA supports the inclusion of a policy in the Local Plan which considers possible Physical constraints to development. However SEPA objects as SEPA considers the Policy does not provide guidance in accordance with national planning policy on appropriate safeguards required for some the sites listed.</p> <p>Scottish Planning Policy 10 'Paining for Waste Management? (SPP 10) states "Existing waste handling installations should be protected by development plan policy and care should be taken to ensure that future allocations for other adjacent uses do not compromise waste handling operations". SPP 10 provides further guidance on how to approach consideration of the case for buffer zones and should be referred to in the policy in the Local Plan.</p> <p>Planning Advice Note 50 'Controlling the Environmental Effects of Surface Mineral Workings' Paragraph 14 states that distances should be "reasonable, taking into account the nature of the mineral extraction activity (including its duration), location and topography, the characteristics of the various environmental effects likely to arise and the various amelioration measures that can be achieved". Whilst SEPA welcomes the proposed buffer of 400 m there may be situations where a greater buffer is required and therefore the Policy as it stands precludes the opportunity for further assessment and requiring greater buffer distances.</p> <p>Planning Advice Note 79 'Water and Drainage' Annex A sets out a number of additional waters to the ones listed in the Policy which EU Directives protect.</p> <p>In addition the Control of Major Accident hazards Regulations 1999 (CONIAIH) are currently being reviewed which may have implications for hazardous sites. SEPA would be happy to discuss these implications once this review is complete.</p> <p>Modifications Required to Remove SEPAs Objection</p> <p>SEPA would remove its objection if the following amendments are made.</p> <p>1. 'The Policy is modified to the following effect: "Subject to the principle of development, developers will be expected to demonstrate appropriate mitigation if their proposals affect or are affected by the constraints below (where appropriate these are shown on the background maps which may be updated with further information) Poorly drained areas Within 1,000m of large wind generators ENA Standards 43-8: "Overhead Line Clearances" (distance from power lines) Areas of excessive slope (with a gradient of over 1 in 7) Hazardous Sites as shown on Hazard Sites consultation Area map New, existing or former waste management sites in accordance with SPPIO Land with possible contamination issues Areas that could erode or subside Safeguard areas around sewage treatment works2</p>

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Representee	Comment
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Chapter 05 GP Policy 10 Physical constraints 5.25

Safeguard areas around active quarries in accordance with PAN50
Any waters that an EU Directive applies to in accordance with PAN79. "

Other Modification SEPA Would Welcome

SEPA recommends that the maps entitled 'Consultation Area Hazardous Sites', 'Physical Constraint EU Shellfish Directive Waters' 'Physical Constraints Existing or Fernier Waste Management Facility' and 'Physical Constraint: Sewage Treatment Works.' should refer to the relevant policies to provide further guidance as to what is meant by the terms 'consultation area' or 'physical constraint' as per the map title.

DEPOSIT DRAFT NOV 08 RESPONSE -

SEPA welcomes the modifications to the Policy and cross referencing to the Background Maps, however considers that further revisions are required to ensure the policy safeguards existing waste sites.

SEPA would withdraw its objection to the policy if your suggested wording "(Regard must be had to the safeguarding of waste management sites as well as to any potential impact that the operation of facilities on such a site might have on the proposed development)" is added to the fifth bullet point.

SEPA recommends that the final sentence of Policy 10 is modified from "...controlled waters.. ." to "...the water environment. . ." to provide clearer guidance to developers and bring it in line with best practice guidance.

SEPA also recommends a further modification to the final sentence of Policy 10 from ".. the site prior to any further occupation" to " ... the site prior to development' to ensure measures which can actually be implemented are agreed prior to any activity on the site to ensure any contamination is dealt with adequately.

.....

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Representee	Comment
<p>Chapter 05 GP Policy 10 Physical constraints 5.25 Scottish Environment Protection Agency</p>	<p>SEPA supports the inclusion of a policy in the Local Plan which considers possible physical constraints to development. However SEPA objects as SEPA considers the Policy does not provide guidance in accordance with national planning policy on appropriate safeguards required for some the sites listed.</p> <p>Scottish Planning Policy 10 'Planning for Waste Management' (SPP 10) states "Existing waste handling installations should be protected by development plan policy and care should be taken to ensure that future allocations for other adjacent uses do not compromise waste handling operations". SPP 10 provides further guidance on how to approach consideration of the case for buffer zones and should be referred to in the policy in the Local Plan.</p> <p>Planning Advice Note 50 'Controlling the Environmental Effects of Surface Mineral Workings' Paragraph 14 states that distances should be "reasonable, taking into account the nature of the mineral extraction activity (including its duration), location and topography, the characteristics of the various environmental effects likely to arise and the various amelioration measures that can be achieved". Whilst SEPA welcomes the proposed buffer of 400 m there may be situations where a greater buffer is required and therefore the Policy as it stands precludes the opportunity for further assessment and requiring greater buffer distances.</p> <p>Planning Advice Note 79 'Water and Drainage' Annex A sets out a number of additional waters to the ones listed in the Policy which EU Directives protect including Recreational Waters, Shoreline Waters and Freshwater Fish Waters.</p> <p>In addition the Control of Major Accident Hazards Regulations 1999 (COMAH) are currently being reviewed which may have implications for hazardous sites. SEPA would be happy to discuss these implications once this review is complete.</p> <p>Modification Required to Remove SEPA's Objection</p> <p>SEPA would remove its objection if the following amendments are made.</p> <p>1. The Policy is modified to the following effect:</p> <p>Subject to the principle of development, developers will be expected to demonstrate appropriate mitigation if their proposals affect or are affected by the constraints below (where appropriate these are shown on the background maps which may be updated with further information).</p> <p>Poorly drained areas Within 1,000m of large wind generators ENA Standards 43-8: "Overhead Line Clearances" (distance from power lines) Areas of excessive slope (with a gradient of over 1 in 7) Hazardous Sites as shown on Hazard Sites consultation Area map and New, existing or former waste management sites in accordance with SPP10</p>

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Representee	Comment
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Chapter 05 GP Policy 10 Physical constraints 5.25

Land with possible contamination issues
 Areas that could erode or subside
 Safeguard areas around sewage treatment works2
 Safeguard areas around active quarries in accordance with PAN50
 Any waters that an EU Directive applies to in accordance with PAN79."

Other Modification SEPA Would Welcome

SEPA recommends that the maps entitled 'Consultation Area Hazardous Sites', 'Physical Constraints EU Shellfish Directive Waters' 'Physical Constraints Existing or Former Waste Management Facility' and 'Physical Constraint: Sewage Treatment Works.' should refer to the relevant policies to provide further guidance as to what is meant by the terms 'consultation area' or 'physical constraint' as per the map title.

DEPOSIT DRAFT NOV 08 RESPONSE -

SEPA welcomes the modifications to the Policy and cross referencing to the Background Maps, however considers that further revisions are required to ensure the policy safeguards existing waste sites.

SEPA would withdraw its objection to the policy if your suggested wording "(Regard must be had to the safeguarding of waste management sites as well as to any potential impact that the operation of facilities on such a site might have on the proposed development)" is added to the fifth bullet point.

SEPA recommends that the final sentence of Policy 10 is modified from "...controlled waters.. ." to "...the water environment. . ." to provide clearer guidance to developers and bring it in line with best practice guidance.

SEPA also recommends a further modification to the final sentence of Policy 10 from ".. the site prior to any further occupation" to " ... the site prior to development' to ensure measures which can actually be implemented are agreed prior to any activity on the site to ensure any contamination is dealt with adequately.

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Representee	Comment
<p>Chapter 05 GP Policy 10 Physical constraints 5.25 Scottish Natural Heritage</p>	<p>Policy 10 To make the policy effective it is suggested that the first paragraph should end with - " ... and proposals will not be permitted if effects are judged to be significantly detrimental":</p> <p>Radon Gas Areas need to be added to this list of physical constraints. A Background Map already exists for this.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Not done as suggested but, as an alternative, the policy includes that mitigation should be to the Council's satisfaction, which SNH considers to be an acceptable alternative.</p>
<p>Airtricity Developments (UK) Ltd</p>	<p>Policy 10- "Physical Constraints" provides guidance to developers on constraints that should be observed when proposing a development. This includes a constraint of 'within 1000m of large wind generators'. There is no indication of what would constitute a 'large' wind generator. SPP6 suggests a separation distance between settlements and large scale wind farms as a guide but does not state that a development embargo should be implemented with a 1000m radius of a large scale wind farm. Therefore it is submitted that this constraint should be removed from this policy.</p>
<p>Transport Scotland</p>	<p>Objecting -</p> <p>Proposed Objection 2 This objection was submitted as part of a previous objection (ref: TS02). Transport Scotland welcome the addition of trunk and rail lines to the list of constraints detailed under Policy 10 and note that a presumption against new junctions is detailed in the Brora Proposal Maps document. However, this is not the case for all proposal maps which indicate sites adjacent to the trunk road. Given that the presumption against new trunk road accesses is not explicitly stated; we have repeated the relevant wording of our previous objection, which is as follows.</p> <p>Given the strategic role of the trunk road network, there is a general presumption against new trunk road accesses, highlighted in SPP 17; therefore, a proposal for a new trunk road access for development must be appropriately appraised in terms of need, location and access, to determine the potential trunk road impact, public transport access and Travel Plan content.</p> <p>SPP 17 states in paragraph 21: "Development Plan strategies should aim where appropriate to reduce the need to use strategic routes for short local journeys. Development at strategic road junctions should be resisted unless the development is integrated with existing settlements through local public transport, new and existing cycle and footpath networks and not be dependent for local journeys on the strategic road network. Other significant travel generating developments should be similarly integrated." Moreover, paragraph 72 states:</p>

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Representee	Comment
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Chapter 05 GP Policy 10 Physical constraints 5.25

“direct access on to a strategic road should be avoided as far as practicable.”
 Additionally, PAN 66 Annex B states in paragraph 16:
 “there is a presumption against new junctions on the trunk road and motorway network.”

Where access is proposed to be taken from the strategic road network, it will be recommended that alternative access should be taken from a local road, given the presumption against new accesses on the trunk road network.

It is noted that statements to this effect are present within some of the settlement maps within the Proposals Maps section of the Plan, however, given the above, Transport Scotland would ask that the following statement be included within the Plan Written Statement.
 “It should be noted that there is a Scottish Government policy of a presumption against new junctions on the trunk road network. Where a new or significantly improved junction is proposed to facilitate development, within the transport accessibility assessment for a specific land use allocation, appropriate justification of such a strategy will require to be provided in support of such an access strategy. This will enable Transport Scotland to determine if such a justification is sufficient to set aside this policy.

Chapter 05 GP Policy 12 Article 10 features 5.28

Scottish Natural Heritage

Policy 12
 The present policy wording is weak. SNH strongly recommends that to the end should be added - "and we will not grant consent where such adverse effects are judged to be significantly detrimental". However, to comply more thoroughly with Regulation 37 of the Conservation (Natural Habitats &c) Regulations 1994 (as amended), the following alternative policy should be considered:

We will seek to safeguard the integrity of features of the landscape which are of major importance for wild fauna and flora, including river and estuary corridors, coastal habitats, lochs, wetlands, peatland, woodlands, heathland and traditional field boundaries, and other important habitats identified in the Local Biodiversity Action Plan. Where we judge that the reasons in favour of a development clearly outweigh the desirability of retaining such a feature, we will seek mitigation measures including habitat creation or enhancement of retained habitat.

DEPOSIT DRAFT NOV 08 RESPONSE -

The new Policy 13 on Important Habitats now covers this previous policy on Article 10 Features and is warmly welcomed. No further action is required.

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Representee	Comment
Chapter 05 GP Policy 14 Surface Water Drainage 5.31	
Scottish Water	In relation to Policy 14 Surface Water Drainage, Scottish Water supports the principles of Sustainable Urban Drainage Systems (SUDS) and therefore welcomes the inclusion of this policy in the local plan written statement. Scottish Water would also like to advise that Sewers for Scotland 2 has been published and if the developer wishes to have their Surface Water system vested by Scottish Water it must be designed in accordance with this document.
Scottish Water	<p>The aim of Sustainable Drainage Systems (SuDS) is to mimic natural drainage, encouraging infiltration where appropriate and attenuating both hydraulic and pollutant impacts with minimal adverse impact on people and the environment. Keeping surface water out of the combined system in new development, and the removal of surface water from combined systems in areas being redeveloped, can free up capacity for the treatment of waste water, assist in the removal of development constraints and reduce the frequency of emergency overflows.</p> <p>Regulations require SuDS for the majority of new developments and SPP7 Planning and Flooding states that surface water run-off from development should be fully or partially drained by a sustainable drainage system unless this is impracticable. It is also SEPA's policy to promote SuDS as the preferred solution for drainage of surface water run-off, including roof water, for all proposed development, whether greenfield or brownfield. SuDS can be designed as attractive amenity features within developments, to the benefit of the local community.</p> <p>Scottish Water therefore support policy 5.14 of the Sutherland Deposit Draft Local Plan November 2008 and recommend that the requirements for surface water drainage and water quality in connection with all proposed development are considered very carefully from the outset. It is recommend that all developers consult Scottish Water to discuss these arrangements at the earliest possible stage.</p>
Scottish Environment Protection Agency	<p>Objection</p> <p>While SEPA supports the inclusion of a policy in the Plan which promotes sustainable surface water drainage, SEPA objects to the current wording of the Policy as it does not provide clear guidance on how surface water drainage should be dealt with in a sustainable way or provide clear guidance to developers on the information that needs to be submitted in support of a planning application.</p> <p>Planning Advice Note 79 'Water and Drainage' (PAN 79) (paragraph 5) states "For all new developments sustainable drainage schemes (SuDS) are now required for surface water systems which provides attenuation and treatment prior to return, by natural dissipation where possible, to the water environment."</p> <p>SEPA considers that not all the key documents are referenced in the supporting text and in addition the references to redrafting of "Sewers For Scotland" or its title in the Policy and reasoned justification are no longer accurate as it has now been published.</p>

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Representee	Comment
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Chapter 05 GP Policy 14 Surface Water Drainage 5.31

SEPA notes that the Developer Requirements for some allocations make reference to the requirement for SuDS whereas others do not. It would make the Plan more concise and consistent for all SuDS references in allocations to be removed as this SuDS policy applies to all allocations.

SEPA considers that the SuDS definition in Appendix 2 does not provide a clear definition of SuDS as it does not refer to the water environment as a whole and does not highlight the range of SuDS devices which may be used.

Modification Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendments are made.

1. The Policy is modified to the following effect:

"All proposed development must be drained by Sustainable Urban Drainage Systems (SuDS) designed in accordance with The CIRIA SuDS Manual and where appropriate, the Sewers for Scotland Manual 2nd Edition. Planning applications should be submitted with information in accordance with PAN 69 Paragraphs 23 and 24."

2.The following sentence is inserted after the first sentence of the Policy supporting text "SuDS provide control over quality and quantity of surface water drainage and provide opportunities for amenity and ecological enhancement."

3.The reference to "Sewers for Scotland which is currently being redrafted to incorporate SuDS" is amended to "Sewers for Scotland 2".

4.The definition of SuDS in Appendix 2 is reworded to the following effect:

Drainage techniques used to treat and return surface water run-off from developments (roof water, road run-off, hard standing areas) to the water environment (rivers, groundwater, lochs) without adverse impact upon people or the environment. Further guidance can be found in CIRIA's SuDS manual C697 or Sewers for Scotland Manual 2nd Edition.

5.The Policy supporting text is amended to include reference to the following relevant documents:

Scottish Planning Policy 7: Planning and Flooding;

The SuDS Manual (CIRIA C697);

Sewers for Scotland Manual 2nd Edition;

PAN 69.

DEPOSIT DRAFT NOV 08 RESPONSE -

Surface Water Drainage - Policy 44, supporting text and Appendix 2: SUDS Definition

SEPA welcomes the modifications to the Policy, its supporting text and the SUDS definition.

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Representee	Comment
Chapter 05 GP Policy 14 Surface Water Drainage 5.31	<p>SEPA therefore withdraws its objection to these elements of the Plan. SEPA recommends that the Developer Requirements for SUDS for Golspie H2, H3 and MU2, Helmsdale H1 and LT be removed as SEPA considers Policy 14 makes Developer Requirements SUDS for all allocations clear.</p>
Scottish Environment Protection Agency	<p>Objection Policy and Part of Plan</p> <p>Surface Water Drainage - Policy 14 and Appendix 2: SuDS Definition</p> <p>Objection</p> <p>While SEPA supports the inclusion of a policy in the Plan which promotes sustainable surface water drainage, SEPA objects to the current wording of the Policy as it does not provide clear guidance on how surface water drainage should be dealt with in a sustainable way or provide clear guidance to developers on the information that needs to be submitted in support of a planning application.</p> <p>Planning Advice Note 79 'Water and Drainage' (PAN 79) (paragraph 5) states "For all new developments sustainable drainage schemes (SuDS) are now required for surface water systems which provides attenuation and treatment prior to return, by natural dissipation where possible, to the water environment".</p> <p>SEPA considers that not all the key documents are referenced in the supporting text and in addition the references to redrafting of "Sewers For Scotland" or its title in the Policy and reasoned justification are no longer accurate as it has now been published.</p> <p>SEPA notes that the Developer Requirements for some allocations make reference to the requirement for SuDS whereas others do not. It would make the Plan more concise and consistent for all SuDS references in allocations to be removed as the SuDS policy applies to all allocations.</p> <p>SEPA considers that the SuDS definition in Appendix 2 does not provide a clear definition of SuDS as it does not refer to the water environment as a whole and does not highlight the range of SuDS devices which may be used.</p> <p>Modifications required to remove SEPA's Objection</p> <p>SEPA would remove its objection if the following amendments are made.</p> <ol style="list-style-type: none"> The Policy is modified to the following effect: "All proposed development must be drained by Sustainable Urban Drainage Systems (SuDS) designed in accordance with The CIRA SUDS Manual and, where appropriate, the Sewers for Scotland Manual 2nd Edition. Planning applications should be submitted with information in accordance with PAM 69 Paragraphs 23 and 24. " The following sentence is inserted after the first sentence of the Policy supporting text "SUDS provide control over quality and quantity of surface water drainage and provide opportunities for amenity and ecological enhancement."

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Representee	Comment
Chapter 05 GP Policy 14 Surface Water Drainage 5.31	<p data-bbox="490 240 2085 300">3. The reference to "...Sewers for Scotland which is currently being redrafted to incorporate SuDS" is amended to "Sewers for Scotland 2":</p> <p data-bbox="490 336 2085 451">4. The definition of SuDS in Appendix 2 is reworded to the following effect: "Drainage techniques used to treat and return surface water run-off from developments (roof water, road run-off, hard standing areas) to the water environment (rivers, groundwater, lochs) without adverse impact upon people or the environment. Further guidance can be found in CIRIA's SUDS manual C697 or Sewers for Scotland Manual 2nd Edition."</p> <p data-bbox="490 488 1648 635">5. The Policy supporting text is amended to include reference to the following relevant documents: Scottish Planning Policy 7: Planning and Flooding; The SUDS Manual (CIRIA C697); Sewers for Scotland Manual 2nd Edition; PAN 69.</p> <p data-bbox="490 671 981 695">DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p data-bbox="490 732 1570 909">Surface Water Drainage - Policy 44, supporting text and Appendix 2: SUDS Definition SEPA welcomes the modifications to the Policy, its supporting text and the SUDS definition. SEPA therefore withdraws its objection to these elements of the Plan. SEPA recommends that the Developer Requirements for SUDS for Golspie H2, H3 and MU2, Helmsdale H1 and LT be removed as SEPA considers Policy 14 makes Developer Requirements SUDS for all allocations clear.</p>

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Representatee**Comment**

Chapter 05 GP Policy 15 Developer Contributions 5.33**Scottish Water**

Historically, Scottish Water's liability for infrastructure investment to accommodate new development stemmed from legal duties to drain our area and to provide potable water to our customers, but only where such duties could be discharged at 'reasonable cost'. This resulted in Scottish Water investing capital for the provision of water and sewerage services in local distribution networks. Scottish Water's capital investment, sometimes in terms of contributions to Developers, for the provision of services has been dictated by this "reasonable cost" approach in the detail of the following legislation;

- The Sewerage (Scotland) Act 1968; Section 1
- The Water (Scotland) Act 1980; Section 6

Both of the above require Scottish Water to define our "reasonable cost" for the provision of services. Beyond this threshold, Developers have been held responsible for the costs associated with mitigating the impact of their new development on existing distribution assets and where necessary the provision of additional treatment needs and capacities.

The Scottish Ministers have issued regulations (The provision of Water and a Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006) that define Scottish Water's liability to provide strategic capacity for Part 4 assets as well as a contribution towards the cost of Part 2 and Part 3 assets. Scottish Water's contribution in this regard is limited to a sum that will reflect the additional charge income that Scottish Water will receive as a consequence of the new infrastructure vesting in us. Ministers have stated that Developers will be responsible for the costs of Part 1, and the net cost of Part 2 and Part 3 assets regarding the upgrade of the networks i.e. water mains, sewer, pumping stations, etc.

Scottish Water will make a Reasonable Cost Contribution per property where additional public sewers or water mains are provided by a developer. This payment can be up to a maximum of £1,414 for water and £1,598 for wastewater per household connection. For non-domestic connections the level of contribution is based on an average unit cost of water delivered and waste water treated.

Scottish Water's infrastructure can be divided into four parts as follows;

[SEE DIAGRAM AS PER E-MAIL]

Part 1: Connections from the boundary of individual premises to the public supply

- Part 2: The water pipes and sewerage that connect developments to trunk mains and sewers
- Part 3: The infrastructure, such as the trunk mains and sewers, Intermittent Discharges, service reservoirs and pumping stations
- Part 4: strategic assets, such as raw water intakes, water impounding reservoirs, aqueducts

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Representee**Comment**

Chapter 05 GP Policy 15 Developer Contributions 5.33

and water / wastewater treatment works.

Under the arrangements Ministers have set, Scottish Water is required to meet all estimated requirements for strategic capacity at part 4 assets over the 8 year period 2006 – 2014. The directions placed on Scottish Water to formulate and deliver such investment plans are detailed below;

“In formulating investment plans for this area of investment, Scottish Water and the Water Industry Commission should take account of: General Register Office for Scotland’s population projections; Scottish Executive’s household projections; and the SEPA/SW Memorandum of Understanding on the Impact of Proposed Development on the Public System (forthcoming).

Ministers also require that delivery of these investment requirements should be informed by the quality investment programme, the spatial priorities identified in the National Planning Framework, and development priorities identified by local authorities in their Structure and Local Plans.”

Scottish Water’s approach has been to consult with local authorities to review the development plan demand for growth and to request local authorities to provide development priorities to inform the capital programme. Scottish Water has shared the quality driven investment programme that will afford the opportunity to, co-incidentally, invest for growth. A gap analysis between the quality programme and the development priorities will afford a mechanism to further inform the investment programme for ‘growth only’ drivers.

Scottish Water notes that the Sutherland Deposit Draft Local Plan November 2008 allocates a number of sites for housing and business uses within the plan area for future development. An assessment of the current water and waste water capacity at our strategic assets has previously been provided and is incorporated within the accompanying Map Booklet.

However, Scottish Water would encourage all developers involved in residential projects to engage with Scottish Water as early as possible in their development plans to establish current available capacity for their proposals and to maintain this dialogue throughout the planning process.

Similarly, if the development is of a commercial nature, this dialogue should be maintained through the relevant licensed provider once appointed. A list of such licensed providers can be found at www.scotlandontap.gov.uk

Following the Ministerial Statement of 9 February 2005, funding for investment in growth within Q&S III is to be made available to Scottish Water. Whilst there is no agreed process that will allow the effective allocation of this initial investment across all of the council areas within the local plan in a properly prioritised manner, Scottish Water has been working directly with councils throughout Scotland to discuss their priorities.

Scottish Water anticipates that in order to address Parts 4 (Strategic assets such as Water Treatment Works and Water Reservoirs) and Part 3 (i.e. local infrastructure, to which Developers will have to make an apportioned contribution) infrastructure planning requirements, and to avoid a

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Representee	Comment
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Chapter 05 GP Policy 15 Developer Contributions 5.33

“piecemeal” approach to asset investment, there will be an increased demand for the modelling of water supply, wastewater networks and wastewater treatment capacity, including Drainage Impact Assessment and Water Impact Assessments. Much of this work, which would be required in addition to the high-level assessments Scottish Water must undertake in preparing annual Strategic Asset Capacity statements announced in the Ministerial Directive of 9 February 2005, will need to be funded by Developers.

Scottish Water are presently establishing a common methodology together with the supporting data on infrastructure status, performance, and the environmental quality required for the assessments and are assembling the data, to be made available, in a common format. Scottish Water is committed to working jointly with our strategic stakeholders, including Highland Council, to develop a common approach to impact assessment. Scottish Water recognises that as we begin to move away from a position of managing assets at, or close to, capacity, to one of providing capacity, that we may have to take a short, medium and long term view, with out-turn trends reviewed regularly to fully understand the triggers for further investment

Airtricity Developments (UK) Ltd

Financial contributions made by the developer are considered in theme 4.43 ‘A Competitive Place (r)’ and Policy 15. Theme 4.43 ‘A Competitive Place (r)’ states that ‘exploration of opportunities to potentially gain economic and/or community benefit from Sutherland’s natural resources, such as ... renewable energy generation’. This statement is unclear what financial payment a wind farm developer would make other than a community benefit. This requires clarification. Later Policy 15 states that ‘the Council will seek appropriate developer contributions in association with development proposals’ and the level of contribution will be ‘proportionate to the scale, nature, impact and planning purposes associated with the development’. While it is implied through this policy that the developer contributions referred to are applicable to residential development this is not explicit in the text that this is the only type of development that this policy could be applied to and therefore it could also be applied to wind farm development. Firstly, it should be reminded that for wind farm development there is no legal obligation for the developer to make any voluntary financial payment to either the local community or the appropriate planning authority. Secondly, there needs to be a clear distinction made between community benefit and developer contributions (payment made to the planning authority). Any contribution made to a community should not be used to replicate a service that would otherwise be provided by the Council or Government. A developer contribution on the other hand would financially assist in the provision of a service provided by the council or governmental department. At present, the deposit draft local plan text is ambiguous and subjective. This should be amended to reflect our comments.

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Representee	Comment
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Chapter 05 GP Policy 18 Design Quality and Place-Making 5.39

Scottish Natural Heritage Paragraph 3.4.6(v) includes welcome references to good design quality and place making in new development, but the actual meaning of place-making is unclear. Nor is it clear how this will be judged. This may be best amplified in the supporting text to the most relevant policy, i.e. Policy 18 Design Quality and Place Making. Additional references should be included in the supporting text to Policy 18 to PAN 65 Planning and Open Space and to SPP 11 Open Space and Physical Activity as well as any relevant aspects of the DPPG on Design for Sustainability.

DEPOSIT DRAFT NOV 08 RESPONSE -

No modification made, although Policy 18 itself now includes reference to open space. However SNH still recommends that THC add a reference to PAN 65 Planning and Open Space in para 5.18.1 (other PANs are referred to here). See later for comment re SPP 11.

Scottish Natural Heritage The second paragraph of the policy should include references to open space as follows - "They should have regard to the historic pattern of development and open space in the locality"; "Proposals will also be examined in terms of their creation of attractive and effective streetscapes and other open space".

DEPOSIT DRAFT RESPONSE NOV 08 -

The policy has been changed to include references to open space which is welcomed.

It would be all the more helpful if para 5.18.1 includes a reference to PAN 65 Planning and Open Space as well as PANs 67 and 68 and so SNH maintains this recommendation.

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Representee	Comment
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Chapter 05 GP Policy 4 Natural, Built and Cultural Heritage 5.1

Scottish Natural Heritage

Policy 4

Part 2 of this policy ("National") should be compatible with paragraph 25 of NPPG 14 in respect of NSAs, SSSIs and NNRs. As presently worded, while this reflects the second "test" in NPPG 14, it does not accurately reflect the first "test". Therefore SNH objects to this part of the policy and wishes an amendment to read as follows - In areas of national importance we will allow developments that can be shown not to compromise the amenity and heritage resource. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services. In addition, for developments that would affect a National Scenic Area, Site of Special Scientific Interest or National Nature Reserve, we will only allow them if the objectives of the designated area and the overall integrity of the area will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

Part 3 of this policy, with regard to areas of international importance should be reworded as follows to be compatible with the Conservation (Natural Habitats &c) Regulations 1994 as amended (based on Pilot Model Policy Study, Scottish Executive, January 2006). SNH objects to this part of the policy and wishes an amendment to read as follows -

In areas of international importance, we will allow developments if they will not adversely affect the integrity of the site following an appropriate assessment. Proposals where we are unable to ascertain that they would not adversely affect the relevant interest for which the site is designated will only be allowed if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex I of the Habitats Directive) would be affected, consent can only be issued where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reason subject to the opinion of the European Commission (via Scottish Ministers).

DEPOSIT DRAFT NOV 08 RESPONSE -

Policy 4.2 –It is understood that THC wishes to broadly retain the policy wording in order to apply it to all the features of national importance. Therefore as an alternative SNH proposes that the first test in para 25 of NPPG 14 should be included under the Background text for SSSIs, NNRs and NSAs in Appendix 1, viz

– “These areas are protected by national policy in that the objectives or qualities of designation and the overall integrity of the area should not be compromised”. SNH objects unless words to this effect are added where relevant to Appendix 1.

Policy 4.3 – The revised wording is an improvement but is still not quite compliant with the Habitats Regs, in SNH’s opinion. SNH objects unless the policy is further amended to the following For features of international importance, developments likely to have a significant effect on a site will be subject to an appropriate assessment. Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, we will allow development, provided there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex 1 of the Habitats Directive) would be affected, development in

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such circumstances will be allowed provided that the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reasons subject to the opinion of the European Commission (via Scottish Ministers)". SNH is content to leave to the Council whether the features are listed (as at present) in the policy.

Scottish Natural Heritage

In the preamble to this policy, some further consideration may need to be given to the titles of "inventoried semi-natural woodland" appearing as a "local/regionally" important feature, and "inventoried ancient and long-established woodland" appearing as a "nationally" important feature. This does not strictly reflect the more detailed description in Appendix 1 and so SNH recommends that a more accurate rendering would be -

local/regionally important - "inventoried Semi-Natural Woodland and Long-Established Woodland (Plantation)"

nationally important - "inventoried Ancient Woodland and Long- Established Woodland (Semi-Natural)"

To be accurate in terms of the description in Appendix 1, GCR Sites should read: "Geological Conservation Review Sites and Regionally Important Geological Sites9'- the latter are identified by local RIGS groups.

DEPOSIT DRAFT NOV 08 RESPONSE -

Policy 4.2 –It is understood that THC wishes to broadly retain the policy wording in order to apply it to all the features of national importance. Therefore as an alternative SNH proposes that the “first test” in para 25 of NPPG 14 should be included under the “Background” text for SSSIs, NNRs and NSAs in Appendix 1, viz – “These areas are protected by national policy in that the objectives or qualities of designation and the overall integrity of the area should not be compromised”. SNH objects unless words to this effect are added where relevant to Appendix 1.

Policy 4.3 – The revised wording is an improvement but is still not quite compliant with the Habitats Regs, in SNH’s opinion. SNH objects unless the policy is further amended to the following – “For features of international importance, developments likely to have a significant effect on a site will be subject to an appropriate assessment. Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, we will allow development, provided there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex 1 of the Habitats Directive) would be affected, development in such circumstances will be allowed provided that the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reasons subject to the opinion of the European Commission (via Scottish Ministers)". SNH is content to leave to the Council whether the features are listed (as at present) in the policy.

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Historic Scotland

20. There are several sites which have the potential to affect the setting of B- and C(S)- listed buildings, but which have not been identified as such in the assessment. I note that the protection of the setting of B- and C(S)-listed buildings is a matter for The Highland Council to consider, and suggest that you may wish to consult accordingly. The sites in question comprise:

- Golspie H2 (three B-listed buildings)
- Golspie H3 (one B- and one C(S)-listed building)
- Golspie MU1 (two B-listed buildings)
- Golspie MU4 (one B-listed building)
- Golspie MU2 (one B-listed building)
- Brora H4 (one B-listed building)
- Arday H2 (two B-listed buildings)
- Arday B1 (one C(S)-listed building)
- Lochinver H2 (three B-listed buildings)
- Durness MU3 (one C(S)-listed building)

DEPOSIT DRAFT NOV 08 RESPONSE -

Our objection to Policy 4 covers four issues:

- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
- the issue of site and setting;
- the wording of supporting information

To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the "categorisation of features" element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

Historic Scotland

Categorisation of features

We consider that the levels of importance accorded to historic environment features by the Local Plan should correspond to those set out in national policy and guidance, as follows: Category B and C (sic) listed buildings are identified as "local and regionally important" features, whilst Conservation Areas are identified as nationally important features. We find this categorisation confusing, given that listings are designated at a national level whilst Conservation Areas are designated at a local/regional level. We therefore suggest that Conservation Areas should be identified as "local and regionally important" features.

The Local Plan's categorisation of listed buildings sits slightly at odds with the advice provided in the Memorandum of Guidance (Para 1.6) where A-listed buildings are considered to be of national or international importance, B-listed buildings are of regional or more than local importance, and C(S) listed buildings are of local importance. We therefore suggest that the difference in importance of B and C(S) listed

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buildings is identified in "local and regionally important features" and that this carries through to Appendix 1.

Please note that the reference to C listed buildings in the supporting information should be to C(S) listed buildings.

DEPOSIT DRAFT NOV 08 RESPONSE -

Our objection to Policy 4 covers four issues:

- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
- the issue of site and setting;
- the wording of supporting information

To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the "categorisation of features" element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

Historic Scotland

Supporting Information

The supporting information states: "How sensitive these features are to development depends on their level of importance and on the nature and scale of development and the likely effect on the feature in question". We disagree with this statement: the sensitivity of a feature is not a function of its level of importance. For example, many archaeological sites are sensitive to damage from tree planting, irrespective of whether they are Scheduled Ancient Monuments or unscheduled archaeological sites. In our view the issue of importance is more to do with decision-making. We suggest that this text be amended to read "In assessing development proposals, the Council will consider the level of importance and nature of these features, the nature and scale of development, and the likely effect on the feature (including setting) in question".

DEPOSIT DRAFT NOV 08 RESPONSE -

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- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
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To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the "categorisation of features" element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

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Historic Scotland

Lack of detailed policy guidance
 It is our view that Policy 4 does not provide detailed policies and clear guidance, e.g. to planners and developers, on how the historic environment should be taken into account when making decisions on development proposals. Given this lack, we consider that there is a clear need for significant additional supplementary planning guidance (SPG) on the historic environment. The Local Plan should include a commitment to prepare such SPG, and clearly identify its scope.

DEPOSIT DRAFT NOV 08 RESPONSE -

Our objection to Policy 4 covers four issues:

- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
- the issue of site and setting;
- the wording of supporting information

To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the “categorisation of features” element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

Historic Scotland

Site and setting
 Policy 4, as it stands, does not recognise the need to protect a historic environment feature and its setting. We suggest that the text of the policy, its supporting information and Appendix 1 be altered to include such reference, as follows:

Re-wording the first paragraph of the policy to read: When making decisions on development proposals we will take account of the level of importance of, and the effect on, the natural, built and cultural heritage (see Appendix 1 and Background Maps). Impact on historic environment features will be considered in terms of impact on both the site and setting of the feature.

In the supporting text, at the end of the paragraph commencing "the impact on all natural and cultural heritage features". A final sentence should be added so that the paragraph reads "The impact on all natural and cultural heritage features must be addressed however when considering and assessing development proposals, and the Background maps which are contained in the Map booklet of the Plan set out the locations of all these different features in so far as they have been mapped digitally on our system. Impact on historic environment features (i.e. archaeological sites, Scheduled Ancient Monuments, listed buildings, and Gardens and Designed Landscapes) should be considered in terms of impact on both the site and setting of the feature.

Suggested wording for Appendix 1 is contained in the objection to that appendix.

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Chapter 05 GP Policy 4 Natural, Built and Cultural Heritage 5.1

Our objection to Policy 4 covers four issues:

- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
- the issue of site and setting;
- the wording of supporting information

To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the “categorisation of features” element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

Historic Scotland

Emphasis of protection

Policy 4, as it stands, affords different levels of protection to features of different importance and thus to different categories of listed building. However, under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and NPPG18, all buildings are provided with the same level of protection; planning authorities are required by the Act to have special regard to the desirability of preserving the building, its setting or its special features, regardless of category. In other words, the management of the resource does not flow from its categorisation but from its identification as a listed building.

The overall emphasis of Policy 4 therefore sits at odds with that of national legislation and policy for listed buildings, set out in the Act and NNPG 18. Accordingly, it is our view that the wording of Policy 4 should be amended to reflect national legislation and policy for listed buildings

DEPOSIT DRAFT NOV 08 RESPONSE -

Our objection to Policy 4 covers four issues:

- the lack of detailed policy guidance;
- the emphasis of protection in the policy;
- the issue of site and setting;
- the wording of supporting information

To note, our previous objection to Policy Four dated 1 February 2008 covered five issues of the policy. However, we are now content that the “categorisation of features” element of this objection has been adequately addressed therefore we can withdraw this part of the objection.

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Representee	Comment
Chapter 05 GP Policy 6 Designing for Sustainability 5.17 Scottish Environment Protection Agency	<p>Objection</p> <p>SEPA welcomes the inclusion of a policy which considers sustainability. However, SEPA objects to the Policy as it stands as it is not in accordance with Policy G2 of the Highland Structure Plan and does not provide clear guidance as to when developers are required to submit 'Design for Sustainability' statements. SEPA notes that the supporting text of Policy 6 states that "Highland Structure Plan Policy G2 sets out the requirement for all development to be designed for sustainability", and therefore SEPA considers this should be made clear within the Policy.</p> <p>Modification Required to Remove SEPA's Objection</p> <p>SEPA would remove its objection if the following amendment is made.</p> <p>1. <input type="checkbox"/>The Policy is amended to the following effect:</p> <p>"A 'Design for Sustainability' statement should be submitted with planning applications for all developments. These statements will be assessed in accordance with the Development Plan Policy Guideline on Designing for Sustainability."</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>2.1 SEPA welcomes the further explanation of how the Development Plan Policy Guideline on Designing for Sustainability will be updated in the near future and it is SEPA's understanding this will include a section on when a 'Design for Sustainability' statement will be required. SEPA therefore withdraws its objection to this element of the Plan.</p> <p>2.2 For the avoidance of doubt and to provide clarity to developers SEPA recommends that the word 'normally' is deleted from Policy 6 itself.</p>
<hr/> Scottish Environment Protection Agency	<p>Objection Policy and Part of Plan Sustainability - Policy 6</p> <p>Objection</p> <p>SEPA welcomes the inclusion of a policy which considers sustainability. However, SEPA objects to the Policy as it stands as it is not in accordance with Policy G2 of the Highland Structure Plan and does not provide clear guidance as to when developers are required to submit 'Design for Sustainability' statements. SEPA notes that the supporting text of Policy 6 states that "Highland Structure Plan Policy G2 sets out the I-requirement for all development to be designed for sustainability", and therefore SEPA considers this should be made clear within the Policy.</p>

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Representee	Comment
Chapter 05 GP Policy 6 Designing for Sustainability 5.17	<p>Modification Required to Remove SEPA's Objection SEPA would remove its objection if the following amendment is made</p> <p>1. The Policy is amended to the following effect: "A 'Design for Sustainability' statement should be submitted with planning applications for all developments. These statements will be assessed in accordance with the Development Plan Policy Guideline on Designing for Sustainability."</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>2.1 SEPA welcomes the further explanation of how the Development Plan Policy Guideline on Designing for Sustainability will be updated in the near future and it is SEPA's understanding this will include a section on when a 'Design for Sustainability' statement will be required. SEPA therefore withdraws its objection to this element of the Plan.</p> <p>2.2 For the avoidance of doubt and to provide clarity to developers SEPA recommends that the word 'normally' is deleted from Policy 6 itself.</p>
Scottish Natural Heritage	<p>Policy 6 The supporting text should make clear that the Council's DPPG on Designing for Sustainability takes full account of such guidance as is contained in say PAN 65, PAN 67, PAN 68 and SPP I I.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Not done – para 5.6.6 refers to other PANs and SPPs but not these ones. This comes back to the need for applicants to be aware of other plans, policies and strategies as per our comments relating to the inclusion of a list of relevant documents at section 2.6 of the Local Plan. SNH has no further comment on this.</p>
Scottish Natural Heritage	<p>Paragraph 3.4.4(p) refers to accommodating substantial new development in a sustainable way. SNH would welcome the inclusion of further guidance in the Local Plan on the yardsticks to measure and assess sustainability. This may be best placed in the context of Policy 6 Designing for Sustainability. SNH would like to see specific reference to landscaping and open space provision in the justifying reasoning for this policy and in the linked Development Plan Policy Guideline (DPPG).</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>No modification has been made to deal with this. SNH recommends that the last sentence of para 5.6.1 include reference to landscaping and open space.</p>

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Chapter 05 GP Policy 7 Waste Water Treatment 5.19

Scottish Water

In relation to Policy 7 - Scottish Water's investment priorities are as set down by Scottish Parliament Ministers, who have previously consulted our environmental and economic regulators [Scottish Environment Protection Agency (SEPA), Drinking Water Quality Regulator (DWQR), and Water Industry Commissioner (WIC) for Scotland], Water Customer Consultation Panels and our national stakeholders including Confederation of British Industry (CBI), Convention of Scottish Local Authorities (CoSLA) and also, Scottish Consumer Council, Homes for Scotland, Scottish Federation of Housing Associations, Communities Scotland, and Scottish Natural Heritage.

On 9 February 2005 the Scottish Parliament gave its final approval to the Water Services Bill. The Bill gives clear powers to Scottish Ministers, to set Scottish Water's objectives, and the principles to be applied in setting charges.

There are many objectives to be met including new principles for charging for public water and sewage services and in relieving development constraints. The Scottish Ministers consider it essential that Scottish Water provides sufficient strategic capacity to meet all estimated new housing development and the domestic requirements of commercial and industrial developments.,

On the 29th September 2005 the Scottish Executive issued the Ministers Directions for Scottish Water 2006 to 2010. These were issued as the "Scottish Water (Objectives for 1st April 2006 to 31st March 2010) Directions 2005 made under sections 56 and 56A of the Water Industry Scotland Act 2002 (as amended by the Water Services etc. Act 2005)" The Directions refer to the Ministerial Statement issued to Scottish Water on the 9th February 2005 that specifies the essential and desirable objectives to be delivered by Scottish Water in the period 2006 to 2010.

The objectives set for Scottish Water with respect to growth, over the period 2006 - 2014 are:

Deliver strategic capacity to allow 60,000 new homes and 2,025 hectares of commercial /industrial land across Scotland to be connected to the public water and wastewater network in each of the four year periods 2006 – 2010 and 2010 – 2014, by providing capacity for 40,000 population equivalent (pe) at wastewater treatment works and 16,500 pe at water treatment works in each period.

Publish annually a document outlining the strategic network capacity and development plans.

Where new developments require additional local capacity, the cost of providing this should be met by the developer and it should be for Scottish Water to remove constraints on development caused by a lack of capacity at a strategic level. This ensures that both the public purse and the private developer pay their proper share of enabling new development to happen.

The Scottish Ministers have issued Regulations, 'The provision of Water and a Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006', define Scottish Water's liability to provide strategic capacity for Part 4 assets as well as a contribution towards the cost of Part 2 and Part 3 assets. Reasonable Cost Contributions (RCC) are limited to a sum that will reflect the additional income Scottish Water will receive as a consequence of the new infrastructure vesting in us. The Minister stated that Developers will be responsible for

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the costs of Part 1, and the net cost of Part 2 and Part 3 assets. A detailed breakdown of Part 1-4 Assets shown below.

The current RCC payments can be up to a maximum of £1,414.00 for water and £1,598.00 for wastewater per household connection. For non-domestic connections the level of contribution is based on an average unit cost of water delivered and waste water treated.

Under the arrangements Ministers have set, Scottish Water is required to meet all estimated requirements for strategic capacity at part 4 assets over the 8 year period 2006 – 2014. The directions placed on Scottish Water to formulate and deliver such investment plans are detailed below:-

In formulating investment plans for this area of investment, Scottish Water and the Water Industry Commission should take account of: General Register Office for Scotland’s population projections; Scottish Executive’s household projections; and the SEPA/SW Memorandum of Understanding on the Impact of Proposed Development on the Public System.

Ministers also require that delivery of these investment requirements should be informed by the quality investment programme, the spatial priorities identified in the National Planning Framework, and development priorities identified by local authorities in their Structure and Local Plans.

Scottish Water’s approach has been to consult with local authorities to review the development plan demand for growth and to request local authorities to provide development priorities to inform the capital programme. Scottish Water has shared the quality driven investment programme that will afford the opportunity to, co-incidentally, invest for growth. A gap analysis between the quality programme and the development priorities will afford a mechanism to further inform the investment programme for ‘growth only’ drivers.

Scottish Water

Where connection to the public sewerage system is not possible, developers and householders should give careful consideration to the private waste water arrangements which they propose in order to ensure that appropriate waste water provisions are secured. PAN 79 notes that;
 “A range of environmental legislation (see annex A) imposes conditions on the delivery of Scottish Water’s functions and the operation of private schemes. For example, the Urban Waste Water Treatment (Scotland) Regulations 1994 require the provision and maintenance of collecting systems for conurbations. The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) regulate all discharges into the water environment, including groundwater, through a system of licences, registrations and general binding rules administered by SEPA. These regulations provide SEPA with powers to take enforcement action when infrastructure is not appropriately maintained and environmental pollution occurs.” (2006, p. 8).
 It is therefore important that developers/householders who propose private waste

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water systems consider the design and practicalities of such systems very carefully from the outset and consult Scottish Water at the earliest possible opportunity on the appropriateness of such provision. It may also be necessary to instruct a competent person to deal with private waste water provision and this may especially relevant if it is intended that private systems are to be adopted by Scottish Water. Carefully consideration must be given to the design and maintenance provision of private systems in order that they meet the criteria such that the system may be liable for adoption by Scottish Water if required.

Scottish Environment Protection Agency

SEPA welcomes the assessment of foul drainage capacity and the detailing of this for each settlement. Whilst SEPA fully supports a policy promoting connection to the public sewer, SEPA objects to the Policy as it stands as it does not fully accord with SEPA's Policy on the Provision of Waste Water Drainage in Settlements which has been adopted since SEPA considered previous Highland Council development plans.

Paragraph 23 of Planning Advice Note 79 'Water and Drainage' (which has also been published since SEPA considered previous Highland Council development plans) states that "SEPA also has a role of raising strategic drainage issues in the context of its policies, including its Policy on Provision of Waste Water Drainage in Sewered Areas, to which the planning authority should have regard when preparing development plans and making decisions on planning applications." SEPA's Policy on the Provision of Waste Water Drainage in Settlements can be found at www.sepa.org.uk/pdf/wfd/guidance/general/ps06-08.pdf.

SEPA notes the reference "allocations Vs capacity" in the supporting text for each settlement in the map booklet. It is SEPA's understanding that "allocations Vs capacity" refers to an assessment of whether or not the existing sewage treatments works can accommodate the Plan allocations. It is unclear from the Plan in each case what the deficiency is and if the capacity assessments assess network capacity as well as the capacity of sewage treatment works.

In the light of the new role of SEPA and Scottish Water as key agencies in cooperation in the preparation of development plans, SEPA considers that it would be more useful to the public, developers and planners to identify not only the public sewer capacity for each settlement, but also mechanisms which could be implemented to address capacity constraints, including network capacity issues as well as treatment works capacity. SEPA would be happy to work with Scottish Water and the Council to assist in this process.

Scottish Planning Policy 3 'Planning for Housing' Paragraph 85 states "Creating a new settlement or major extension will generally require partnership between the public sector, private developers and other interests. Development plans should be clear about the likely scale of developer contributions, which for some sites may include provision of all or most new infrastructure, road improvements and similar requirements. Such provisions should be drawn up in consultation with the relevant parties, and the cost of providing the necessary infrastructure should be commensurate with the scale of the development proposed."

SEPA welcomes the assessment of the ability of each allocation to connect to the public sewer presented in the SEA Environmental

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Representee	Comment
Chapter 05 GP Policy 7 Waste Water Treatment 5.19	<p>Report and notes that the assessment identified that all allocations except Invershin H1, Lochinver H1 and H3, Point of Stoer H1 and H2, Scourie H1, Tongue LT1 and MU2, and Strathy H1 can connect to the public sewerage system. However, in the Plan some of the allocation 'Developer Requirements' make reference to these drainage requirement while others do not. SEPA considers that this approach is inconsistent and does not make the Plan policy and developer requirements clear.</p> <p>In relation to the above SEPA notes that some of these allocations are within settlements that are served by public sewer but which the assessment presented in the SEA Environmental Report concludes are unable to connect to the public sewer however no measures to overcome this constraint and enable connection to public sewer are detailed.</p> <p>Modification Required to Remove SEPA's Objection SEPA would remove its objection if the following amendments are made.</p> <p>1. The Policy is modified to the following effect:</p> <p>Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is a prerequisite for all new development proposals. Planning applications for private systems will only be supported where the applicant can clearly demonstrate the following:</p> <p>a) There will be no adverse impact upon the environment; and b) That the development is unable to connect to public sewer for technical or economic reasons.</p> <p>Any such private system should discharge to land rather than water where ground conditions are suitable.</p> <p>Where connection to the public sewer is not permitted because there is no capacity but Scottish Water has confirmed that investment to address this constraint has been specifically allocated within its investment programme, a temporary private system would only be supported provided:</p> <ul style="list-style-type: none"> - The system would be designed and built to a standard which will allow adoption by Scottish Water. - The system is designed such that it can be easily connected to a public sewer in the future. Typically this will mean providing a drainage line up to a likely point of connection. The developer must provide Scottish Water with the funds which will allow Scottish Water to complete the connection once the sewerage system has been upgraded." <p>2.The Policy supporting text is amended to refer specifically to SEPA's Policy on the Provision of Waste Water Drainage in Settlements.</p> <p>3.The following allocations are removed from the Plan and replaced with alternative sites which can connect to the public system or a feasible solution to connect to public sewer is identified for each site and required within the developer requirements for each allocation.</p> <p>Lochinver H1 and H3 Scourie H1</p>

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Tongue MU2 and LT1
Strathy H1

4.The requirement for foul drainage is made explicit for each allocation. This can be achieved by the insertion of the following comments in each allocation Developer Requirement:

4.1 For those allocations in settlements identified as not served by a public sewer, namely Invershin and Point of Stoer - "An environmentally acceptable private sewerage system is required."

4.2 For all other allocations - "Connection to public sewer required."

5. Where there are infrastructure issues the Settlement descriptions should set out the nature of these issues and how they could be addressed (e.g. works capacity, network capacity, scale of development that could facilitate upgrades to infrastructure).

DEPOSIT DRAFT NOV 08 RESPONSE -

3.2 To ensure foul drainage requirements are made clear to developers SEPA would withdraw its objection to Policy 7 if it is revised to the below wording as agreed at our meeting on the 19 January 2009. SEPA considers that this policy wording would make requirements for suitable foul drainage for all allocations explicit and therefore does not need to be inserted in Developer Requirements for all allocations except the allocations listed in section 3.3 below.

"Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is required for all new development proposals:

-either in settlements identified in the plan with a population equivalent of more than 2000; or

-wherever single developments of 25 or more units are proposed.

In all other cases a connection to the public sewer will be required, unless the applicant can demonstrate that:

1) the development is unable to connect to public sewer for technical or economic reasons; and

2) that the proposal is not likely to result in or add of significant environmental or health problems.

The Council's preference is that any private system should discharge to land rather than water

For all proposals where connection to the public sewer is not currently feasible and Scottish Water has confirmed public sewer improvements or first time public sewerage

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within its investment programme that would enable the development to connect, a private system would only be supported if:

-the system is designed and built to a standard which will allow adoption by Scottish Water.

- the system is designed such that it can be easily connected to a public sewer in the future.

Typically this will mean providing a drainage line up to a likely point of connection. The developer must provide Scottish Water with the funds which will allow Scottish Water to complete the connection once the sewerage system has been upgraded."

3.3 SEPA would withdraw its objection provided that a Developer Requirement for connection to the public sewer is inserted for Lochinver M1 and H3, Scourie H1 and Tongue MU2 and all allocations of 25 or more units. SEPA notes that the planning authority does not consider this reasonable for Lochinver M3 and therefore if this Developer Requirement is not inserted SEPA would maintain its objection to this allocation. SEPA considers that if a sustainable foul drainage solution is not feasible for an allocation then it is not a sustainable location for a development.

**Scottish Environment
 Protection Agency**

Objection Policy and Part of Plan

Waste Water Treatment - Policy 7 and Policy 7 Supporting Text and Map Entitled Physical Constraint: STVVs

Objection

SEPA welcomes the assessment of foul drainage capacity and the detailing of this for each settlement. Whilst SEPA fully supports a policy promoting connection to the public sewer, SEPA objects to the Policy as it stands as it does not fully accord with SEPA's Policy on the Provision of Waste Water Drainage in Settled Areas which has been adopted since SEPA responded to previous Highland Council development plans.

Paragraph 23 of Planning Advice Note 79 'Water and Drainage' (which has also been published since SEPA considered previous Highland Council development plans) states that "SEPA also has a role of raising strategic drainage issues in the context of its policies, including its Policy on Provision of Waste Water Drainage in Sewered Areas, to which the planning authority should have regard when preparing development plans and making decisions on planning applications*. SEPA's Policy on the Provision of Waste Water Drainage in Settled Areas can be found at www.sepa.org.uk/pdf/wfd/guidance/general/ps06-08.pdf

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP Policy 7 Waste Water Treatment 5.19

SEPA notes the reference "allocations Vs capacity" and in the supporting text for settlements in the map booklet. It is SEPA's understanding that "allocations Vs capacity" refers to an assessment of whether or not the existing sewage treatments works can accommodate the Plan allocations. It is unclear from the Plan in each case what the deficiency is and if the capacity assessments assess network capacity as well as the capacity of sewage treatment works.

In the light of the new role of SEPA and Scottish Water as key agencies in cooperation in the preparation of development plans, SEPA considers that it would be more useful to the public, developers and planners to identify not only the public sewer capacity for each settlement, but also mechanisms which could be implemented to address capacity constraints, including network capacity issues as well as treatment works capacity. SEPA would be happy to work with Scottish Water and the Council to assist in this process.

The Memorandum of Understanding between Scottish Water and SEPA states that "SEPA will promote the proposal that developments of greater than 25 houses in rural areas should have public sewerage systems and treatment works built to Scottish Water standards and taken over by Scottish Water"

Scottish Planning Policy 3 'Planning for Housing' Paragraph 85 states "Creating a new settlement or major extension will generally require partnership between the public sector, private developers and other interests. Development plans should be clear about the likely scale of developer contributions, which for some sites may include provision of all or most new infrastructure, road improvements and similar requirements. Such provisions should be drawn up in consultation with the relevant parties, and the cost of providing the necessary infrastructure should be commensurate with the scale of the development proposed."

SEPA welcomes the assessment of the ability of each allocation to connect to the public sewer presented in the SEA Environmental Report and notes that the assessment identified that all allocations except Invershin HI, Lochinver HI and H3, Point of Stoer HI and 1-12, Scourie HI, Tongue LT1 and MU2, and Strathy HI can connect to the public sewerage system. However, in the Plan some of the allocation 'Developer Requirements' make reference to these drainage requirements while others do not. SEPA considers that this approach is inconsistent and does not make the Plan policy and developer requirements clear.

In relation to the above SEPA notes that there are a number of allocations within settlements that are served by public sewer but which the assessment presented in the SEA Environmental Report concludes are unable to connect to the public sewer however no measures to overcome this constraint and enable connection to public sewer are detailed.

Modifications Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendments are made.

I. The Policy is modified to the following effect:

"Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is a prerequisite for all new development proposals.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP Policy 7 Waste Water Treatment 5.19

Planning applications for private systems will only be supported where the applicant can clearly demonstrate the following:

- a) There will be no adverse impact upon the environment; and
- b) That the development is unable to connect to public sewer for technical or economic reasons.

Any such private system should discharge to land rather than water where ground conditions are suitable.

Where connection to the public sewer is not permitted because there is no capacity but Scottish Water has confirmed that investment to address this constraint has been specifically allocated within its investment programme, a temporary private system would only be supported provided:

- The system would be designed and built to a standard which will allow adoption by Scottish Water.
- The system is designed such that it can be easily connected to a public sewer in the future. Typically this will mean providing a drainage line up to a likely point of connection. The developer must provide Scottish Water with the funds which will allow Scottish Water to complete the connection once the sewerage system has been upgraded."

2. The Policy supporting text is amended to refer specifically to SEPA's Policy on the Provision of Waste Water Drainage in Settlements.

3. The following allocations, which are in settlements served by a public sewage system but the SEA determines cannot connect to the public sewer, and any others subsequently identified by the Planning Authority are removed from the Plan and replaced with alternative sites which can connect to the public system or a feasible solution to connect to public sewer is identified for each site and required within the developer requirements for each allocation. Lochinver HI and H3 Scourie HI Tongue MU2 and LT1

Strathy HI

4. The requirement for foul drainage is also made explicit for all other allocations. This can be achieved by the insertion of the following comments in each allocation Developer Requirement:

4.1 For those allocations with less than 25 units in settlements identified as not served by a public sewer "An environmentally acceptable private sewerage system is required."

4.2 For all other allocations - "Connection to public sewer required."

5. Where there are infrastructure issues the Settlement descriptions should set out the nature of these issues and how they could be addressed (e.g. works capacity, network capacity, scale of development that could facilitate upgrades to infrastructure).

DEPOSIT DRAFT NOV 08 RESPONSE -

Waste Water Treatment - Policy 7, Policy "amending Text, Map Entitled 12hysicaf
Constraint: SWs, specified allocations

3.1 SEPA supports the revisions to the supporting text, settlement descriptions and constraints map as detailed within the Deposit Draft (November 2008). SEPA therefore withdraws its objection to these elements of the Plan.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

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Chapter 05 GP Policy 7 Waste Water Treatment 5.19

Scottish Natural Heritage

Policy 7

As it would appear that no settlement in Sutherland has a current population of more than two thousand, alternatives to a connection to the public sewer may be possible and should be considered. As currently stated this policy may be a candidate for appropriate assessment, along with allocated sites that could have a likely significant effect on SACS. In addition we would strongly recommend that this policy is strengthened by adding the following wording at the end of Policy 7 point 3 " Where the proposal is in the vicinity of a European site, Policy 4.3 will apply". This refers to the re-worded policy 4.3 above.

DEPOSIT DRAFT NOV 08 RESPONSE -

Policy 7 has been screened for inclusion within the Appropriate Assessment.

The cross reference within this policy to Policy 4.3 has not been made, but SNH acknowledges para 5.0.2 which states that all policies should be considered. SNH has no further comment on this.

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**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
<p>Chapter 05 GP Policy 8 Waste Management 5.21 Scottish Environment Protection Agency</p>	<p>Objection</p> <p>SEPA welcomes the inclusion of a policy to address waste management issues. However SEPA objects to the Policy as it stands as it does not provide clear guidance on how sustainable waste management should be achieved and is not in accordance with Scottish Planning Policy 10 'Planning for Waste Management' (SPP 10).</p> <p>SPP 10 states "Local development plans will provide detailed policies and proposals, except outside the city regions where they will also contain a vision statement. In the city regions, where significant land use issues around the cross-boundary movement of waste arise, these should be addressed in the SDP. Planning authorities should refer to the Development Planning sections on Need, Areas of Search and Site Assessment in PAN 63 which still apply, with the additional updates under the next section of this SPP on establishing and verifying need."</p> <p>Further policy within SPP 10 outlines the level of guidance which Development Plans should include to provide the necessary guidance for developers as per the following paragraphs.</p> <p>SPP 10 Paragraph 19 states "At the next level, community composting and "bring" facilities may also create a demand for local sites that support waste recycling which can be identified in development plans at appropriate locations. Other sites, particularly for larger scale installations should also be identified through the development plan".</p> <p>SPP 10 Paragraph 35 states that "Thermal treatment technology is more beneficial if both heat and electricity can be recovered or if it delivers combined heat and power (CHP). Siting of plant close to energy grids or users such as manufacturers and processors using heat from their waste will be consistent with this SPP's model policy".</p> <p>In addition SEPA considers that the Policy does not provide enough guidance on what developers would need to do to demonstrate sustainable waste management for developments and is not fully in accordance with SPP 10.</p> <p>SPP 10 Paragraph 46 states "Scottish Ministers are committed to promoting facilities for waste separation and for appropriate kerbside collection of recyclable materials in new housing developments. The Executive expects suitable provision to be included in development plan policies and to be considered as part of the development management process, particularly in relation to major residential developments."</p> <p>SPP 10 Paragraph 51 states "The efficient use of landfill can be supported through the use of Site Waste Management Plans (SWMPs). The purpose of the Site Waste Management Plan voluntary code of practice 22 is to help resolve the shortage of landfill space and the declining number of waste management sites by minimising waste at source on construction sites through the accurate assessment of the use of materials and the potential for their reuse and recycling both on and off site."</p> <p>In addition SEPA considers that the Policy does not fully accord with Planning Advice Note 63 (PAN 63) on Waste Management Planning</p>

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Representee**Comment**

Chapter 05 GP Policy 8 Waste Management 5.21

(paragraphs 51 - 52 and 80 – 83) which requires that the need to provide for the management of waste is incorporated into the design and layout of all new developments.

SPP6 paragraph 30 states "Planning authorities should have regard to the Area Waste Plans drawn up for the area and to other waste management proposals put forward by Local Authorities to move away from land fill. The location of new facilities will be dependant on the source of waste used and likely to be more appropriately developed within industrial/brownfield sites close to the electricity grid or other potential users. A development plan policy framework should support the identification of sites or provide criteria against which planning applications for new waste management development will be assessed. Separate pollution controls are in place covering these developments so development plan policies should restrict broad criteria to land use and locational factors".

SEPA welcomes the map entitled Physical Constraints: Existing or Former Waste Management Facility. However, it does not show former waste management sites and only some existing waste management facilities are shown. In addition no settlement description identifies or safeguards waste management sites. This is important as Policy 8 safeguards existing waste management facilities and therefore these should be clearly identified within the Plan.

Modification Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendments are made.

1.□Policy 8 is replaced with the following wording:

"Proposals for waste management facilities will be determined in accordance with the Highland Structure Plan, the National Waste Plan, the National Waste Strategy and the Highland Area Waste Plan.

Waste management facilities will be supported on business or industrial land provided there are no adverse impacts on surrounding uses and meet other criteria relating to environmental impact and transportation. Community composting and "bring" facilities will also be supported in locations close to source. Biomass or energy from waste facilities will be supported where they provide maximum use of heat and power in locations close to energy grids or users. Proposals for landfill sites would be supported only on degraded land or former quarries, where there is demonstrable need, where the environmental impact would be acceptable and where they deal with residual waste only.

Existing waste management sites will be safeguarded for waste management-related uses. Proposals for redevelopment of existing waste management facilities will be assessed against the National Waste Strategy, the National Waste Plan, the Area Waste Plan, and will be subject to consultation with SEPA.

The Council will also take into account the extent to which development proposals effectively manage and promote the reduction, reuse, recycling and recovery of waste. This will include assessment of measures for minimising, managing and re-using waste during the construction and operation of development including measures for waste separation and collection at source. Such waste management

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Chapter 05 GP Policy 8 Waste Management 5.21

measures should be included within the "Designing for Sustainability statement" required for all development proposals under Policy 6. For significant developments a construction and operational Site Waste Management Plan will be required as a planning condition."

2.□Paragraph 1 of the supporting text is modified to include the following sentence:

"Scottish Planning Policy 10 'Planning for Waste Management' states that waste management has to be driven forward to move away from the reliance on landfill and to promote the waste hierarchy."

3.□Paragraph 2 of the supporting text is replaced with the following:

"The Highland Structure Plan sets out the strategic policy framework for waste management. In addition the National Waste Strategy, National Waste Plan and Highland Area Waste Plan are also important material considerations when determining proposals for waste management. The Physical Constraints Map: Existing or Former Waste Management Facility and Settlement section of the Plan sets out the specific waste facilities to be safeguarded."

4.□The physical constraints map is amended to show and safeguard all existing waste management sites. The map needs to show all waste management facilities including waste transfer stations, recycling points and recycling centres. The map also needs to show all former waste management facilities, including landfill sites.

5.□Each settlement description is amended to include all existing waste management sites including waste transfer stations, recycling points and recycling centres.

Other Modification SEPA Would Welcome

SEPA recommends that the following sentence is inserted at the end of Paragraph 2 of the Policy supporting text.

"Further guidance on issues to be considered as part of waste management proposals can be found in SEPA's Guidance entitled "Commenting on Development Plan Consultations for National Waste Strategy Issues" and SEPA's "Guidelines for Thermal Treatment of Municipal Waste."

DEPOSIT DRAFT NOV 08 RESPONSE -

4. Waste Management - Policy 8, Waste Physical Constraints: Existing or Former Waste Management Facility Map

4.1 SEPA welcomes the revisions to the supporting text for Policy 8 and changes to the Physical Constraints map to include all existing waste management sites. SEPA therefore withdraws its objection to these elements of the Plan.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

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Chapter 05 GP Policy 8 Waste Management 5.21

4.2 SEPA welcomes the revisions made to Policy 8 thus far, however, in order to bring the Policy fully in line with the National Waste Plan, National Waste Strategy and Scottish Planning Policy 10 "Planning and Waste Management (SPPIO) further revisions are required. SEPA would withdraw its objection provided the following revisions are made to the Policy:

4.2.1 The first sentence is revised to, "the National Waste Strategy, SPP10 and where relevant SEPA's Thermal Treatment Guidelines"

4.2.2 "Proposals for redevelopment of existing waste management facilities will be assessed against the National Waste Strategy, the National Waste Plan and the Highland Area Waste Plan to determine whether the site should be safeguarded for future waste management purposes, and will be subject to consultation with SEPA." is replaced by your proposed wording "Existing or former waste management facilities and their sites shall be safeguarded. Development proposals on or adjacent to the site of such a facility will be assessed against the National Waste Strategy, the National Waste Plan, and the Area Waste Plan, and will be subject to consultation with SEPA. If the proposed development would adversely affect the operation of the waste management facility, or would be likely to cause the site of the facility to be unavailable or unsuitable for future waste management purposes for which it will be required, the proposed development will not be favoured."

4.3 SEPA notes that SPP 10 is likely to be superseded prior to the Reporter's Decision Letter by the forthcoming Scottish Planning Policy: Part Three. Therefore SEPA recommends that policy references to SPPIO are amended at that time to reflect this change in national policy and ensure the final policy wording is up to date.

4.4 SEPA also recommends that the glossary is updated to include reference to waste management facilities. SEPA is satisfied with the suggestion "Waste management facilities for the purposes of this Plan and specifically Policy 8, facilities for the treatment and disposal of municipal and commercial waste, including (but not limited to) waste transfer stations and recycling centres."

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Representee	Comment
<p>Chapter 05 GP Policy 8 Waste Management 5.21 Scottish Environment Protection Agency</p>	<p>Objection Policy and Part of Plan</p> <p>Waste Management - Policy 8, Waste Physical Constraints: Existing or Former Waste Management Facility Map</p> <p>Objection</p> <p>SEPA welcomes the inclusion of a policy to address waste management issues, However SEPA objects to the Policy as it stands as it does not provide clear guidance on how sustainable waste management should be achieved and is not in accordance with Scottish Planning Policy 10 'Planning for Waste Management?' (SPP 10). SPP 10 states "Local development plans will provide detailed policies and proposals, except outside the city regions where they will also contain a vision statement. In the city regions, where significant land use issues around the cross-boundary movement of waste arise, these should be addressed in the SDP. Planning authorities should refer to the Development Planning sections on Need, Areas of Search and Site Assessment in PAN 63 which still apply, with the additional updates under the next section of this SPP on establishing and verifying need."</p> <p>Further policy within SPP 10 outlines the level of guidance which Development Plans should include to provide the necessary guidance for developers as per the following paragraphs. SPP 10 Paragraph 19 states "At the next level, community composting and "bring" facilities may also create a demand for local sites that support waste recycling which can be identified in development plans at appropriate locations. Other sites, particularly for larger scale installations should also be identified through the development plan". In addition SEPA considers that the Policy does not provide enough guidance on what developers would need to do to demonstrate sustainable waste management for developments and is not fully in accordance with SPP 10. SPP 10 Paragraph 46 states "Scottish Ministers are committed to promoting facilities for waste separation and for appropriate kerbside collection of recyclable materials in new housing developments. The Executive expects suitable provision to be included in development plan policies and to be considered as part of the development management process, particularly in relation to major residential developments."</p> <p>SPP 10 Paragraph 51 states "The efficient use of landfill can be supported through the use of Site Waste Management Plans (SWMPs). The purpose of the Site Waste Management Plan voluntary code of practice 22 is to help resolve the shortage of landfill space and the declining number of waste management sites by minimising waste at source on construction sites through the accurate assessment of the use of materials and the potential for their reuse and recycling both on and off site."</p> <p>In addition SEPA considers that the Policy does not fully accord with Planning Advice Note 63 (PAN 63) on Waste Management Planning (paragraphs 51 - 52 and 80 - 83) which requires that the need to provide for the management of waste is incorporated into the design and layout of all new developments.</p> <p>SPP 6 Paragraph 30 states "Planning authorities should have regard to the Area Waste Plans drawn up for their area and to other waste management proposals put forward by local authorities to move away from landfill. The location of new facilities will be dependent on the source of waste used and likely to be more appropriately developed within industrial Brownfield sites close to the electricity grid or other potential users. A development plan policy framework should support the identification of sites or provide criteria against which planning applications for new waste management development will be assessed. Separate pollution controls are in place covering these developments so development plan policies should restrict broad criteria to land use and locational factors."</p>

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Chapter 05 GP Policy 8 Waste Management 5.21

SEPA welcomes the map entitled Physical Constraints: Existing or Former Waste Management Facility. However, it does not show former waste management sites and only some existing waste management facilities are shown. In addition no settlement description identifies or safeguards waste management sites. This is important as Policy 8 safeguards existing waste management facilities and therefore these should be clearly identified within the Plan.

Modifications Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendments are made

1. Policy 8 is replaced with the following wording:

"Proposals for waste management facilities will be determined in accordance with the Highland Structure Plan, the National Waste Plan, the National Waste Strategy and the Highland Area Waste Plan. Waste management facilities will be supported on business or industrial land provided there are no adverse impacts on surrounding uses and meet other criteria relating to environmental impact and transportation. Community composting and "bring" facilities will also be supported in locations close to source. Biomass or energy from waste facilities will be supported where they provide maximum use of heat and power in locations close to energy grids or users. Proposals for landfill sites would be supported only on degraded land or former quarries, where there is demonstrable need, where the environmental impact would be acceptable and where they deal with residual waste only. Existing waste management sites will be safeguarded for waste management-related uses. Proposals for redevelopment of existing waste management facilities will be assessed against the National Waste Strategy, the National Waste Plan, and the Area Waste Plan, and will be subject to consultation with SEPA. The Council will also take into account the extent to which development proposals effectively manage and promote the reduction, reuse, recycling and recovery of waste. This will include assessment of measures for minimising, managing and re-using waste during the construction and operation of development including measures for waste separation and collection at source. Such waste management measures should be included within the 'Designing for Sustainability statement' required for all development proposals under Policy 6. For significant developments a construction and operational Site Waste Management Plan will be required as a planning condition."

2. Paragraph 1 of the supporting text is modified to include the following sentence:

"Scottish Planning Policy 70 'Planning for Waste Management' states that waste management has to be driven forward to move away from the reliance on landfill and to promote the waste hierarchy."

3. Paragraph 2 of the supporting text is replaced with the following:

"The Highland Structure Plan sets out the strategic policy framework for waste management. In addition the National Waste Strategy, National Waste Plan and Highland area Waste Plan are also important material considerations when determining proposals for waste management. The physical Constraints Map: Existing or Former Waste Management Facility and Settlement section of the Plan sets out the specific waste facilities to be safeguarded."

4. The Physical Constraints map is amended to show and safeguard all existing waste management sites. The map needs to show all waste management facilities including waste transfer stations, recycling points and recycling centres. The map also needs to show all former waste management facilities, including landfill sites.

5. Each settlement description is amended to include all existing waste management sites including waste transfer stations, recycling

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Representee	Comment
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Chapter 05 GP Policy 8 Waste Management 5.21

points and recycling centres.

Other Modification SEPA Would Welcome

SEPA recommends that the following sentence is inserted at the end of Paragraph 2 of the Policy supporting text.

"Further guidance on issues to be considered as part of waste management proposals can be found in SEPA's Guidance entitled "Commenting on Development Plan Consultations for National Waste Strategy Issues" and "Guidelines for Thermal Treatment of Municipal Waste

DEPOSIT DRAFT NOV 08 RESPONSE -

Waste Management - Policy 8, WWaste Physieai Constraints: Existing or Former Waste Management Facility Map

4.1 SEPA welcomes the revisions to tine supporting text for Policy 8 and changes to the Physical Constraints niap to include all existing waste management sites. SEPA therefore withdraws its objection to these elements of tlie Plan.

Chapter 05 GP Policy 9 Flood Risk 5.23

Scottish Water

Scottish Water supports the general provisions of Policy 9 Flood Risk. It should be noted however, that there may be instances where infrastructure works, by their very nature, may be required to be located within functional flood plains where they are intended to address flood issues. It would therefore be expected that Highland Council would consider such works exempt from any such presumption against infrastructure development in these areas. Should Scottish Water require to locate development for which planning permission is required in such an area, we will endeavour to consult with Highland Council at as early an opportunity as possible in order that relevant issues might be considered. There may be instances where development could not be reasonably located elsewhere and in such instances it would be expected that Highland Council would be in support of such development in order that flood issues might be addressed including where betterment may be created further down stream outwith Highland Council's boundary.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
<p>Chapter 05 GP Policy 9 Flood Risk 5.23 Scottish Environment Protection Agency</p>	<p>SEPA supports the inclusion of policy on flood risk. However SEPA objects to the policy as it stands. SEPA considers that the wording of Policy 9 is not in accordance with Scottish Planning Policy 7 'Planning and Flooding' (SPP 7) as it does not clearly promote the flood avoidance principle.</p> <p>SEPA welcomes the appraisal of sites allocations for flood risk presented in the SEA Environmental Report and Plan. However, flood risk has been dealt with inconsistently in the Plan and SEPA considers that, based on the assessments to date, some allocations are at flood risk and therefore are contrary to SPP 7.</p> <p>SEPA has reviewed the proposed allocations using the Indicative River and Coastal Flood Map (Scotland) - 0.5% annual probability layer (1 in 200 year return period flood event). From this review, SEPA highlights that the following allocations lie either totally or partially within the indicative limits of flooding as shown on this map.</p> <p>Dornoch H3, H4, MU1, B1 and LT Brora H4, H6 and MU1 Helmsdale MU1 Pittentrail MU1 Ardgay B1 Bonar Bridge/South Bonar Bridge I1 Rosehall H2 Invershin H1 Lairg H1, H4, LT1, B1 and MU1 Lochinver I1 Kinlochbervie H1, H2 and I1 Tongue MU1 and MU2 Melvich H1</p> <p>In addition SEPA notes that the SEA Environmental Report identifies that a Flood Risk Assessment will also be required to support allocations Lochinver I2 and LT. For your information SEPA does not currently hold any flood risk information for these sites.</p> <p>Modification Required to Remove SEPA's Objection SEPA would remove its objection if the following amendments are made.</p> <p>1. The Policy is modified to the following effect:</p> <p>"Development on the functional flood plain will be considered contrary to the objectives of this Plan. For planning applications where flood risk is highlighted, the planning authority will exercise the 'precautionary principle' and refuse development proposals where such proposals do not comply with parts (A); (B) and © as set out below and/or on the advice of SEPA.</p>

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Chapter 05 GP Policy 9 Flood Risk 5.23

(A) All types of development within "little or no risk areas" (of less than 1:1000 annual probability of flooding) are acceptable in terms of this Policy unless local circumstances dictate otherwise;

(B) All types of development, excluding essential civil infrastructure, within "low to medium risk areas" (of between 1:1000 and 1:200 annual probability of flooding) are acceptable in terms of this Policy unless local circumstances dictate otherwise;

© Within "medium to high risk areas" (1:200 or greater annual probability of flooding) only those categories of development indicated in © (i), (ii) and (iii) may be acceptable.

(i) Residential, commercial and industrial development within built-up areas providing flood prevention measures to the appropriate standard already exist or are under construction. Water resistant materials and construction as appropriate;

(ii) Development on undeveloped and sparsely developed areas within the functional flood plain and comprising:

Essential development such as navigation and water based recreation use, agriculture and essential transport and some utilities infrastructure; and an alternative lower risk location is not achievable;

Essential infrastructure should be designed and constructed to remain operational during floods.

Recreational, sport, amenity and nature conservation uses providing adequate evacuation procedures are in place;

Job related residential use with a locational need;

Loss of storage capacity is minimised and suitably compensated for, and any such measures would not compromise the objectives of the EU Water Framework Directive.

(iii) Development, which is in accord with flood prevention or management measures as specified in association with a Local Plan Allocation or development brief."

2. The Policy supporting text is also modified to the following effect.

2.1 The first sentence is changed to: "The risk of flooding from all sources is likely to increase with projected climate change".

2.2 The second sentence is changed to: "It is therefore important not to allocate land at risk for inappropriate development to ensure compliance with Scottish Planning Policy 7: 'Planning and Flooding'".

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Chapter 05 GP Policy 9 Flood Risk 5.23

2.3 The last sentence is changed to "in order to take account of the potential for flooding from all sources as required by SPP 7."

3. Any allocations that lie completely within the 0.5% annual probability outline are removed from the Plan or a detailed site specific Flood Risk Assessment is carried out at this stage to determine whether the site can be developed in line with SPP 7.

4. All allocations partially within 0.5% annual probability outline are revised to remove the area indicatively at risk. Following modification the 'Development Requirement' for each relevant allocation should state:

"This site may be at risk from flooding. A Flood Risk Assessment should be submitted with any planning application."

In the event that the planning authority proposes to adopt this plan contrary to this advice on flood risk then the Plan must be notified to the Scottish Ministers as per The Town & Country Planning (Notification of Applications) (Scotland) Direction 2007.

The advice contained in this flood risk section of this letter is supplied to you by SEPA in terms of Section 25 (2) of the Environment Act 1995 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Highland Council as Planning Authority in terms of the said Section 25 (2).

DEPOSIT DRAFT NOV 08 RESPONSE -

5. Flood Risk - Policy 9, Policy 9 supposing text and specified Site Allocations

5.1 SEPA welcomes the revisions to the supporting text for Policy 9 and therefore withdraws its objection to this element of the Plan.

5.2 SEPA also welcomes the amendments made to the wording of the Policy, however, in order to fully comply with Scottish Planning Policy 7 "Planning and Flooding" (SPP7) SEPA would withdraw its objection to the Policy if it is modified as detailed below and agreed at our meeting on The 20 January 2009. SEPA notes that SPP7 is likely to be superseded prior to the Reporter's Decision Letter by the forthcoming Scottish Planning Policy: Part Three. Therefore SEPA recommends that policy references to SPP7 are amended at that time to reflect this change in national policy and ensure the final policy wording is up to date

"Development proposals should avoid areas susceptible to flooding

Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy 7 "Planning and Flood Risk" through the submission of a Flood Risk Assessment

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Chapter 05 GP Policy 9 Flood Risk 5.23	<p>Development proposals outwith the medium to high flood risk areas may be acceptable. However, where better local flood risk information and/or the sensitivity of the proposed use suggest(s) otherwise, Flood Risk Assessment which demonstrates compliance with SPP7 will be required.</p> <p>Developments may also be possible where they are in accord with the flood prevention or management measures as specified within a Local Plan allocation or a Development Brief. Any developments, particularly those on the Flood plain, should not compromise the objectives of the EU Water Framework Directive. "</p> <p>For the avoidance of doubt SEPA recommends that the explanation of medium to high flood risk areas in the supporting text is amended to state "...medium to high flood risk areas (1 in 200 or greater than 0.5% annual probability of flooding). SEPA would welcome this explanation included within the glossary as well.</p>
Scottish Environment Protection Agency	<p>TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997</p> <p>TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (SCOTLAND) ORDER 1992</p> <p>ENVIRONMENT ACT 1995, SECTION 25(2)</p> <p>Objection</p> <p>SEPA supports the inclusion of policy on flood risk. However SEPA objects to the policy as it stands. SEPA considers that the wording of Policy 9 is not in accordance with Scottish Planning Policy 7 'Planning and Flooding (SPP 7) as it does not clearly promote the flood avoidance principle.</p> <p>SEPA welcomes the appraisal of sites allocations for flood risk presented in the SEA Environmental Report and Plan. I-however, flood risk has been dealt with Inconsistently in the Plan and SEPA considers that, based on the assessments to date, some allocations are at flood risk and therefore are contrary to SPP 7.</p> <p>SEPA has reviewed the proposed allocations using the indicative River and Coastal Flood Map (Scotland) - 0.5% annual probability layer (1 in 200 year return period flood event). From this review, SEPA highlights that Category 1 allocations lie either totally or significantly within the indicative limits of flooding as shown on this map. Category 2 allocations lie partially within or adjacent to the indicative limits of flooding as shown on this map.</p> <p>In addition SEPA has assisted the Council further by highlighting allocations containing watercourses with catchments of less than 3km² which are not modelled on the Indicative River and Coastal Flood Map (Scotland). These are listed above as Category 3 allocations. The planning authority should note that during the above assessment SEPA has utilised a recently updated version of the coastal outline for</p>

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Representee**Comment**

Chapter 05 GP Policy 9 Flood Risk 5.23

the Indicative River and Coastal Flood Map (Scotland). The planning authority should have also received this updated map.

In addition SEPA notes that the SEA Environmental Report identifies that a Flood Risk Assessment will also be required to support allocations Lochinver I2 and LT. For your information SEPA does not currently hold any flood risk information for these sites.

Modifications Required to Remove SEPA's Objection

SEPA would remove its objection if the following amendments are made

1. The Policy is modified to the following effect:

"Development on the functional flood plain will be considered contrary to the objectives of this Plan. For planning applications where flood risk is highlighted, the planning authority will exercise the precautionary principle' and refuse development proposals where such proposals do not comply with pa& (A); (B) and C) as set out below and/or on the advice of SEPA.

(A) All types of development within "little or no risk areas" (of less than 4:1000 annual probability of flooding) are acceptable in terms of this Policy unless local circumstances indicate otherwise;

(B) All types of development, excluding essential civil infrastructure, within "low to medium risk areas" (of between 1: 1000 and 1:200 annual probability of flooding) are acceptable in terms of this Policy unless local circumstances dictate otherwise; Within "medium to high risk areas" (1:200 or greater annual probability of flooding) only those categories of development indicated in (i), (i(J and (may be acceptable.

(i) Residential, commercial and industrial development within built-up areas providing flood prevention measures to the appropriate standard already exist or are under construction. Water resistant materials and construction as appropriate;

(ii) Development on undeveloped and sparsely developed areas within the functional flood plain and comprising:

(iii) Essential development such as navigation and water based recreation use, agriculture and essential transport and some utilities infrastructure; and an alternative lower risk location is not achievable;

Essential infrastructure should be designed and constructed to remain operational during floods.

Recreational, sport, amenity and nature conservation uses providing adequate evacuation procedures are in place; a Job related residential use with a locational need;

(iv) Loss of storage capacity is limited and suitably compensated for, and any such measures would not compromise the objectives of the EU Water Framework< Directive.

(iii) Development, which is in accord with flood prevention or management measures as specified in association with a Local Plan Allocation or development brief."

2. The Policy supporting text is also modified to the following effect 2.1 The first sentence is changed to: "The risk of flooding from all sources is likely to increase with projected climate change".

2.2 The second sentence is changed to: "It is therefore important not to allocate land at risk for inappropriate development to ensure compliance with Scottish Planning Policy 7: 'Planning and Flooding'",

2.3 The last sentence is changed to "...in order to take account of the potential for flooding from all sources as required by SPP 7."

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Chapter 05 GP Policy 9 Flood Risk 5.23

3. Any Category 1 allocations that lie completely or significantly within the 0.5% annual probability outline are removed from the Plan or a detailed site specific Flood Risk Assessment is carried out at this stage to determine whether the site can be developed in line with SPP 7.

4. All Category 2 allocations partially within 0.5% annual probability outline are revised to remove the area indicatively at risk. Following modification the 'Development Requirement' for each relevant allocation should state: "This site may be at risk from flooding. A Flood Risk Assessment should be submitted with any planning application."

5. The 'Development Requirement' for all Category 3 allocations should state:

"This site may be at risk from flooding. A Flood Risk Assessment may need to be submitted with any planning application." in the event that\$ the planning authority proposes to adopt this Plan contrary to this advice on flood risk then the Plan must be notified to the Scottish Ministers as per The Town & Country planning (Notification of Applications) (Scotland) Direction 2807.

The advice contained in this flood risk section of this letter is supplied to you by SEPA in terms of Section 25 (2) of the Environment Act 1995 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Highland Council as Planning Authority in terms of the said Section 25 (2).

DEPOSIT DRAFT NOV 08 RESPONSE -

5. Flood Risk - Policy 9, Policy 9 supposing text and specified Site Allocations

5.1 SEPA welcomes the revisions to the supporting text for Policy 9 and therefore withdraws its objection to this element of the Plan.

5.2 SEPA also welcomes the amendments made to the wording of the Policy, however, in order to fully comply with Scottish Planning Policy 7 "Planning and Flooding" (SPP7) SEPA would withdraw its objection to the Policy if it is modified as detailed below and agreed at our meeting on The 20 January 2009. SEPA notes that SPP7 is likely to be superseded prior to the Reporter's Decision Letter by the forthcoming Scottish Planning Policy: Part Three. Therefore SEPA recommends that policy references to SPP7 are amended at that time to reflect this change in national policy and ensure the final policy wording is up to date

"Development proposals should avoid areas susceptible to flooding

Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy 7 "Planning and Flood Risk" through the submission of a Flood Risk Assessment

Development proposals outwith the medium to high flood risk areas may be acceptable. However, where better local flood risk information and/or the sensitivity of the proposed

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Representee	Comment
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Chapter 05 GP Policy 9 Flood Risk 5.23

use suggest(s) otherwise, Flood Risk Assessment which demonstrates compliance with SPP7 will be required.

Developments may also be possible where they are in accord with the flood prevention or management measures as specified within a Local Plan allocation or a Development Brief. Any developments, particularly those on the Flood plain, should not compromise the objectives of the EU Water Framework Directive. "

For the avoidance of doubt SEPA recommends that the explanation of medium to high flood risk areas in the supporting text is amended to state "...medium to high flood risk areas (1 in 200 or greater than 0.5% annual probability of flooding). SEPA would welcome this explanation included within the glossary as well.

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Representee	Comment
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Appendix 1 AP Definition of Natural & Cultural Heritage Featur

Scottish Natural Heritage

1. Wild land

As currently presented this Deposit Draft Plan is weak on the subject of wild land. Sutherland is perhaps unique in the extent and quality of wild land which is found within its boundary and which is not currently recognised by inclusion within National Scenic Areas or other landscape designations. Wild land is defined in NPPG 14 as "uninhabited and often relatively inaccessible countryside where the influence of human activity on the character and quality of the environment has been minimal":

Earlier comments above in relation to the 'vision' or strategy suggest where inclusion of reference to wild land might be added for completeness and to strengthen the section. However, given the clear requirement outlined in NPPG 14 for planning authorities to safeguard wild land character, SNH objects to this omission from the Deposit Draft of the Sutherland Local Plan. This objection will be reconsidered on the assurance that wild land will be afforded policy protection and that background maps will be added identifying such areas. SNH recognises that it is the intention of The Highland Council to work with SNH to identify areas and to include them in the forthcoming Highland-wide Local Development Plan. This being the case, SNH would be content at this stage for the currently available maps showing Remote Landscapes of Value for Recreation (RLVR) to be included, together with a clear statement of intention as described above. Regarding Remote Landscapes of Value for Recreation, the reference under the policy context in Appendix 1 to NPPG 11 now has to be dropped.

2. Areas of Great Landscape Value

As well as identifying AGLVs and refining the boundaries from those indicatively shown in the Highland Structure Plan, the Local Plan should include an additional Appendix which provides a citation for each AGLV on their character and qualities, the reason for designation (if possible) and the underlying objective to be secured through their identification and safeguarding. Guidance is available in "Guidance on Local Landscape Designations" (2005). It would be SNH's preference that this should be carried out as part of this Local Plan. However, an alternative would be assurance that AGLV work would be carried out as part of the imminent Highland wide Local Development Plan.

DEPOSIT DRAFT NOV 08 RESPONSE -

1. This objection is withdrawn, as RLVRs have been included in the Background Maps and on the Proposals Map. Further work on wild land will be carried out as part of the HLDP. SNH welcomes this.

2. There is no appendix in this Local Plan relating to AGLVs, so SNH wishes to pursue the alternative of following this up in the context of the HLDP.

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Representee	Comment
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Appendix 1 AP Definition of Natural & Cultural Heritage Featur

Scottish Natural Heritage	<p>Appendix 1 - Definition of Natural, Built and Cultural Heritage Features</p> <p>SPAs/SACs -this should refer in the text to Natura rather than Natura 2000.</p> <p>SSSIs - the "background" needs to be updated to allow for the passage of the Nature Conservation (Scotland) Act 2004.</p> <p>Inventoried Gardens and Designed Landscapes -the policy framework needs to updated now to delete the reference to SHN.</p> <p>NSAs - this should be updated to allow for the passage of the Planning etc (Scotland) Act 2006 and specifically the inclusion therein of Section 263A of the Town and Country Planning (Scotland) Act 1997. This gives Scottish Ministers renewed powers to designate NSAs where an area is of outstanding scenic value in a national context. Thereafter special attention is to be paid to the desirability of safeguarding or enhancing an NSA's character or appearance.</p> <p>Inventoried Ancient and Long Established Woodland - see note above re alternative phraseology of Inventoried Ancient Woodland and Long Established Woodland (Semi-Natural).</p> <p>Inventoried Semi-Natural Woodland - see note above re alternative phraseology of Inventoried Semi-Natural Woodland and Long Established Woodland (Plantation).</p> <p>Remote Landscapes of Value for Recreation - the reference under the policy context to NPPG 11 must now be dropped.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>This has all been done as suggested. However, in order to be accurate we would recommend that the reference under NSAs to the Planning Etc (Scotland) Act 2006 should be qualified by "when implemented".</p>
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Representee	Comment
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Appendix 3 AP Landscape Character Assessment 8.01

Scottish Natural Heritage

Appendix 3 - Landscape Character Assessment
As well as Structure Plan Policies L3 and L4, there should also be reference to Policies G2 and G6.

SNH would welcome a map being included of the Landscape Character Types, There should be reference here also to the Sutherland Housing Landscape Capacity Study (Horner and MacLennan, 2006) which, although not having any basis in policy like the LCA, is likely to provide very useful background information for developers and the planning authority.

DEPOSIT DRAFT NOV 08 RESPONSE -

The first b/p has been fulfilled.

For the 2nd b/p there is a reference instead to the SNH website – for accuracy this could go straight to the relevant page on the website, as follows:
www.snh.org.uk/publications/on-line/LCA/caithnesssutherland.asp

No reference to SHLCS has been added but SNH notes that there is a cross-reference to this under para 5.1.2 preceding Policy 1. SNH has no further comments on this.

Inset Maps Ardgay H 1 North of Manse Road

John & Yvonne McNeill

Supporting

On Condition access roads to the H1 site are of specified standards.

Scottish Natural Heritage

LT.1 An Appropriate Assessment is also likely to be required here and so SNH objects until the results of the Council's appropriate assessment can be considered.
If this site passes this test then it could replace H1 during this plan period.

DEPOSIT DRAFT NOV 08 RESPONSE -

SNH notes that this allocation is now H1 and that the objection relating to the former LT1 now applies to this site and is maintained, as before, until a satisfactory Appropriate Assessment has been completed.

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Representee	Comment
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Inset Maps Ardgay H 1 North of Manse Road

William MacLaren

I object to land north of Manse road being used for housing as it is regularly cultivated and is the only access to land I rent from Balnagown Estate which I can move livestock to the farm for veterinary purposes. Any other movement would involve going through housing estate (open plan). I have recently put up new fencing to make fields a more even acreage, and this would be a great inconvenience. There is land south of manse road which has not been cultivated for many years, is close to the main road, water main and sewage scheme. Also land next to Ardgay Garage which I believe got planning permission for housing and is now for sale. There are fields up Ardgay hill which have not been cultivated for many years also. My objection is to good agricultural land being used when other land is not cultivated. Also many of the houses in Manse Road are now privately owned and I am sure they would object to being surrounded.

DEPOSIT DRAFT NOV 08 RESPONSE -

Further to previous objection I would be unable to walk my animals across route marked red on enclosed map used for the last 108 years or more. Below and South of manse would be more suitable rather than proposed site as it would be closer to water, sewer, and road. I notice other sites not suitable owing to wet areas on local plan. Sites can be drained as can be seen in Dornoch which seems to provide no obstacle to housing on previously very wet areas.

Antionette McDonnell

1) This area is not suitable for housing as it's prone to flooding.

2) There is no suitable access (roads)

There is already 24 houses in close proximity any more overload facilities. The present utilities are at maximum capacity now.

DEPOSIT DRAFT NOV 08 RESPONSE -

Objection to Area North of Manse Road

At this present time the land specified is nothing less than a bog, as I stated before the area is prone to flooding!

Scottish Water appears to be hard pressed to ensure services to the current population so I fail to see how it could support more households. The same applies to the power supply which is at present often interrupted.

Apart from limited train and bus services we have no amenities to serve this development. We have no shops or petrol stations.

Job creation should be addressed in the first instance to stem the flow of working adults leaving the area. Any social/ rented housing will not encourage adults of a working age to the area as there is no work available.

The only people moving to the area at present are the retired who wish to buy and there are plenty of properties available to them at

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Representee	Comment
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Inset Maps Ardgay H 1 North of Manse Road

present. However there is a need for sheltered and supported accommodation but this should at least in reasonable walking distance to shops and local amenities and served by a strong social serving framework.

Steven Maclean

Objecting-

Poor road access to new site and lack of jobs in area so no need to build new homes or business.

A.E & P Nash

We consider this development on ill thought out plan for the following reason.

1) Access:- Access via Manse Road to this development is not practical due to the narrow roads, with no area to widen them. Access from the West would require a Bridge over railway, an expensive project. Entry via the Torrisdale end would also require the roads to be substantially upgraded meaning the roads would come restricted access not only for residents but more importantly for Emergency services especially in the evenings and weekends, due to the narrow roads and residents parked cars.

2) Siting:- This type of development would stand out at the back of a small rural village spoiling the local natural beauty and country environment.

ARDGAY H1/HOUSING □□

.... would require the residents to pass through an already established quiet area of the village to reach any amenities. Most residents of this part of the village have bought their homes as they wish to live in this quiet environment. A deterioration in this environment can only lead to a substantial loss in value of their properties, with the inevitable legal action being taken against the local authorities for compensation.

3) EMPLOYMENT:- There is not enough employment for the present population of the area, so another 20 or more families would find it difficult to find employment, especially given the present climate in the employment front, and the building of small industrial and commercial sites is not the answer in such a remote location.

□ In conclusion, it is my opinion the siting of a small housing development on the lower ground between Ardgay and Bonar Bridge would address Points 1 and 2, however employment still remains an important issue and still need to be addressed well before any housing developments large or small be considered.

□ The issue of tax payers money being spent on ill-advised and ill-conceived plans should be avoided and I would urge the local planner to look again at this development in the light of the current and foreseeable future. We consider the towns of Evanton, Alness and Tain to be far better placed for this type of development.

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Representee	Comment
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Inset Maps Ardgay H 1 North of Manse Road

H Jack Objecting -

1) We have been told that the water supply is inadequate for more housing development.
 2) By closing the railway bridge to traffic would add about 1/2 mile on to any journey from our house to church or school and beyond.
 3) there are other sites along Church Street between the village and the church that would have a better access already in place.
 4) In the last few months planning permission for other houses has been denied.

Inset Maps Ardgay H 1 South of Oakwood Place (deleted)

Scottish Natural Heritage 7.1 Ardgay
 H.1 Most of this allocation appears as "Inventoried Ancient Woodland.." on the Ancient Woodland Inventory and still supports continuous cover of native woodland. Therefore to include this area within a housing allocation or indeed within a SDA is contrary to the Council's own policy (Policy 4) for safeguarding nationally important features. It also adjoins the Gearrhoile Community Woodland, with access to the latter being through this site. In addition, it falls within the Dornoch Firth NSA and forms an important part of the setting to the existing settlement, contributing to the sense of arrival when approaching Ardgay from the south. SNH acknowledges that this site has previously been allocated for housing and understands that this has been the case for around thirty years. Given the history of this allocation and the fact that it still remains undeveloped this must raise questions about its availability and desirability. SNH therefore strongly recommends that this site is removed from the SDA and alternatives are considered. An Appropriate Assessment is likely to be required here and so SNH objects until the results of the Council's appropriate assessment can be considered.

DEPOSIT DRAFT NOV 08 RESPONSE-

SNH warmly welcomes the deletion of H1. SNH's objection regarding the requirement for an Appropriate Assessment in relation to this allocation is now removed.

Inset Maps Ardgay H 2 Adjacent to primary school

CKD Galbraith I can confirm that all the land zoned as H2 is owned by the Gledfield Trust who would be interested and supportive of any plans to develop this land in the near future. The main constraints to developing this land at present is the limited capacity of the public water supply which we hope will soon be addressed by Scottish Water. This site is suitable for development and is undoubtedly the most practical location for infill development as it is flat ground, easily accessible and close to infrastructure and services.

For: For The Gledfield Trust

DEPOSIT DRAFT NOV 08 RESPONSE -

Would wish to see all land originally zoned as H2, including land to East of farm lane retained. Therefore no reductions in area originally allocated in October 2007.

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Representee	Comment
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Inset Maps Ardgay H 2 Adjacent to primary school

Daniel & Carol Easton

1) The water shown in the draft, to the top side of H2 does not take "perimeters" into consideration. In the 15 years we have lived in our home the water level has risen to our fence many times. Flooding is something that happens all too often in our area. In the last year alone, the Council has spent a fortune on drainage around our area.

2) The farm road? Was the draft drawn up without any consideration for the farm? It is a very busy lane. The farm must have top priority at all times to go about their everyday business without interruptions of having to drive through a housing estate watching all the time for cars, people, children, animals and everyday activity a housing estate has. We the public depend on their produce. Very large vehicles use the lane on an everyday occurrence. Important foodstuffs being delivered. Animals being transported to and from the farm, being moved field to field. Very large bales of feeding and bedding being transported. Surely we don't need to go on describing the everyday activity on a busy farm, not only to give the farm priority, but, to have the farm lane kept open. Plus it is our one and only access/exit.

3) Entrance at blind corner? The speed of the traffic is a nightmare. The amount of traffic is increasing, some of the large vehicles are more intent on making deliveries on time, than adhering to road traffic safety signs. The corner at the church is a blind corner, which in itself, should slow any thoughtful driver down. But doesn't. An opening to a housing estate with 10 new homes would mean approximately 20 cars, trying to exit and enter a dangerous road. By the way, we are not talking about a long stretch of road. The space is approx 85 metres. The entrance-exit for a 10 house estate, plus, very heavy traffic from a busy, working farm. All the traffic signs in the world will not slow the traffic down, especially the wood lorries. We honestly don't think the ground work has been very thorough. Our windows at the front of the house are never opened, due to the speed of the traffic.

4) The standard of buildings? WE, in this area are very much aware that we must maintain our homes in the context of their original build. They are of a high standard of workmanship even though, very old buildings. Would we, be guaranteed, the houses would be built using the highest standards of materials, planned in according with the area? Would they be limited to a certain height? One, or one and a half storeys? Would the buildings be just squeezed into areas so they fit, or would the position of the homes be built in consideration with sun, the wind, neighbours etc. Would we continue to be afforded the privacy at our back garden? Or would a house be sitting tight against our garden?

5) We have no objection to housing being built in the area, we have family of our own growing up who will need homes. What we do ask, is that lots of thought and planning go into the items we believe are seriously neglected in the draft.

DEPOSIT DRAFT NOV 2008 RESPONSE

- 1) The Water issue - confirm objection.
- 2) Farm Road Issue - withdraw
- 3) Entrance Behind Corner - Confirm Objection
- 4) Buildings Standard - Confirm

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Ardgay H 2 Adjacent to primary school

4- please find attached letter from council concerning "linear fashion"

Inset Maps Bettyhill G General Comment

Bettyhill Community Council On behalf of the Bettyhill, Strathnaver & Altnaharra Community Council I wish to submit the following as a response to the Sutherland Draft Plan.

In support of The Draft Plan, we believe that it is an in depth and well researched document and is supported by relevant maps and plans which enable the reader to cross reference the paperwork. However, there are some issues which we need to address and support members of our community.

Footpaths in Bettyhill. There is a need for further footpath provision i.e. pavements in certain areas of Bettyhill and should be included in the Draft Plan. We endorse Jayne Gordon's concerns about the pavement situation. The back road used by the buses which pass Seacrest is also used by an increased number of young children as a direct route to school - this number will no doubt increase in the future.

The back road is very narrow and the grass verges, where they exist are very poor substitutes for a proper pavement. The grass is uncut and 80% of the time, being grass it is soaking wet and therefore lethal for young children sliding on, which could result in them falling into the path of a vehicle. There is also a blind spot on the road where drivers are unable to see pedestrians.

Building work is planned to take place on forestry ground and will increase the amount of traffic using this road and others without pavements. Therefore, there is definitely a need for the construction of pavements for the safety of everyone.

DEPOSIT DRAFT NOV 08 RESPONSE-

Response to the Sutherland Local Plan from Bettyhill, Strathnaver & Altnaharra Community Council.

It is disappointing to read that the issues raised by our Community Council have not been considered for change in the Sutherland Local plan.

Footpaths

It is disappointing that the footpath issue cannot be dealt with through the Local Plan, it would have been useful if the Community Council had been aware of this at the surgeries stage.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee**Comment**

Inset Maps Bettyhill H 1 West of the school**Andrew N Carr BA FRICS**

Objection to development on site HI:

1. Tourism is an important contributor to the prosperity of Bettyhill (and the area generally) and one of the biggest attractions of the area is the beautiful scenery. Any development which might detract from the visual amenity of the area is therefore undesirable. PAN 72 states that: "It is therefore crucial that the proposed location and siting of new housing considers the impact on the landscape, in terms of both immediate and wider surroundings". NPPG13 states that: "The coast is a key attraction for tourists and policies should therefore be in place which protect and enhance the quality of the coast. If development is allowed in inappropriate locations on the coast or is of a poor standard it can reduce the quality of the visitor experience which, in turn, can have a detrimental effect on local economies".

2. The view from the Bettyhill Hotel is one of the "sights" of the tourist trail; many of our guests are drawn by the view and coach parties stop at the hotel simply to enjoy the vista. Loss of the view would certainly have a detrimental effect on the turnover of the hotel. Possibly even to the extent of making its continuation as a business no longer viable. It is worth noting that on the "Undiscovered Scotland" (the most comprehensive on-line guide to Scotland) the entry for Bettyhill commences with a taken across the field in question and goes on to comment: "Bettyhill Hotel started life in 1819, though it has grown steadily since. Its location is superb, giving magnificent views to the north-west over Torrisdale Bay" which have featured on local postcards since these were first introduced.

3. Since the first stage of the development started, many visitors to the area have expressed surprise and dismay that the vista from the Bettyhill Hotel is being despoiled: the typical reaction is that "this would never be allowed in my country/county".

4. As consent has already been given on this site it would be futile to object to development taking place, but it is obviously important that this is done in such a way as to minimize impact on the local environment, including the visual amenity which attracts tourists. I would suggest that any detailed consents be carefully controlled with particular consideration to the following points:

- A. Low rise development only.
- B. Development in materials reflecting the local building heritage.
- C. Proper co-ordination of design specifications for the development as a whole.
- D. Control to prevent a profusion of untidy outbuildings and extensions by removal of permitted development rights.
- E. Steps to minimize light pollution, particularly from street lamps.

5. We are far from the only tourist based business in the locality; while we might be the one most obviously affected there would be a 'knock-on' effect on others, including shops, licensed premises and guest houses. It is the view that brings tourists to a halt in Bettyhill and there is a very delicate balance in deciding whether to stop or to continue to the next village or town. While it might be argued that new houses may bring extra trade, this is unlikely to be substantial if, as is likely, most are only occupied on an occasional basis.

6. PAN 72 advises that: "Small-scale infill in existing small communities can bring economic and social benefits by supporting existing services such as schools and shops. Planning authorities should generally seek to reinforce the building pattern of the existing settlement and ensure that new buildings respect and contribute to the area's architectural and cultural heritage". PAN 72 also advises that: "New

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Representee**Comment**

Inset Maps Bettyhill H 1 West of the school

groups of houses related to existing groupings will usually be preferable to new isolated developments. The groupings should not be suburban. They should be small in size, and sympathetic in terms of orientation, topography, scale, proportion and materials to other buildings in the locality. They should take account of sustainable development criteria in location and infrastructure needs". Any development should therefore make use of local materials and not follow the regimented construction and layout formulae of so many modern housing estates.

7. NPPG13 states that: "Over 3400 km of Scotland's mainland coastline, which is 88% of the total length, can be regarded as undeveloped in the context of this NPPG. Along its length can, however, be found smaller towns and villages, including dispersed settlements which are characteristic of many parts of the Highlands and Islands. It is important that the development requirements of these communities, including for example the provision of affordable housing, community facilities and workshop space locally, are fully addressed. In addition, development opportunities, for example related to tourism, leisure and recreation, can make an important contribution to the economy of rural areas. Many of these developments which can assist in sustaining the long-term viability of coastal communities are likely to be on a modest scale. Ill considered development. However. Can have a detrimental effect on ecology and scenery as well as on cultural heritage interests; a key objective for the planning system is to provide a framework for investment in development while protecting the undeveloped coast from unjustified and inappropriate development."

DEPOSIT DRAFT DEC 08 RESPONSE -

As I understand the situation, the changes made to the Local Plan do not impact on the causes of my original objections and I therefore wish these to be considered as formal and do not wish to withdraw them.

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Representee**Comment**

Inset Maps Bettyhill H 2 West of Munro Place**J Grant**

I have already objected to this development. As I stated in my previous objection Mr I. Jappy has got permission for site H1. I think houses should be built there before plans be made for H2. I am an elderly resident as are a number of others and am very worried at the prospect of lorries negotiating the sharp bend leading into Jappy's field, passing my house day in day out for weeks and weeks taking building supplies and equipment to the house sites. I do not believe the road is suitable for this or for the extra traffic more housing will bring. Also the beautiful view which the residents enjoy so much will be lost for them. These houses should be built somewhere where views are not compromised. I'm sure some other land is available in the area, where houses can be built and not interfere with the views of housing already in place.

DEPOSIT DRAFT NOV 08 RESPONSE -

I refer to your responses to my objections; firstly the residents of Munro Place do not live in the hotel. So the hotel having an unaffected view is not going to help us. Our view is going to be very much affected. What is the point of objecting further? You have done and dealt with it all already but not in our favour.

Secondly your colleagues who say access through Munro Place into H1 and H2 is acceptable, would I am sure not be so ready to say that if they lived at No.5 having already had 6 ½ months living in the middle of a building site. (The development of AH1)

I have had to put up with constant extremely loud noise most working days for the last 6 ½ months, chippings and mess all over the road making walking very difficult for elderly people, heavy vehicles as well as umpteen vans parked all over the place. I have a port-a-cabin sitting outside my living room window and a port-a-toilet across from my back door. I was assured that they would be removed by the end of November 2008, it is now February 2009 and they are still sitting there along with the rest of the mess. I have had to have my washing line moved and my windows are constantly filthy with all the dust and dirt stirred up by the building works.

On many occasions my visitors have had to walk to my house from the public car park, as the road has been blocked or there have been no parking spaces due to all the workmen's vans, lorries and diggers. Now that the new parking spaces are almost complete is it going to be a free for all to get the spaces or are you intending to number them to correspond to each house thus ensuring we always have our own "space" and is the "Residents Parking Only" sign going to be put back up?

I have often felt very afraid when stepping outside my garden gate with so many lorries, vans, diggers, tractors and dumper trucks going in and out of H1/H2 (used as a holding area for materials used on site AH1) The turning in, reversing in, reversing out, off-loading materials all happens at my gate. It is all very well for you to say disruption can be limited to operating hours, I am in my 80 t/h year and therefore not out working all day, I am at home listening to a constant barrage of noise. I hope you realise I have had disruption on three sides of my house and that it will be on going for SEVERAL years to come.

Although everyone in Munro Place has been affected by the development of AH1 and will be affected by developments H1 and H2. I feel I am very affected being situated on the downside of the sharp bend where all the vehicles are turning in and out of the field. I do not believe this is a suitable or safe route for the contractors to enter site H1 and H2 and would ask you to please consider blocking this access and taking a new access from the main road. This would make it safer for all Munro Place residents also the schoolchildren,

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Representee	Comment
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Inset Maps Bettyhill H 2 West of Munro Place

swimming pool customers and the public in general.

Inset Maps Bettyhill H 3 North of Gordon Terrace

Bettyhill Common Grazings Supporting this site is an issue for all shareholders. The land identified as H3 is part of Bettyhill Common grazings on the Skelpick Estate belonging to the Skelpick Partnership. Development would require the normal De-crofting procedure with all shareholders in the Bettyhill Common Grazings being notified.
I have good reason to believe that consent would be given.

DEPOSIT DRAFT NOV 08 RESPONSE-

Thank you for your letter of 28th November 2008 with attached forms re the proposed car park for Farr School.

I return the representation form but marked up as "not applicable". I was NOT making an objection I was making a statement of the legal position. Therefore I cannot "confirm objection" as there was no objection, neither can I "withdraw" as I do not have the authority to withdraw the shareholders rights.

As per my previous letter the area of land in question is part of Bettyhill Common Grazings and is owned by the Skelpick Partnership.

The Grazing Committee have again discussed this site at our meeting on 18th November 2008 and the Grazing Committee are in favour of releasing this site.

The normal procedure for acquiring land in Crofting tenure applies: the Highland Council would need to purchase the land from Skelpick Partnership with the consent of the Grazing Committee and the Bettyhill crofting shareholders/

Albyn Housing

Difficult site to develop hence increase to density of H2

Capacity as per draft: 6 Suggested capacity: 6

Inset Maps Bonar Bridge G General Comment

Mackenzie & Cormack

Water Capacity

For: For Sheila Thomson

Our client is aware that there is a lack of water supply capacity for domestic purposes from Scottish Water. Accordingly, Scottish Water could not cope with any further demand for water for other housing units. This is obviously an important issue in terms of resource planning if there is not in fact enough water to serve any additional dwellings or properties.

Representee	Comment
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Inset Maps Bonar Bridge G General Comment

Scottish Natural Heritage All Bonar Bridge allocations are likely to require Appropriate Assessments, individually and cumulatively in relation to their possible effect on the River Oykel SAC and so SNH objects until the results of the Council's appropriate assessment can be considered.

DEPOSIT DRAFT NOV 08 RESPONSE -

SNH maintains the objection for MU1 site at Bonar Bridge until a satisfactory Appropriate Assessment has been produced.

Inset Maps Bonar Bridge H 1 Swordale (deleted)

Scottish Natural Heritage 8.1 Bonar Bridge
H.1 SNH objects to the extent of this allocation as currently drawn. This objection will be withdrawn if the area of the allocation H1 and the corresponding SDA are reduced to an appropriate size to reflect the identified capacity of four houses. This site also falls within the Dornoch Firth NSA and contributes to the setting of Bonar Bridge. We understand this area has been allocated previously for four houses and a chalet/caravan site but the latter has not been developed, thereby questioning the justification for this allocation. Consequently it is recommended that an alternative location for the housing be considered with a view to this site being removed in total or in part from the SDA.

DEPOSIT DRAFT NOV 08 RESPONSE -

This objection is withdrawn H1 has been removed. SNH welcomes this.

Inset Maps Bonar Bridge MU 1 Cherry Grove

Jenny Mackenzie Supporting

Karol Horvath Supporting Allocation

Ian Smith Support.

DEPOSIT DRAFT NOV 08 RESPONSE -

NNF - Supporting Allocation

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Representtee**Comment**

Inset Maps Bonar Bridge MU 1 Cherry Grove**Alasdair Paterson**Supporting Allocation.

C DaviesSupporting Allocation

M Mackay

Objecting -

My main concern is that we continually have problems with water supply in Bonar Bridge. Water tanks are carting to our plant on a regular basis. Is extra housing etc going to suffer the same supply interruptions?

John BremnerSupporting Allocation

Gloria BainSupporting Allocation.

Representee	Comment
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Inset Maps Bonar Bridge LT 1 South of Cherry Grove

Morag Watt

It is requested that the allocation be changes to MU1 for the following reasons: there is little or no land available for current housing provision; services are currently available in LT1 supplying the new development at the north end of H1; the change of designation to include "community use" which would allow the site to be considered for the new Migdale Hospital as an interest has been expressed by the area Health Board.

DEPOSIT DRAFT NOV 08 RESPONSE -

Further to our telephone conversation of yesterday, I have discussed the modified Sutherland Local Plan with my client - Mrs Morag Watt She withdraws her request for the field designated LT1 (south of Cherry Grove) to be altered to MU1 as it is not now required for the new Migdale Hospital. She does however request that the designation be changed to H1. The reasons for this are:-

The designation of the land south of the new development of Swordale Park as H1 has now been removed.

The field currently designated as LT1 is of little or no agricultural use.

The field designated as LT1 already has the main services of water, power and sewage installed to supply the new development of Swordale Park.

Access to this area is readily obtained by an extension from Carnegie Court.

I trust that this clarifies the situation.

M Mackay

Also the plot at LT1 is no more than a bog with sewage running down the middle. I would also be concerned about an increase in traffic Carnegie Ct which would create a circular race track for boy racers.

Representee	Comment
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Inset Maps Brora G General Comment

The Coal Authority

GENERAL COMMENTS ON THE SUTHERLAND LOCAL PLAN - BRORA

As you will be aware Sutherland contains the Brora coalfield. As you will be aware, this area has been subjected to coal mining which will have left a legacy. Your inset map for Brora does indicate the presence of a mine shaft. There may be others which are within the area. Whilst most past mining is generally benign in nature potential public safety and stability problems can be triggered and uncovered by development activities.

Problems can include collapses of mine entries and shallow coal mine workings, emissions of mine gases, incidents of spontaneous combustion, and the discharge of water from abandoned coal mines. These surface hazards can be found in any coal mining area where coal exists near to the surface, including existing residential areas. The new Planning Department at the Coal Authority was created in April 2008 to lead the work on defining areas where these legacy issues may occur.

The Coal Authority has records of over 178,000 coal mine entries across the coalfields, although there are thought to be many more unrecorded. Shallow coal which is present near the surface can give rise to stability, gas and potential spontaneous combustion problems. It is estimated that as many as 2 million properties of the 7.7 million properties across the coalfields may lie in areas with the potential to be affected by these problems. In our view, the planning processes in coalfield areas needs to take account of the coal mining legacy issues.

Within the wider Highland area there approximately 8 recorded mine entries. Mine entries may be located in built up areas, often under buildings where the owners and occupiers have no knowledge of their presence unless they have received a mining report during the property transaction. Mine entries can also be present in open space and areas of green infrastructure, potentially just under the surface of grassed areas. Mine entries and mining legacy matters warrant investigation by the Local Planning Authority to ensure sites allocations and other policies and programmes will not lead to future public safety hazards.

Although mining legacy is a minerals related development it is important that new development delivered through the emerging Development Plans recognises the problems and how they can be positively addressed. Land instability and mining legacy is not a complete constraint on the new development, rather it can be argued that because mining legacy matters have been addressed the new development is safe, stable and sustainable.

The Sutherland Local Plan Deposit Draft at present contains no reference to the previous mining activity. The Coal Authority believes that it is important that the Sutherland Local Plan identifies this so that potential mining legacy issues can be addressed through new development/re-development. It is noted that there are a range of site allocations within Brora. If this locally distinctive issue is identified within the Development Plan, developers will then be able to be advised to investigate the mining information available for this area and ensure that their proposals would not be subjected to any adverse impact such as stability in the future. The Coal Authority would therefore recommend that the potential developers of the site allocations are made aware of the mining history of this area and that an investigation of the mining information is undertaken to ensure that their development will not be at risk from any coal mining related hazards.

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Representee	Comment
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Inset Maps Brora G General Comment

CONCLUSION

The Coal Authority welcomes the opportunity to make these early comments, we are of course willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of its concerns. The Coal Authority also wishes to continue to be consulted both informally if required and formally future stages

Inset Maps Brora H 1 East Brora Muir

Violet and Harry Hastings

Have concerns regarding the formation of access to the site from Muirfield Road. The existing traffic levels are busy at present serving both existing housing and to the Beachview Daycare Centre and Respite Centre. There are a lot of young children in the area and the playpark is situated on a blind corner. There is also a lot of on-street parking with little off-street parking available.

DEPOSIT DRAFT NOV 08 RESPONSE -

I am unsure of what is meant by "limited development served through Muirfield Gardens", and would like to know how limited access will be enforced to avoid the route becoming used as a main access.

A B Rennie

In summary, my objections to the plan as previously detailed were that the siting of the proposed roads and the density of the housing would dictate that the buildings would be of more than single storey construction. This would have a devastating effect on the privacy of the dwellings in Ben Mailey Gardens a matter to which the Local Plan pays lip service. There would also be an adverse effect on house values and outlook from these dwellings. (I am aware that there is no "entitlement" to a view or outlook), but sympathetic planning should take such amenities into consideration.

As a general observation, the numbers and type of housing for which permission is sought is out of keeping with a Highland Village. The three storey buildings which have been completed and those which are planned would be more appropriate in a city centre and are singularly inappropriate for a village setting. In addition, since most have been bought as investments by absentees, it would seem that the benefits accruing to the area are fairly marginal & do not ease the stated housing shortage for young local families.

Finally, the proposed developments in the East Brora Muir area and that at Carrol House will add to the existing problem of access to the A9. Further demand will be made to the infrastructure - particularly sewage and waste water. In the event that Brora's population does rise in line with the number of proposed houses what will be the effect on medical, educational and recreational provisions?

DEPOSIT DRAFT NOV 08 RESPONSE -

Issues -

Access to A9 (staggered jct and limited visibility.)

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Representee	Comment
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Inset Maps Brora H 1 East Brora Muir

Ben Mailey gdns to be main access to proposed scheme (Dangerous bends) - This is changed from original plan.

Inset Maps Brora H 5 Old woollen mill

James Fraser

The boundary depicted in the Deposit Draft Local Plan incorrectly indicates the extent of the development site that has the benefit of planning permission. The neighbour notification form obliterates the Mill Road, the approved planning application for the development shows no interference with the road.

DEPOSIT DRAFT NOV 08 RESPONSE -

Withdrawn - with Limitations

In response to our response -

Oh yes it does. There is a ramp where no ramp existed. The site has been raised causing drainage problems.

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Representee	Comment
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Inset Maps Brora MU 1 Former radio station

Iain M Sutherland

Support plan for housing at the former radio station. This is an area of Brora which is in need of upgrading and renovation. The only viable use for this area would in my view be housing given the amenity and attraction of the site.

DEPOSIT DRAFT NOV 08 RESPONSE -

Sutherland Local Plan; Deposit Draft

I received your letter today with copies of the draft plan and I am very concerned that the council seems to have dropped the previous wording concerning the site of the former Radio Station, which we own where previously it stated plan s5 11 part or full development of the site for permanent dwellings may also be appropriate. Seems to have changed as per MU1 where the housing seems to have been removed.

The wording of the new draft also appears to pre-empt the outcome of any survey as regards to flood risk.

We have recently had commissioned at some considerable expense a flood risk assessment a copy of which is forming part of the planning application we have pending to erect 4 houses on this site. While I agree it is for the council to make the final decision on our planning application it does appear that when we get all the criteria laid down by the planning department dealt with, the council then move the goal posts and we get mixed messages as to what is actually going on in the minds of the planners.

We know from our researchers there is a strong desire for people to live in an area of such scenic beauty as the site of the former Radio Station.

As a resident and born and bred native of the village of Brora I personally have a desire to build a dwelling on the site where I can end my days in peace and tranquillity and leave a legacy of sympathetic development to future generations and remove and visually improve the eyesore that the area has become.

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Inset Maps Brora MU 2 Scotia House

**GH Johnston Building
Consultants Ltd**

**For: Brora
Investments Ltd**

Brora Investments Accept most of the provisions of the draft land allocation and policy. However, they have concerns that the wording relating to the Housing Potential is too restrictive. The modular housing project is currently on hold due to the Economic Recession. In the event that it does not proceed at this location in future the restrictions indicated in the Highlighted section of the text - "related to modularhouse construction activities at the Scotia House. Provision of housing to be subject to legal agreement for longer term management." - above would not be appropriate. Our comments still seek provision for some housing and accept the reduction to 10 units and a overall requirement that a minimum of 25% would be affordable. This objection would be withdrawn if the highlighted text was deleted. (See scanned NNF)

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Representtee	Comment
Inset Maps Brora MU 2 Scotia House	
Julie Shaw & Elvis Davis	Objecting. Why does Brora need more housing, when new homes built have not been sold. Office space- why cant the existing buildings be used for.

Angela Norris	Objecting.

A Cockburn	Supporting allocation

Andrew Coghill	Objecting When we moved into Dudgeon Drive and bought our house we had been assured that there would be no houses etc built on the land behind the houses. Now they have the mill built on the ground and the distance between the mill and our houses was left so as privacy would not be evaded hence the piece of ground and the bunting being grown. So much for word being given to the householders and assurances. The houses if built would be right up behind us with no privacy at all. We feel very strongly about this plan.

David Gunn	Objection After the objections when the mill was built, it was said then that there would be no further building of any kind that's why there was a 100m exclusion and the area was landscaped with earth and trees so at least there was some kind of view and privacy was kept. I feel that its just a big company (i.e. the owner's of the mill site) if that's who it is that just want to cram houses in for the sake of a fast pound.

Yvonne Mackay	Objecting - Greebelt, arable land, always well used by Mt McColl, was commandeered to build a new mill in spite of all our objections then. The new mill foundered, turning out to be a white elephant. Scotia House continues to have problems filling the amount of available retail space. In the present economic climate where are the proposed retail and tourist related developments to come from? Houses are not selling for the same reason - no money. New build houses lie empty in Brora and home owners have been trying for years to sell their houses. Our homes in Dungeon Drive (not Dungeon Terrace) fell in value as soon as the new mill was built. Personally I object to losing the little view I have left and the ensuring curtailment of sunlight on my property for longer periods. Houses built being built between the existing bund and Dungeon Drive would take away any privacy we have left in what is a quite, well maintained part of Brora. There is also the possibility of increased traffic congestion onto the already busy A9.

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Representee	Comment
Inset Maps Brora MU 2 Scotia House	
	There can be no "realistic expectations" in this proposed development.

George MacKenzie	Objecting
	<p>When Scotia House was built the impressions given at the meetings held, was that the area between Scotia House and Dungeon Drive would be designated as a green belt. If Scotia Homes becomes fully occupied by a work force would the infrastructure cope. At present there seems to be problems with drainage and water supply around the Dungeon Drive area.</p> <p>Is there a requirement for more houses in Brora, At present there is two housing sites ongoing, but no buyers. My concern regarding houses on this site without planning for future employment in the area, who would occupy them, would they be left empty, or would they become another burden on the tax payer.</p>

Thomas. M Burns	Objecting.

Doreen White	We were told when we bought our house nothing would be built in this field now look at it.

CF & F I Rimmer	Supporting Allocation

Transport Scotland	Proposed Objection 3
	<p>Transport Scotland welcomes the statement under the Brora Proposal Maps section which states that there is "Restriction on further direct frontage accesses to A9" and that the "The cumulative impact of development on the access to the A9(T) will need to be considered." It is also noted that the retail &/or tourist development would require to comply with proposed Plan and national planning policy.</p> <p>However, Transport Scotland consider that the cumulative impact of the development on the A9(T) is assessed prior to its inclusion in the Plan to ensure that any mitigation measures required are outlined in the Developer Requirements that accompany this proposal.</p>

Inset Maps Brora MU 3 Carrol House	
Tulloch Homes Ltd	Support Allocation

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Representatee	Comment
Inset Maps Brora MU 3 Carrol House I.S Collingwood	Supporting Allocation
Ann D Robertson	<p>Objecting</p> <p>This form has no limit to housing capacity. The first plan I saw was for 3 blocks of holiday apartments, which was subsequently reduced to 2 blocks after objections.</p> <p>Now as I read the above developer requirements it is a case of either housing or tourist related accommodation.</p> <p>The housing capacity has been left blank, so I cannot support offer to an unknown.</p>
P.C Shanks	<p>Objecting</p> <p>1)Iam not convinced there is a need for more housing (whether affordable or not) at this time. The demand for local housing is a null and a good example is the development of the former Hunters mill site.</p> <p>2) I also feel there is probably enough in the way of tourist related accommodation e.g. the new Links apartments. There may however be scope for an annex to the existing Marine Hotel.</p> <p>3) I doubt whether the existing water supply could cope.</p> <p>4) There is likely to be an increase in road traffic.</p>
J A Purkelian	Please note that my land boundary is a marked and not indicated on the plan shown I have marked it.

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Representee	Comment
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Inset Maps Brora MU 4 Former Mackays yeard

Alex Clarke

Objecting

Re: Land Earmarked for development, Sutherland Local Plan – Deposit Draft (November 2008)

My name is Alex Clarke. I own and live in Rockpool Cottage, the property immediately east of and adjoining the proposed development at MU4 – MaKays Garage. I would like the following considerations to be factored into your development of the Sutherland Local Plan: BRORA MU4/MIXED USE – FORMER MCKAYS GARAGE.

1. Reasonable consultation and communication; I draw the Council’s attention to its commitment to consult with the community and ensure its partners do the same. The commitment has been disregarded by council and planning applicants in the past with regard to this specific site.

Will the council ensure that any planning applicant communicate their plans for the site as they must do by law to local residents before planning permission is granted? This means more than posting the plans for a short period in a public place inaccessible to household residents.

2. Physical disruption during building: My home is immediately adjacent to the proposed development.

- A large existing building in the former McKays yard, scheduled for demolition, is less than three feet away from my west garden wall. This wall is a traditional Scots rubble/dry stone wall to which mortar has been added in the past. The demolition of the existing building and the construction of new housing nearby will inevitably cause tremor, impact and other damage to this fragile wall. What assurances will the Council seek that building/demolition work will not damage this wall?

- My property contains a number of mature trees and bushes immediately adjacent to the wall; I do not wish their roots and crowns to be damaged by demolition, delivery and building activity. What assurances will the council seek that the building/demolition work will not damage these trees, bushes and plants?

- I am concerned that my garden to the east of the site will be affected by dust, vibration and noise during demolition/ construction. What assurances will the council seek that building/demolition work will not pollute my house and property with dust, vibration and noise - and affect my quality of life?

3. Access; The east entrance to the proposed housing site is 20-25 yards from th access gate to my property. The road feeding both these entrances is the A9, narrowed to single lane traffic.

- I am concerned about noise, vibration and dust debris pollution from lorries accessing/exiting and loading/unloading next door to my gates. What specific plans/safeguards will the council provide to prevent this?

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Representee	Comment
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Inset Maps Brora MU 4 Former Mackays yard

- I am concerned that the busy but narrow road running alongside our two properties will be blocked or choked by prolonged building work traffic on the McKay's Yard Site. What specific plans/safeguards will the council provide to prevent this?
 - I am concerned that dust/rubble/other physical pollution from the site and the lorries serving it will degrade the road and pavement outside my house? What specific plans/safeguards will the council provide to prevent this?
 - I am concerned that access to the site will not conform to local and national regulations and regarding access to arterial roads, thus compromising local traffic and pedestrian safety. Recent planning applications in the same area have been turned down because of road access considerations – will any applicant's access plans conform to access regulations – how and when will the council audit these plans?
4. Noise; My house is less than 50 yards from the site.
- I am a writer and I both live and work at the Rockpool Cottage property. I am concerned about disruption to my home, to professional life and to my general quality of life from noise emanating from the site during demolition/delivery/construction.
5. Curtilage/Ambience; My house was built in 1840 and is a Grade B listed property, and sits to the east of the site. To the west side of the site are other Victorian stone buildings. Facing the site are a row of old stone cottages and small houses.
- I am concerned that the housing to be built in the new site will be out of character with other properties to the east and to the west of the site and facing it. Will new properties be constructed and decorated with the Victorian/Edwardian materials of the immediately surrounding properties?
6. Environmental; McKays yard, as a former garage and mechanics workshop, has been reported as not conforming to Council and national environmental standards with regard to soil and sub-soil industrial pollution.
- Will the council ensure that development plans submitted by any applicant include provision to clean up the site's industrial pollution? And prevent this clean-up tainting my house and property during clean-up and further demolition/building on the site?
7. Privacy; I have an expectation mandated by law that the privacy of my property will be respected.
- How will the council ensure that buildings/development in-site will not overlook my property, compromising my privacy?
8. Usage; This is wholly residential area surrounded on all sides by residences. The council is mandated to respect residential zones. The Local Development Plan is based on that requirement.

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Representatee	Comment
Inset Maps Brora MU 4 Former Mackays yeard	<ul style="list-style-type: none"> • Why is the council even considering development retail/commercial/industrial units in a solely residential area when a large retail/commercial/industrial area just some hundred metres to the west, past Dungeon Park Road is under-tenanted and under-capacity?
Tulloch Homes Ltd	Support Allocation
Mary Fielding	The original objection was to block of flats being built on this site, I see this site is classed as "mixed use," I still object if banks of flats are planned.
Inset Maps Brora I 1 Adjoining industrial estate	
Charles Sutherland	Support allocation.
Stephen Price	<p>Provided that there is a buffer zone at the rear (bedroom area) of the adjacent houses in Park court. Perhaps, raised ground with trees to block noise & view from the industrial area. Remember, we have bedrooms on the ground floor.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Did not answer query so I am not re-assured.</p>

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Representee	Comment
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Inset Maps Dornoch G General Comment

John Robertson

Sutherland Local Plan Draft (November 2008)

Thank you for sending on papers concerning your plan for this area which I viewed in general at the Academy here in November 2008.

Having had time to study your proposals and having recently sold my house and land (approx. 15 – 17 acres) to move into the centre of Dornoch after 39 years at Cuthill I feel I must write and protest at the developments being proposed and actually started in and around the Burgh. The work already started at the east end of the Cuthill /Lonemore road is realising our worst fears and certainly was a factor in making us decide to move and to look for a small development where care was being taken to fit in with the existing area as we ourselves had to do and in fact wished to do anyway.

Your own literature describes Dornoch as a Royal Burgh whose history stretches back to the 6th century and enjoys a south facing aspect on the Moray Firth with excellent views to the south and a favourable micro-climate having one of the lowest rainfalls in Scotland (your own words). In my opinion and that of many others, Dornoch is one of the most attractive and unspoilt towns in Scotland and in fact much of the British Isles. Hence, together with world renowned golfing is a popular tourist centre.

I regret to say your plans and already sanctioned developments do not do the area justice and run counter to Dornoch architecture developed over the last 15 centuries.

In the Millenium Parish Appraisal, a poll of opinion (Table 38 – PARISH DEVELOPMENT) a percentage of 40% expressed an opinion that Dornoch should stay as it is; and you people think you can ignore public opinion and ring the town round with a lot of modern boxes with no relevance to what is there already. Just look what is happening to the Western approaches on sites H3 and H4. If you wish to see a more advanced example of H3, go and look at the latest development at Milton of Leys, south of Inverness! Would anyone really want to see this sort of building transform Dornoch.

Scale is one of the problems and it would be far preferable to limit new developments to 6 houses or better still half that number. If employing your considerable staff presents a problem, why not put them to work with their skills and experience to designing a number of typical cottages/houses which could be offered to developers on some sort of royalty basis and used as a favourable factor in any controversial application.

I have not mentioned the obvious matters of traffic congestion, school provision which are all problems arising from too large schemes.

Please listen to local opinion before rushing in with these oversize schemes. Let's keep it rather than ruin it. It took many hundreds of years to get where we are – what's the rush?

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Representee	Comment
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Inset Maps Dornoch G General Comment

Neil Ross I refer to my clients previous correspondence (copy attached) and request that the grounds of Ambassador House and Earls Cross Cottage be included in the local plan's area for housing development.

The site is within the wider settlement area of the town and, subject to formal applications for Planning Permission, will be able to meet the G2 Sustainability Policy and provide an exceptional setting for a quality development in keeping with the town's character.

Inset Maps Dornoch MB Prospects

A M A Bagott 1). Is there a proven demand for more houses in Dornoch?

2). More houses mean a greater volume of traffic on roads that are narrow and ill suited for extra volume - leading to a greater accident risk especially with, I suspect a higher than average in most towns.

3). Where are the jobs for these new home owners?

4). How many more pupils can the school accommodate?

DEPOSIT DRAFT NOV 08 RESPONSES

Issues 1) and 4) are withdrawn.

Inset Maps Dornoch H 1 Bishopsfield

Albert & Margaret Knight No adverse comments.

DEPOSIT DRAFT NOV 08 RESPONSE -

NNF - Supporting Allocation

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Dornoch H 1 Bishopfield R H Bluck	<p>These plans are inaccurate and are not detailed correctly.</p> <p>The whole area would benefit from a tree planting scheme to add beauty to the area and break up building lines and soften the outlook.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>I am happy to confirm that I have no objections to the local Sutherland plans since a mini-form of tree planting is scheduled to take place shortly. I hope that in due course further tree planting may take place and add to the environmental satisfaction we all hope for.</p>
Albyn Housing	<p>Suggest that area North West should be included in the plan and that capacity of 50 more appropriate. Owner (Council) intends to produce a master plan which may include building for community use. Also some consideration should be given to inclusion of area West of H3.</p> <p>Capacity as per draft: 30 Suggested Capacity:50</p> <p>DEPOSIT DRAFT NOV 2008 RESPONSE -</p> <p>Bishopfield, Dornoch - The plan should note the requirement of a masterplan for this area and it would be helpful if it could be noted that the Council (Housing and Property) is working with its partners to deliver such a masterplan.</p> <p>REMAINDER OF PREVIOUS REPRESENTATION WIITHDRAWN.</p>
Catherine Charlish	<p>When we moved into 'STRATHAN' eleven years ago we were told that the area I have shaded in would not be built on.</p> <p>We want it to remain an open space, with possibly some trees planted and grassy area.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>No housing in shaded area of H1</p> <p>Please keep as open space.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE</p> <p>No Housing please in shaded area we have marked in H1 Dornoch.</p>

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Dornoch H 1 Bishopsfield

S M Wilson

You are asking for comment on a development that is already partly being constructed.

Elizabeth Crescent (the end towards the Cul-de-sac) consists of private 'quality' houses and that is the way any further development should be not directly bordering affordable housing. It should remain a cul-de-sac and not a loop road for joy riding traffic to cruise round.

People in the crescent including ourselves have invested heavily and in no way wish to be closely surrounded by what is basically a "council scheme".

Is there sufficient employment in the area to support the occupants of all the proposed housing as there is very little local industry? Most of the service jobs in the hotels are low paid and seasonable and a high proportion of the positions are currently filled by Eastern Europeans. If it ends up with a surplus of affordable housing, will it not end up with them being occupied by problem families from outside the area or with numerous EU workers all living in the one property, this is already happening in the region.

There are also all the private developments that are proposed for the "flood plains" on the downside of the road opposite the War Memorial and also between Sutherland Road and the sea. (Is global warming and rising sea levels not going to affect the Dornoch Area)? A development that has to pump drainage water surely tells it own story.

Is Dornoch not going to end up with more housing that the local infrastructure can support ?

There is a definite requirement for affordable serviced plots to be available to buy by private individuals who want to self build, this can be with "water tight" conditions of sale to stop speculators from buying plots and either not developing them or developing and immediately selling on for massive profits. In the 1970s the local council successfully did this at Darroch Brae in Alness and also at Conon Bridge.

A more relaxed planning attitude is also required that would allow houses to be built out with the current designated zoned areas.

This is a joint response by residents who own private houses in Elizabeth Crescent and Earl Cross Gardens, Dornoch.

1. Firstly you have sent out plans asking for comments, as housing developments are already well advanced on both the areas is it not a bit late to be asking for comments as it is already "fait accom'pli"especial1y in the area H2.

2. H1 has already got houses under construction, yet none of the property owners in Elizabeth Crescent were served notice of the planning application, yet some of the properties have boundaries that border on to the area that is currently being developed.

3. The plan available to view in the local library has more detail regarding accesses to area H1 than the plan that was posted out to all the properties, was this a deliberate omission ?

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Representee	Comment
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Inset Maps Dornoch H 1 Bishopfield

4. We the undersigned all strongly feel that the end of Elizabeth Crescent should remain a 'cul de sac' with plots being sold to private individuals and not to a property developer. All the existing private houses in the crescent were built by private individuals on plots sold by the council and that is the way the vacant land at the end of the crescent should be further developed.

5. A green belt should be left between the private housing and the "affordable" housing.

6. Vehicle access to the affordable housing must not be via the end of Elizabeth Crescent, if an access was put in it means that all the private houses which individuals have invested in would be "sandwiched" between what would be basically two "council schemes."

7. We have no objections to the developments in area H2 except for the comment in (1)

8. Before any further developments are allowed to take place in the Bishopfield area, the tight dangerous corner where Stafford Road joins Grange Road requires to be addressed.

General Comment

If it ends up with a surplus of affordable housing, will it not end up with them being occupied by problem families from outside the area or with numerous EU workers all living in the one property, this is already happening in the region. Is there not a breach of planning regulations where the housing that is currently under construction, planning applications were not served on the owners of properties that border this H1 area.

We the undersigned all owning the properties at the stated addresses fully agree with the contents of this letter in response to the Dornoch local plan for the Bishopfield areas H1 and H2. This is in addition to any individual comments that some of us may have already sent in

DEPOSIT DRAFT NOV 08 RESPONSE -

It appears that none of issues have been addressed in the 12months since original responses were sent in so all the original objections remain.

Responses best described as "waffle"

.....
A.M Macdonald

Support Allocation.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Dornoch H 1 Bishopsfield	
J Magee	Supporting I don't see problem with these sites if possible could I be considered for a 2 bedroom house at one of these sites, as I now have a little grandson , and another grandchild on the way. I cant have my family for holidays as I have no room to put them up. This would mean so much to me.

R Macleod	Supporting Allocation.

Effie Grant	Supporting Allocation

Marie Roach	As above

Inset Maps Dornoch H 3 Sutherland Road	
Scottish Environment Protection Agency	Category 2 Flood Risk DEPOSIT DRAFT NOV 08 RESPONSE - 5.3 SEPA also welcomes the modifications to a number of allocations which were shown to fall within or bordering the medium to high flood risk areas and the modifications to the supporting text. However, SEPA considers that further revisions are required as follows. 5.3.1 SEPA would withdraw its objection to Dornoch H3 and H4 provided the wording "Flood Risk Assessments will be required, built development to avoid flood risk area" is inserted into the Developer Requirements.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Dornoch H 4 Meadows Park Road Scottish Environment Protection Agency	Category 2 Flood Risk DEPOSIT DRAFT NOV 08 RESPONSE - 5.3 SEPA also welcomes the modifications to a number of allocations which were shown to fall within or bordering the medium to high flood risk areas and the modifications to the supporting text. However, SEPA considers that further revisions are required as follows. 5.3.1 SEPA would withdraw its objection to Dornoch H3 and H4 provided the wording "Flood Risk Assessments will be required, built development to avoid flood risk area" is inserted into the Developer Requirements.
Scottish Natural Heritage	1.1 Dornoch Housing development H4 has particularly high density and is a clear candidate for the provision of open space. DEPOSIT DRAFT NOV 08 RESPONSE- SNH notes the Council's comment that the approved development at H4 includes adequate provision for open space. SNH recognises that in general Open Space will be picked up via the Council's Open Space Strategy. This objection, relating to the requirement for Appropriate Assessments, will need to be sustained until a satisfactory appropriate assessment has been prepared by the Council.
Inset Maps Dornoch MU 1 Dornoch North Torrance Partnership	Capacity suitable for this area if suitably phased and appropriate layout. DEPOSIT DRAFT NOV 08 RESPONSE - NNF Supporting Allocation.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Dornoch MU 1 Dornoch North

M MacGregor

1. I am not aware of any access arrangements to the new development at Dornoch North. Nobody has approached me on the subject with any clarification. So I can add no further comment than already said on access.

2. The Dornoch Burn on the Sutherland Local Plan Deposit Draft (Plan) seems to have disappeared from the industrial estate going north. The burn in the boundary between the two farms of "Achinchanter" and "Balloan" and I do not know of any access rights for Balloan farmland from Station road, refer to the plan and letter I sent to your office on 8/11/2006 and you can see the boundary burn and my unadopted access road 10 foot wide leading to my house "Glenburn" and the bus depot garage from Station road.

3. I have made your office aware of the flooding problems in this area by photos I sent to your office and also sent photos to the developer, SEPA, and Elizabeth Maciver TEC services Dingwall. If the historic flood plains at this development are interfered with it will cause worse flooding in this and Dornoch area than has already been experienced. What guarantee can the council or the developer give to the damage arising through worse flooding to my properties in this sensitive area if the development goes ahead. Flooding in this area is already being experienced through inefficient culvert in the council industrial estate in a storm surge and the back up of sewage waste from overflow.

4. I would like also to inform you that all my service cables and pipes to "Glenburn" and the bus depot property run under my access road.

5. I can not see how a double track road which is necessary for this development can be built on the north side of the burn considering the roads proximity to my property and no arrangements or proper enquiries made by the developers or the council.

6. The councils adopted road stops at the entrance to the industrial estate just off the A949 so I am surprised to see a wide road continuing past this on your Sutherland Local Plan Deposit Draft October 2007. The road on the plan is encroaching a long way on to my property.

7. I can give you a list of some (about 20) disposition and access arrangements in this area and the burdens which exist going back to 1902 if you require them.

DEPOSIT DRAFT NOV 08 RESPONSE -

ISSUES-

Dornoch MU1 - 1 Road Access Concerns still exist

Dornoch MU1- 3-7 Flood Risk Concerns still exist

NNF Objecting

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Representee	Comment
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Inset Maps Dornoch MU 1 Dornoch North

Road access concerns still exist-
A consultation on road access was carried out with The Highland Council 03-02-2005 for Bowlts Masterplan for this development.

Flood risk concerns still exist -
A flood risk assessment has already been carried out in February 2005 see Bowlts masterplan for MESSR's Mackintosh and Murray Housing Development Land. Dornoch October 2005.

Adrian Green

It is important to remember that the area adjoins an industrial estate which is fully occupied and if work is to be provided, due consideration should be given to extending this area. However the area for industrial use needs a delineation from any new housing, trees or a playing field perhaps, to prevent future housing occupants being affected by industrial processors.

The industrial area also suffers flooding and urgent need is required to address this. Already additional housing at Embo Street has increased the flooding problems. Diverting or enlarging the capacity of the Dornoch Burn is imperative.

DEPOSIT DRAFT NOV 08 RESPONSE -

I note that your response relating to the business park but it is important to provide areas for industrial development. We are the biggest single employer on either of the two sites, yet when asked about relocating to the business park 5 years ago, we were considered unsuitable! Industrial and Housing are not a good mix and so I still maintain that consideration is given to their integration.

NNF -

Supporting -

I note that the additional comments relating to the flood risk and would wish to emphasise that this not under-estimated. In extreme conditions, we have already experienced near catastrophic levels of flood water and a large percentage of water run off would naturally divert towards the existing industrial areas. No action other than our own self-preservation measures, have been instigated to help alleviate this problem, but hopefully the integration of the above proposals will re-dress this matter.

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Representee	Comment
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Inset Maps Dornoch MU 1 Dornoch North

G A Marshall

Objecting -

Once again I fail to see the sense of building more houses in Dornoch when the question of employment has to be addressed first. The current developments in Sutherland Road will increase the housing stock by 100+ alone and as of today there are 35 houses and two plots of land for sale in Dornoch on the HSPC website.

The change to the Burghfield Hotel to be part of the Highland Collegewill initially create a small number of positions for teaching and maintenance staff, however, any qualified students would have to go elsewhere for employment as there are few opportunities in Dornoch itself. Other than Golf and Tourism there is little or no reason for business to be attracted to the area.

The infrastructure of the town could not currently support any more residents.

Any more large increases in housing would dramatically change the genre of the town reducing the attraction of tourism.□□□

Having observed new drainage to the area carried out for the farmer, the depth of excavation to give a sufficient foundation would have to be considerable, disrupting the current natural water flow.

Flood risk assessment may be made, but as can be seen from the South in recent times, man made flood prevention measures have been glaringly unsuccessful, Carlisle and the Severn Valley towns immediately spring to mind. Water will always try to return to its natural course.

Returning to the issue of employment, it can be seen from the lack of interest in the CASE site in Golspie that no businesses are interested in expanding or re-locating to the area. The unit vacated by the battery re-cycling company is still empty and the unit close to completion will be staffed by people coming in from offices around the area. Even more people travelling the A9 in cars plus more empty buildings in local towns. What is going to happen to the empty offices in Dornoch and Brora vacated by the Highland Council?

Having done an archaeological survey, what would be the result should the area be found to be a site of special scientific interest?

In these difficult financial times people's equity is reducing, any increase in the number of houses would reduce values further.

.....

Representee	Comment
Inset Maps Dornoch MU 1 Dornoch North Scottish Environment Protection Agency	Category 1 Flood Risk DEPOSIT DRAFT NOV 08 RESPONSE - SEPA recommends that references to flooding in Golspie MU1 are deleted and the last sentence of the Developer Requirements for Dornoch MU1 is deleted. SEPA also recommends that the allocation boundary for Invershin H I is modified to more accurately reflect the medium to high flood risk areas.
----- G Moss	Objecting
----- W.D McLauchlan	Has not ticked objecting or supporting.
----- James Mackintosh	Supporting Could the proposed access routes be clarified a) Embo Road and b) Station Square. The slater's yard (owned by Michael Banks) could be added to the development as an important gateway to Dornoch and its new housing on MU1. Our proposals show that this would be a high density mixed use gateway building on this corner site on the south of the Dornoch Burn.
----- Sandra & Alastair Reid	Objecting- To many people - residents and visitors alike- Dornoch is a gem and the Planning Authority must ensure that this accolade is not compromised in any way by the activities of developers. Even at this early stage, the size of MU1 section of the Local Plan Draft is relatively significant and there is evidence that pressure exists for the realise of further parcels of land. Such requests should not be entertained otherwise the quality of the infrastructure could be placed in jeopardy.

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Representee	Comment
Inset Maps Dornoch MU 1 Veronica Bhatti	Dornoch North Objecting Dornoch already has plans for large housing developments e.g. Sutherland Road If ALL these ideas are put into practice will swamp our beautiful historic town. The outcome of ALL these houses will exacerbate the road system parking etc already under strain. More importantly WHAT and WHERE are these new residents getting employed - already under strain. How are the schools, health service going to cope with the extra population? Already under strain. How is the infrastructure being put in place? Such as sewage (already under strain) water and electricity. This whole scheme appears ill thought out, ruining this beautiful small town for future generations.
Karen Cadell	<p>I refer to David Cowie's letter of 29th November 2007 regarding the Local Development Plan for Sutherland and the land allocated in Messrs Mackintosh and Murray's ownership at Dornoch (MU1) and Messrs Mackintosh's land at Embo (MU1 and HI). I note the deadline for comments was 1st February 2008 and I apologise for not getting our comments to you prior to this. I hope that despite the delay in our response, the comments below can be considered in the review process. As you are aware, we are supportive of the allocations that have been made at Dornoch and Embo, but would make minor comments on each allocation below:-</p> <p>Dornoch - MU1 - Dornoch North</p> <ol style="list-style-type: none"> 1) Ownership - Messrs Mackintosh and Murray 2) I note reference is made in the Developer Requirement section to "development of a masterplan through community consultation". As you are aware, a masterplan has been prepared for this site and the Council have acknowledged this as a significant material consideration. I would therefore suggest reference to development of a masterplan is removed from the text and replaced with "development of an urban design framework". 3) The arrows upon allocation plan within the Deposit Draft indicate where the access points are proposed to be taken. I would be grateful if you could confirm that these are indicative only and that the actual position of the access points will be finalised through the Urban Design Framework. 4) The area Highlighted as MU1 should also include the area we have shown in red on the enclosed plan. <p>I hope you find the above comments to be of assistance and I would be happy to discuss these with you further.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Access points</p>

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Representee	Comment
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Inset Maps Dornoch MU 1 Dornoch North

I believe on earlier versions of the plan the Station square access point was shown along the existing track on the North of the burn. We have since modified the plans to access the site via the South of the burn. It would be helpful if this new access point were shown on the plan. This will help alleviate the concerns of two objectors who live on this road (MacGregor & Campbell) who were rightly concerned about the narrow road.

Also the Embo road access point as shown on some plans, was close the houses and the corner near the exit from Dornoch. We intend to take this access point out near the existing field boundary away from the corner. It would be help if this was also shown clearly on the plan.

The third access point (longer term) to Poles road is also planned to come out on the existing boundary at the existing field exit close to the exit from Dornoch.

Slater's Yard

The Slater's yard (the land owned by Michael Banks) to the south of Station square and bounded by the burn hasn't been included in the plan. We see this site as a strategically important gateway to both Dornoch from the north and as an entrance to the new development. The site also has a role in connecting, or knitting together, the old town centre of Dornoch via North Street with the new housing along the route of the old road to Pitgrudy. In our proposals we have shown a high density mixed use gateway building on this potential site.

Masterplan Terminology

Karen also had a comment on whether the term "Urban Design Framework" or "Masterplan" should be used to describe the final document which will be submitted with the outline planning application. The term Masterplan is more conventional but we will leave it up to you if you wish to change it at this stage.

Housing Use Terminology

We would like to modify the term "housing use with associated business and commercial uses" as home-work or home-office type space and that business space would also be concentrated around Station Square/Embo Road.

Inset Maps Dornoch C 1 Meadows Park

W Mackay

Supporting Allocation

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Dornoch C 1 Meadows Park

M.C Gillanders

I have no objections to a community or leisure center being built at C1, but not if public dances are to be held in such buildings as I fear the noise levels would be too high and would last not just during dance but fro before and after as it does at present on most occasions when dances are held in the social club in Dornoch.

I would also be worried about the approach road to such premises as the Meadows nursing Home is at the end of the road at present which is at the moment a pleasant quiet areas for the residents of the home. Perhaps an access road could be made available in the Dornoch Business park via B1.

Maureen M Morris

C1 MEADOWS PARK – OBJECTION

I strongly object to the inclusion of Meadows Park as a site with ‘potential for development of community centre subject to suitable access, siting and design’ in the deposit draft Sutherland Local Plan. In the present economic climate, and in the light of other projects already underway in the town, the likelihood of the proposed development progressing is extremely low. In the meantime all neighbours have to endure what will undoubtedly be a significant negative effect on the value of their properties, for so long as this proposal is included in the Local Plan. The potential for access/aggress to the site being where the existing gate is, has a devastating effect on the value of my property. I would therefore like it removed from the Plan.

It is my understanding that plans are well advanced and some ground work already underway to build a new sports facility at the site of the local school, which will provide the community with sports amenities. I have been told that this is in line with one of the Scottish Executive policies to develop local schools as a hub point within the community. Furthermore, a substantial sum of taxpayers’ money is being used to upgrade the Burghfield Hotel as a training establishment. I believe this would provide an ideal location for a new community centre, as most of the amenities required would be in place, in a location well proven, and appropriately equipped, to accommodate traffic and people. It would also provide extra training opportunities for UHI, whilst offering a return to some of the public who are providing finance for the project.

It is my understanding that the Dornoch Golf Club, who owns the field highlighted in yellow nearest to the Dornoch Business Park, has determined not to relinquish any of its land. It seems unlikely therefore, at this stage, that a community centre could be built in this section of the area highlighted. I believe that this is the best site within the highlighted area C1, as access could be obtained via Dornoch Business Park, thereby minimising disturbance to local residents and to the Meadows Park Nursing Home.

FURTHER INFORMATION RECEIVED 6TH FEB -

Further to my recent objection to the proposed inclusion of meadows Park as a sote with " potentail development of a community centre subject to suitabel access, siting and design" in the deposit draft Sutherland Local Plan, I enclose an excerpt from the Sutherland newspaper " The Northern Times" from last week.

The article describes the community facilities which will be available at the new sports hall which is to be built at the local schoold -

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Representee	Comment
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Inset Maps Dornoch C 1 Meadows Park

completion expected at the end of summer 2009.

It also describes that " A proposal to build a multi-purpose leisure and community complex was dropped following a public meeting in December 2007. Those present made it clear they would prefer to have a separate leisure and community halls rather than a combined facility."

The article goes on to quote Mr Brian Fraser, secretary of Dornoch Academy Parent Council as saying " Once we get this project out of the way we will start looking at a community hall, but that is a long way down the line." He then made reference to the effect of the current credit crunch resulting in money being even tighter - thus pushing consideration of the existing community hall, far less any new build, even further into the future - especially given the imminent completion of the new sports barn.

I plead with you therefore to remove to include Meadows Park as a potential site for the development of a community centre from the draft local plan at this time. There is clearly no likelihood of this project developing in the medium to long term.

It seems unnecessary for all neighbours of C1 to suffer significant negative effect on the value of their properties in an already severely depressed market. It seems pointless given the timescale indicated, and serves no purpose at this stage other than to disadvantage these neighbours. Existing facilities would require careful review in light of amenities provided by the new sports barn. None of this can happen quickly.

Helen Maulley

Objecting

Main reason being it will devalue my house. I don't want cars speeding up and down the road, whenever there is a dance or something on.

Taxpayers are paying for the refurbishment of the Burghfield Hotel. So why cannot a community centre be incorporated in that. We built a house down here for the views and the peace and quiet so therefore I don't want any Community Center or such like spoiling it. Also that I have a lot of elderly neighbours as well.

Inset Maps Durness G General Comment

Durness Community Council Objecting

We consider the envelopes on Durine and Sangomore to be unnecessarily staggered and restrictive. A wider envelope and more uniform width.

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Representee	Comment
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Inset Maps Durness MU 1 Adjacent to the shop and across roa

Nicholas Powell

My reasons for objecting to this proposed development are:-
 this is as essential useful and well used open space at the centre of Durness. It is used by both visitors and local people. Visitors can park here to use to nearby public toilets and public telephone box.
 It is used as a local focal point for the following services - RBS travelling bank, mobile library, mobile cinema, mobile sales outlets, festival events.
 The site is the most convenient place for the various recycling bins used by the community. The green with its war memorial and benches is popular with visitors and local people alike, particularly in fine weather, families, mothers and children enjoy the 'park' facilities across the road, also taking overspill from the shop nearby.
 Housing built on this site would not enjoy either outlook or open space (gardens), access being directly onto a road junction.
 Building on this site would radically alter the nature of what is an essentially rural community by creating an urban environment at its centre.
 When there is land available fro development at school row and adjacent to the village hall (otherwise useless land) which particularly could provide an opportunity to enhance the environment at Drumlhair, the relevance of this proposal is dubious.

DEPOSIT DRAFT NOV 08 RESPONSE -

I wish to confirm all the objections that I have already made and add that if compensatory car parking was located at the fank area then this would make a loop road even busier as visitors would have to leave the main roads and drive through a residential area looking for parking. Also if the filling station is to be re-located behind the PO & shop and access to this is also by the loop road it could become even busier used by cars and caravans. Motorhomes. Motorcycles, lorries, military etc and the junctions would be more hazardous to negotiate.

Marjory K Campbell

Supporting Allocation.

Jessie Machpherson

Supporting Allocation

Fiona Mackay

As previously stated in my initial dialogue. The area behind the village shop should be protected from housing development. This ground offers significant community value/use.

The area around the village square needs to be protected against private development and retained for community benefit only. This is strongly supported locally. The initial points raised appear to have been completely ignored.

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Representee	Comment
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Inset Maps Durness MU 2 East of the village hall

Thomas Ritchie I have no objections to MU3 but I would like you to remove the concrete foundations on the left hand side of the approach road to Alt Smoo and replace with top soil.

DEPOSIT DRAFT NOV 08 RESPONSE -

My suggestion does not fall within your plan. Sorry

Inset Maps Edderton G General Comment

Edderton Community Council The Council is also of the view that there should be more provision of land available for business use. We appreciate the flexible area MU1 and would like to see a similar area designated east of Manse Road – from the A836 to the first dwelling at a depth of approx. 50 m. this section of the field is reported as significantly less suitable for agriculture than the rest.

Edderton Community Council When considering a recent planning application from Ross Estates the Council identified an anomaly in the north-western corner of the settlement by the cairn and northwards. The local plan boundary has not been drawn along the property boundary and therefore some of the units applied for and within the settlement and some without. Indeed we think that the settlement boundary should be extended to include the area north of the Ardmore road up to the railway bridge which would allow a more harmonious development in the future.

Historic Scotland Edderton: Revisions to settlement boundary and housing allocation:

The Ross & Cromarty East Local Plan, adopted in February 2007, set out a settlement boundary around the village of Edderton (inset 15 of the Plan). A housing allocation was also made on land to the east of Carriblair, stone circle and cist (Index no. 2971), which is a scheduled monument of national importance. Both the December 2007 and the November 2008 Deposit Draft of the Sutherland Local Plan (Inset 6.1) do not feature this existing allocation, but an extra strip of land has been added to the settlement boundary. There is no specific allocation of this strip for housing in the Sutherland Plan. It is understood that this extension of the settlement boundary was necessitated by the granting of permission for two housing units on lands to the east, which effectively blocked off access from a narrow lane.

While it is acknowledged that the alteration of the settlement boundary was intended to provide access to the consequently land-locked development site, it also presupposes development directly adjacent to the scheduled monument. This carries the strong risk of causing significant direct impacts on the scheduled monument, and also of negative impacts on the setting of the monument. Facilitating development which has direct or indirect adverse impacts on a scheduled monument is at variance with the principles espoused in Scottish Planning Policy 23 (SPP23) and the current Scottish Historic Environment Policy (SHEP). Highland Council's decision to grant planning permission for the two housing units which now block access to the development site from the east directly led to this situation.

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Representee	Comment
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Inset Maps Edderton G General Comment

We would strongly recommend that in future cases of this nature, existing policy with regard to the historic environment is followed.

Finally, Historic Scotland again welcomes the clarity of approach taken to preparation of this Local Plan. We found it easy to use and to follow, and welcome the identification of the Development Factors for the Settlement Development Areas, and the inclusion of the Developer Requirements with the specific site allocations.

.....

Inset Maps Edderton MB Development Factors

Edderton Community Council

Edderton Community Council welcomes the flexibility in the deposit draft Sutherland local plan regarding the settlement of Edderton in contrast to earlier plans. In particular it appreciates that area along Manse Road that is designated for mixed business/ housing development.

We wish the following matters be taken into consideration in compiling the final draft:

That consideration of infrastructure changes be included to accommodate the transport demands that new housing would make, in particular the need to upgrade single-track road from the top of School Brae to the Struie Road by Aultnamain.

DEPOSIT DRAFT NOV 08 RESPONSE -

We note that our earlier proposals do not appear to have been taken into consideration in compiling the final draft, namely;

That consideration of infrastructure changes be included to accommodate the transport demands that new housing would make, in particular the need to upgrade single-track road from the top of School Brae to the Struie Road by Aultnamain.

.....

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Representee	Comment
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Inset Maps Embo G General Comment

Alex Watt

Regarding our conversation on 17th December 2007 (at the East Sutherland and Edderton Ward Forum meeting) about inclusion of the Grannie's Heilan Hame caravan site in the Local Plan. I have now downloaded the Ordinance Survey map of the area (see attachment). This clearly shows the extent of the caravan site, including the roads, I have marked the approximate boundaries of the caravan site with a blue line. The orange line shows a possible route for a new bypass road for access to the caravan site should your proposed draft plan be accepted, this would separate caravan site traffic from village traffic, as is the case at present.

The purple arrow indicates the site of the old quarry, which is shown on the Ordinance Survey map but not on your draft plan. This old quarry was used over a period of years for the dumping of carcasses of dead pigs from the nearby pig farm.

At present there are permanent sites (many concreted) for approximately 280 static caravans and planning consent for 80+ static caravans/chalets for the stage 1 expansion of the caravan site. This means in excess of 360 caravans most of which can accommodate 6 persons, therefore a possible increase of population for the Embo area, during the tourist season, of somewhere in the region of 2000+ people, and vehicles used by them. This is without counting the touring caravans, caravanettes and campers.

These are the reasons why I am of the opinion that any Local Development Plan must show the extent of the caravan site and its impact on the infrastructure of the Embo area. This has not been done in the present Draft Development Plan.

If the area of the caravan site is included then the burial cairn could be said to be in the centre, otherwise the first paragraph should read "-a fine example of a burial cairn can be seen near the Southern boundary of the village".

DEPOSIT DRAFT NOV 08 RESPONSE -

The amount of traffic movement created by the caravan site must impact on the by-pass road. If development is to be considered at the West of the by-pass it will no longer be a "by-pass." Consideration must be made to relocate the by-pass for safety reasons.

Struan M. Robertson

Further to the meetings last year in Dornoch regarding future development in Embo I continue to express my dissatisfaction at the venue for these meetings and the inadequate substance of the redrafted plan.

I was very disappointed when you informed me that this new Sutherland Plan will be considered a new starting point and that all previous correspondence shall be consigned to history! Whilst this may be proper planning procedure the Planning & Development Service (PDS) have clearly failed to address the material considerations raised by over one hundred residents in Embo. Even allowing for the scaled down development, the precedent of allowing construction on the "wrong-side" of the by-pass is not a compromise but a total capitulation to the wishes of the developer. This slight of hand to try and relegate the unresolved objections to the dustbin is both arrogant and contemptible; I trust that the PDS will behave in a manner befitting a department whose advice and recommendations will shape the nature of a community for generations.

The specific objection to site H1 is that it is part of an area of public recreation. It is my understanding that this area belongs to the

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Representee	Comment
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Inset Maps Embo G General Comment

village. If you have seen legal title indicating otherwise, I shall be pleased to receive a copy.

Regarding my objections to site MU1, I would simply refer you to my letter of 5th December 2006 (a copy of which is attached for your convenience). The PDS has failed to address the material considerations raised in my letter and has therefore failed to move the debate forward. Clearly the effect of PDS procedures has conditioned its employees to the rules of the asylum resulting in common sense being relegated to a quaint archaic notion.

Finally, I am perplexed that the roads department have not been consulted during the past year regarding the feasibility of the Embo part of the Sutherland Plan. It does beg the question; why are so many man-hours being spent on a project which may prove prohibitively expensive if done properly?

Letter of 5th December 2006: Regrettably, neither your letter nor the meetings have alleviated my concerns about the proposals for Embo, but I am encouraged by the fact that you seem to appreciate my concerns. I must confess that I resent the approach of the planning department whereby people like myself are expected to do the work of unpaid advisors to professional planners in addition to attending meetings. You know the feelings of the people of Embo, but still your "masters" demand that opinions are submitted in writing; very time consuming and equally disappointing when only one of your "masters" (Cllr Duncan Allen) bothered to turn up!

Turning to Embo as a small scale development of only 35 houses, you are aware of the fact that this demand can be met through sites 2 & 3. This is in the local plan at the moment and is widely accepted. My letter of 24th November detailed the support for this proposal and I do not feel the need to elaborate.

Regarding the "options" (4a, 4b and 4c) these are all totally unsuitable as they are on the other side of the Embo by-pass. Furthermore, there are material considerations which need to be considered which rule out these options:-

These options create an undesirable precedent. Any one of the options would satisfy the 35 house requirement and once that is exhausted the precedent has been set for more houses on the wrong side of the by-pass!

The history of these sites was reviewed 10 years ago and deemed inappropriate. Nothing has changed in the intervening period, except increased usage of the by-pass, therefore it follows that the decision against those sites should be the same?

There is no suitable access across the by-pass. There are safety issues and the additional traffic would be detrimental to pedestrians and cyclists. I have had experience of villages with traffic calming measures and they are not to be encouraged. They have only been introduced as a last resort where there is a threat to persons or property. This is not appropriate for Embo as an alternative by-pass is the solution but I intend to address that issue in more detail later.

A further safety consideration would be the proximity of houses on the wrong side of the by-pass to the piggery. If the wind is blowing in the wrong direction there are days when it is impossible to open house windows, impractical to hang out laundry and unadvisable to leave

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Representee**Comment**

Inset Maps Embo G General Comment

the house!

The final material consideration against sites 4a, b & c but can all be overlooked when applied to sites 2 & 3 and trust that they go some way towards helping you in the decision making process.

On a more positive note I would reiterate something I said at the meeting as I was uncertain whether you or your colleague, Malcolm Macleod, fully appreciated my suggestion or whether the Highland Council have considered such an approach. Is there serious consideration given to a plan which will survive beyond 5 years? I'm tired of having to go through this "battle" every 10 years and would rather the Council adopted a plan which will survive 25 years plus. It has been established that Dornoch/Embo is a desirable place to live and you have confirmed that developers are queuing up to get into the area, so why not provide something that can meet the demand and the need. Forget about a short term requirement of houses and consider the possibility of a much greater figure for a longer term requirement and the services such as an increase demands.

If the council took this approach improvements to the infrastructure and roads would have to be carried out:-

Other considerations might include schools, medical facilities, policing requirements, leisure facilities, shops, trades, etc., etc..

So the council sets aside £10 million for the above and actually builds the infrastructure. The developer comes along and says he wants to build so many units or develop a certain acreage. The council approves the plans and demands a contribution towards the £10 million infrastructure costs. This would initially equate to £10000 contribution per house unit - hardly exorbitant!

The major benefit to Dornoch is that it would remove the Embo traffic which in the height of the season could be as much as 300 cars per day from Dornoch town centre. The major benefit to Embo is that it gives a new by-pass and a better road to the nearest service centre.

As I mentioned at the Embo meeting, I was horrified when you mentioned that the roads department suggested that the Embo by-pass could cope with increased traffic; almost without exception that traffic has to travel on the Dornoch / Embo traffic single track road. If the Council approve further housing in Embo without consideration to improving that road it is only a matter of time before someone is killed and that would be nothing short of manslaughter!

You mentioned at the Embo meeting that there were many areas in the Sutherland which were only serviced by single track roads. I now challenge you to provide me with an example which is as densely populated and subjected to the massive seasonal increases? If you do not have figures available, I expect that you would agree that it would be very useful to know what the daily volume of traffic on the Embo road was in February compared with July?

In conclusion, I hope you will appreciate that there is a very strong community in Embo which is not frightened to share its quality of life with the outside world, but we just do not want to have our way of life turned upside down or destroyed in the process.

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Representee	Comment
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Inset Maps Embo G General Comment

DEPOSIT DRAFT NOV 08 RESPONSE -

The Council response states that “the plan does look to address the main community concern regarding traffic safety issues, throughout the provision of either a re-routing of the bypass or appropriate methods to calm traffic movement.” Why have I not been provided with exact details of the Council’s proposals?

The council response states that “compulsory purchase of land is not an option where other land that can realistically be developed is available.” The Council have not provided any reasonable case for setting the precedent of development on the “wrong” side of the bypass; in the absence of such, the field to the North West of Station House remains the preferred choice. The fact that the landowner of this field is disinclined to develop this field does not warrant its removal from the plan; what would be the position if the landowner changed his mind or the field was bought by somebody else?

The Council response refers to “General Policy 15 Developer Contributions”. Why have I not been provided with a copy of General Policy 15?

The fact that the Council are even entertaining the idea of “appropriate methods to calm traffic movement” clearly contradicts the foresight of your predecessors. They saw the benefits and invested in removing a safety hazard from a residential area. To now suggest that the same safety hazard be reintroduced by allowing residential properties to be built on the other side of the bypass is simply inexplicable madness.

Traffic calming measures would effectively make the bypass redundant and return Embo to the same situation which necessitated the bypass in the first place. Who pays for correcting the Council’s mistakes once the developer has disappeared with their profits? And; who has to live with the consequences of this Council’s lack of foresight?

In light of the Council’s failure to address the issues raised in previous correspondence and the Council’s failure to provide sufficient detail in their response following the consultation stage, I am bound to maintain my objections and request the appointment of a Scottish Government Reporter to provide an independent judgement.

I shall be pleased to hear from you.

Inset Maps Embo MB Prospects

Ian Roach As above

Marie Roach

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Representee	Comment
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Inset Maps Embo MB Prospects

Inset Maps Embo H 1 North of Station House

Albyn Housing	Statistics on housing demand are inconclusive but some demand (inc for LCHO) exists. Current allocation of H1 appears to be slightly incongruous in such a strictly laid out townscape. Consideration should be given to extending this allocation of H1 to the east to provide appropriate balance of the development envelope.
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Ian Roach	As above
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Isabella Cumming

Inset Maps Embo MU 1 West Embo

Ian Roach	As above
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Marie Roach

Isabella Cumming

Inset Maps Embo B 1 Holiday Park

Brian & Isabell Jones	Objecting
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David John Williams

Patricia Waymouth

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Representee	Comment
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Inset Maps Embo B 1 Holiday Park

Gordon Waymouth

.....
D E Fraser

.....
Alex & Heather Lyon

.....
Elizabeth Wilson

.....
George Fraser No objections

.....
Caroline Fitzpatrick Objecting

.....
Barry Walters

.....
J K Walters

.....
Catriona Grigg

.....
Lillian Moffat

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Representee	Comment
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Inset Maps Embo B 1 Holiday Park
Edward Moffat Objecting

Penelope Patton

S Anderson

Gerald Fitzpatrick

Frances & John Munro

Janice Watt

Jeanette Cumming

Christina Gill

Barbara Shillinglaw

Graham Davidson

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Representee	Comment
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Inset Maps Embo B 1 Holiday Park
 Kathryn Davidson Objecting

Laura Bissett

Julia MacKay

Hugmina McGrath

Munro Cross

S Cross

Alexander MacDonald

Shirley MacDonald

Murdo MacDonald

W Hadden

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Representee	Comment
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Inset Maps Embo B 1 Holiday Park

Jenny MacKay Objecting

Joyce & Stan Collett

A D Hutton

J R Bower I have no objections to the proposals to extend B1 other than concerns over the increase in traffic through (or around) Embo.

E A Bower Objecting

J R Cumming

Karen Holmes Objecting -

I don't think Embo needs anymore houses, especially when it seems it isnt even affordable houses.

Embo is a small village and should atay the same into the future. It seems there is no affordable houses planned for this site either.

Christine MacKay Objecting

James H MacKay

Coral MacKay

Representtee	Comment
Inset Maps Embo B 1 Holiday Park	
C A Sandford	Supporting Allocation.
Donald Macleod	I have no objections to the plan draft except:- I would object to the (OS) part if taken over in the future, as the village children and as with the caravan holiday makers use this fro football and other recreational purposes.
M Murray	Objecting
Ian Roach	As above
Marie Roach	
Isabella Cumming	
James Calder	Dear Sir since I came to Embo in 1966 there have been several plans, none of which have come to formation yet. No development or housing can cope with the present state of the road. To Embo so little has been put right. I will not be supporting the local plan. I look forward to seeing your next local plan to see what changes are made in four years.
R Wilton	<ol style="list-style-type: none"> 1) The caravan park is larger than the village therefore further development of should be allowed. 2) You show no access to the beach for the village. 3) You show no access to the pier. 4) The water pressure supply is affecting the village. The caravan park gets all the council- planning priorities.
David Key	Supporting Allocation

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Representee	Comment
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Inset Maps Golspie G General Comment

Albyn Housing It is further noted that there is little in the way of industrial/commercial use allocation in the new Draft

Inset Maps Golspie H 2 Sibell Road

Rosalie Askew The development of the site will remove a natural habitat and beautiful outlook enjoyed by local people. The field and trees are occupied by many different types of wildlife with Herons nesting in the trees annually. The area is also utilised as a play area by the local children. Development will remove all the wildlife from the area The site is not the easiest to develop and there are other locations which could be developed with less disruption.

DEPOSIT DRAFT NOV 08 RESPONSE -

I Withdraw my views but I still hold the same views and am disappointed with RSPB and their apparent lack of support of our heronry in its infancy.

Inset Maps Golspie H 3 Adjacent Macleod House

Sue Doward I am objecting initially but if all below are met I am able to support the plan. I would like confirmation that my issues are being met.

- Not a Bed & Breakfast or hotel.
- No parking on my property.
- No access for materials/goods from my property.
- No dyke/wall damage to my property.
- No overlooking of any part of my hotel.
- No access to proposed site for drainage, plumbers, electricity, oil, water or any other services from my property.

P O'Brien Noise, disruption, access, our view, down sizing the playing field.

DEPOSIT DRAFT NOV 08 RESPONSE -

We confirm our objection ref number 346. Access, Disruption, Noise, Downsizing of the field and our view, plus the cost of our property will probably fall due to the new builds. We are quite sure there is other land around Golspie that could be developed for houses.

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Representee	Comment
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Inset Maps Golspie H 4 Rhives Farm Steading

Mrs & Rev Forsyth

Part of area marked H4 belongs to us at Rhives Lodge and a small section belongs to Rhives House and there are no plans for developing this area. Much of the other areas especially MU4 are subject to flooding. I have also shown the final part of the cycle track next to our property and the trees which have been planted in 2007 which were not on the cycle track plan. These trees when mature, will cause damage to dry stone walls and will obscure the wonderful views. Part of H4 also includes access to our property.

DEPOSIT DRAFT NOV 08 RESPONSE -

If the wording of your reply adequately resolves the issues we raised.

.....

Inset Maps Golspie H 5 Ben Bhraggie Drive (deleted)

J F Sutherland

No one can reasonably object to development of this land. It is just curious that having been empty fields for so many years, a new tree plantation has taken place within the past year. The existing road is a cul de sac and for two years we have been assured by our local councillor Ross that a sign would be attached to an existing post at the entrance with this indication. In the meantime tourists arrive expecting to find access to Ben Bhraggie as the road name might imply. More importantly very heavy trucks arrive at the end and are unable to turn in the limited space so have to reverse down the complete length of road to busy A9.

It is hoped that the council will eventually address this problem, probably after some fatal accident.

DEPOSIT DRAFT NOV 08 RESPONSE -

I accept the response thank you. A cul de sac sign has since been erected.

.....

Inset Maps Golspie MU 1 Mackay House Hostel site

Martin Ross

Currently conducting feasibility study with architect with specific attention to parking/housing ratios & costings.

DEPOSIT DRAFT NOV 08 RESPONSE -

NNF - Supporting

Please forward details of contact person regarding the above comments -
 Appropriate Access
 Flood Risk

.....

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Representee	Comment
Inset Maps Golspie MU 1 Mackay House Hostel site Herbert Gibson	Objecting- As residents of Fountain Road we are dismayed to think that the erection of MU site at the top of the would increase the flow of heavy traffic. The road is narrow and people on the left park their cars there as they have no vehicle access to the front of their properties. It could also be an extra hazard for the school children who regularly pass by. Also as we contribute heavily in the way of council tax we feel we should not have to be subjected to commercial vehicles in our area.
Sandy Morrison	Would support Housing Only/ Not suitable for business use.
HJ & DA Field	Objecting - The provision of MU status is quite ridiculous. The site should be designated for housing and nothing else; in conformity in the village in Fountain Road, and the adjacent woodland way. Given mostly small community sites should be enveloped, as they are bound to enormous traffic and would devalue the volume of properties adjacent. The site should be designated H or AH or both.
C Port	Objecting - Given that the site is bounded by housing and public open space it should be allocated for housing.
Kathleen & Judith MacLeod Macleod	We have considered the site marked MU1 on the map accompanying your letter of 28 November 2008 and would appose the proposal that the site be considered for Mixed Use on the following grounds:- 1. <input type="checkbox"/> Fountain Road has been a long established residential quiet area of Golspie and should remain so. We would consider the site suitable for residential use, maybe sheltered housing. 2. <input type="checkbox"/> Access into and out of the site would prove to be very difficult for anything other than private houses as the fountain would considerably restrict the traffic flow. 3. <input type="checkbox"/> The state of repair in regard to Fountain Road is not suitable for any type of construction traffic. 4. <input type="checkbox"/> The Back Road is not suitable for heavy traffic because of it narrowness, blind corners, speed restrictions and residential parking.

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Representee	Comment
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Inset Maps Golspie MU 1 Mackay House Hostel site

Graeme R McLaughlin

I have had the chance to look at the site referred to as MU1, the site of the former Mackay House Hostel, and note the developer is looking at the possibility of a variety of uses including business, residential or retail. As you note on the enclosure, there is an issue about access onto Fountain Road, and this will apply whatever development is taken forward on this site. However, any business or retail proposal would inevitably involve significantly more traffic at the junction onto Fountain Road. Indeed the definition of business or retail might involve a range of uses, from warehouses or small advance units.

I recollect an earlier proposal to develop the land next to the business park for retail or industrial units, and feel that is a more appropriate location than this part of Fountain Road. The Business Park has more than adequate space for any business units, while there has been a steady reduction in retail outlets on the Main Street over the last five to ten years, with former shop units being changed into residential properties.

Fountain Road is a long established residential area, and I do not think it appropriate that the site at the former Mackay Hostel is considered for any other than residential units. Although the Local Authority is developing housing at Drummie, the need for amenity or sheltered type accommodation would be better suited to the site at the former Mackay Hostel because it would offer better access to services.

In the circumstances, I would formally object to the proposal that site MU1 be designated as suitable for mixed use, and that instead it be designated for residential development only.

.....

Inset Maps Golspie MU 2 Drummie

Scottish Environment Protection Agency

Category 3 Flood Risk

DEPOSIT DRAFT NOV 08 RESPONSE -

SEPA recommends that references to flooding in Golspie MU1 are deleted and the last sentence of the Developer Requirements for Dornoch MU1 is deleted. SEPA also recommends that the allocation boundary for Invershin H I is modified to more accurately reflect the medium to high flood risk areas.

.....

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Representee	Comment
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Inset Maps Golspie MU 2 Drummie

Scottish Natural Heritage

2.1 Golspie

MU2 SNH recommends that a masterplan is required for this allocation and that this includes a clear provision for open space. The inclusion of footpath links to Ben Bhraggie Wood could also be considered.

DEPOSIT DRAFT NOV 08 RESPONSE-

MU2 - SNH acknowledges that an existing, approved Drummie Development Brief will guide development at this site.

Inset Maps Golspie MU 3 Rhives

Jacqui Payton

I fully support tourist caravan/camping for a fixed season. I would not support all year round caravan living.

Drainage and flooding have become an issue since the cycle track has been completed - only happens in extreme conditions but must be a consideration.

DEPOSIT DRAFT NOV 08 RESPONSE

I have sold the property at Rhives House Golspie to Mr and Mrs Featherstone, perhaps they should be involved now?

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Representee	Comment
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Inset Maps Helmsdale H 1 North of Rockview Place

S Blance Associates

I would like to express the following comments with regard to it on behalf of Mr & Mrs Blance.

I note that part of the field owned by Mr & Mrs Blance has been included in the plan as an area for possible housing sites i.e. part of H1 on the plan and the field that is contiguous with the Council owned fields in that section. (marked in red in the attached plan)

Mr & Mrs Blance are surprised and disappointed that the entire field that they own has not been included not least because the current proposal will potentially pose significant problems for access to the part of the field that has not been included.

To leave just over half an acre of land in that location makes little sense to them. I refer to my previous correspondence which I believe makes their views clear.

DEPOSIT DRAFT NOV 08 RESPONSE-

Please find attached my client's response to the Local Plan.

They do wish to acknowledge that whilst the proposal to include the back portion of the field in question is an improvement on the initial proposal, to limit it to development for industrial purposes only is unreasonable. It is unclear why the part of the field referred to is not suitable for residential purposes. My client believes the entire site is suited to residential development due to the proximity of existing services and to restrict it to industrial development purposes is a waste of this greenfield site. Such an approach does not appear consistent with the approach taken with an apparently similar site in Dornoch. That development does appear to have been allowed to develop house sites up to the edge of a main road. In addition in close proximity to my client's field are the old police houses and these now share an access road with non residential users ie the fire and coastguard stations.

For these reasons my client wishes to confirm their objection as originally detailed and asks that the entire area in question is included on the plan as a possible site for residential purposes.

The entire field should be included in the plan as a possible site for housing development. Easy access to existing services is clearly possible for the entire field. Access to the back part of the field could be addressed as a requirement of residential development. The development at Dornoch is a not dissimilar example and in that case the land available is used at the back of the site as well.

.....

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Representee	Comment
Inset Maps Helmsdale H 2 St John's Church G H Sutherland	<p>Helmsdale is in need of housing and work for locals, the more you build the better as long as they are done tastefully I have no objections</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Helmsdale is desperate for both housing and employment, it is a disgrace that all young people in the village have to move away to gain employment. Helmsdale is becoming a ghost town & retirement village. How very, very sad.</p>
Inset Maps Helmsdale MU 1 Shore Street Scottish Environment Protection Agency	<p>Category 1 Flood Risk</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>5.3.2 SEPA would withdraw its objection to Helmsdale MU1, Lochinver I1 and Kinlochbervie I1 provided the wording "Flood Risk Assessment will be required, built development to avoid flood risk area. Only wafer-related or harbour uses would be acceptable within flood risk areas" is inserted into the Developer Requirements.</p>
Albyn Housing	<p>The draft should emphasise the importance of this site for the continuing development of Helmsdale. Consideration should be given to the preparation of a development brief for this area. Local plan should be used to consider the benefits of rationalising the provision of industrial premises generally including inappropriate uses of sites such as the residential area around Rockview Place.</p>
Inset Maps Helmsdale I 1 North of industrial estate Transport Scotland	<p>Proposed Objection 4</p> <p>Transport Scotland previously indicated that access should be taken from the local road network. With regard to access, the text accompanying this proposal states "Access through improved existing road." It is noted that the site is currently served by an existing access onto the A9(T), however, given the presumption against new junctions on trunk roads and for the avoidance of doubt, Transport Scotland would request the wording is changed to state that "Given the presumption against new trunk road junctions, access to be afforded through improved local road network".</p>

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Representee	Comment
Inset Maps Invershin H 1 Scottish Environment Protection Agency	Former Balblair workings Category 2 DEPOSIT DRAFT NOV 08 RESPONSE - SEPA recommends that references to flooding in Golspie MU1 are deleted and the last sentence of the Developer Requirements for Dornoch MU1 is deleted. SEPA also recommends that the allocation boundary for Invershin H I is modified to more accurately reflect the medium to high flood risk areas.
..... Scottish Natural Heritage	8.3 Invershin H.1 SNH is concerned at the proximity of this location to the River Oykel SAC. We recommend that additional wording is included to keep housing back from the river. This should be compatible with the objective of providing land holdings in association with the housing. We would also recommend that a design brief is prepared to ensure these concerns are overcome. An Appropriate Assessment is also likely to be required here and so SNH objects until the results of the Council's appropriate assessment can be considered. DEPOSIT DRAFT NOV 08 RESPONSE - SNH welcomes wording added to Developer Requirements that housing must be kept back from river; and that a design brief must be prepared. SNH maintains its objection to this allocation until a satisfactory AA has been produced. We note the expansion of the SDA at Invershin and strongly recommend a reduction of the area of the new SDA at Invershin Farm to hold back from river (SAC). However we do consider that there is scope for development along a strip, the width of one house plot, west of the A837 north of the junction with the A836 towards the cemetery

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Kinlochbervie H 2 Land at Cnoc Ruadh Scottish Environment Protection Agency	Category 2 DEPOSIT DRAFT NOV 08 RESPONSE - 5.3.3 SEPA would withdraw its objection to Pittentrail MU7 and Kinlochbervie H2 provided the allocation boundaries are modified to exclude the medium to high flood risk areas and the wording "Flood Risk Assessment will be required, built development to avoid flood risk area" is inserted into the Developer Requirements.
..... Kirsty Holland	It concerns me that my property is not marked on the draft plan. Apart from my property the area is open croft land. Sites H1 and H2 are at least in keeping with existing residential housing. There are already 'affordable' properties - ex council houses, plots of land and private houses which have been up for sale for a considerable length of time. I question the need for further housing. Given the tentative nature of this draft proposal its difficult to comment further. DEPOSIT DRAFT NOV 08 RESPONSE - Issues Requirement for Houses/Land is not selling- suggest no more need for more housing. Placement of Housing - Confirm objection - suggest land South of Mackenzie Square more in keeping with existing housing in village.
..... Inset Maps Kinlochbervie I 1 Reclaimed land at Loch Bervie Ha Scottish Environment Protection Agency	Category 2 DEPOSIT DRAFT NOV 08 RESPONSE - 5.3.2 SEPA would withdraw its objection to Helmsdale MU1, Lochinver I1 and Kinlochbervie I1 provided the wording "Flood Risk Assessment will be required, built development to avoid flood risk area. Only wafer-related or harbour uses would be acceptable within flood risk areas" is inserted into the Developer Requirements.

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Representee	Comment
Inset Maps Kinlochbervie LT 1 North of Innes Place	
Heather MacNeill	<p>Parking and access in Innes Place is already a problem. Using the street for access to a new housing area especially building lorries would be a huge problem for residents. Damage to cars? Playpark is used constantly by local children. Where would it be relocated to? Where would the compensatory parking be? Why not use the Health centre road for access?</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Kinlochbervie H1 - Issue of access through Innes Place for building lorries not suitable for this..</p> <p>Issue of compensatory parking for residents - only replied as "potential provision" This would be essential as parking is a huge problem at present losing spaces and losing spaces for an access road would mean space for at least 9 cars would be needed.</p> <p>.....</p>

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Lairg H 1 South-west of main street

Lairg Estate

It is acknowledged that the housing capacity is indicative only. The owner would wish to be able via negotiation during the planning application process to establish the proper housing capacity for the site.

DEPOSIT DRAFT NOV 08 RESPONSE -

As discussed paragraph three concerns me. It presupposes that the only development on the site will be one including the whole area. It is quite possible though that smaller organic growth, perhaps of the terrace or at the tennis courts, could be considered. I accept that the roads department may have some comments about the suitability of the existing roads to cope with extra traffic but that is a hurdle the developer would need to overcome when the time came. I fully accept that if a large scale development were to take place a new access to the site via the A836 or perhaps the Sutherland arms site (if that suited everyone) might be needed.

My amendments to the wording in Para 3 are as follows:

'Existing access to the site could be acceptable for a small number of additional units. A new access via the A836 would be required for any large scale development of the site'

In retrospect para 1 also gives a similar concern. There should be no need for a masterplan to be developed if planning is to be sought for adding two houses to The Terrace for example. I agree that a development of the whole site would require a masterplan.

Amendment to wording in Para 1 are then:

'Masterplan required for large scale development of the site to ensure houses are carefully designed to fit with the undulating landform'.

Lairg Community Council

The council object to future development of these areas until employment is created within Lairg. Should development go ahead this would put a strain on infrastructure i.e. medical, care of the elderly services etc. As it is most likely that housing would be occupied by ageing/retiring population and as second homes.

DEPOSIT DRAFT NOV 08 RESPONSE -

H1 - Additional Objection, prime agricultural Land would be lost.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Lairg H 1 South-west of main street

Scottish Natural Heritage 9.1 Lairg
 H.1 This is a substantial area which SNH recommends should be the subject of a design brief to meet the challenges of the undulating landform on the approach to the village from the west.

DEPOSIT DRAFT NOV 08 RESPONSE -

New C1 area – SNH recommends that the Developer Requirements include an indication of the nature of possible community use. SNH also recommends that the allocation is retained as primarily open land and that any built development should be sensitively sited and designed with regard to the views from across the loch.

Inset Maps Lairg H 4 Ord Place

Lairg Community Council The council object to future development of these areas until employment is created within Lairg. Should development go ahead this would put a strain on infrastructure i.e. medical, care of the elderly services etc. As it is most likely that housing would be occupied by ageing/retiring population and as second homes.

DEPOSIT DRAFT NOV 08 RESPONSE -

H4 - Preferred Site for Housing Development.

Inset Maps Lairg H 5 Opposite the Fire Station

James A Lockhart Supporting Allocation

 Would be good to see houses on location.

A.J Morriosn Supporting Allocation

Peter Grant

L Hudson Supporting.

I support the development of this piece of land which currently has a derelict unsightly appearance the start of the village.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Lairg MU 1 Former hotel/outbuildings	
Elizabeth Ross	Support. DEPOSIT DRAFT NOV 08 RESPONSE - Lairg MU1 - I would like to see this site used for commercial purposes.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee**Comment**

Inset Maps Lairg B 1 Former laundry**Hugh & Robert Corbett**

May I begin by emphasising that I cannot fully object or support any of the zoning which you present in the Sutherland Local Plan. Obviously the zone which directly affects my property is the former Laundry site (zoned as B1: Business). I fully appreciate that this site traditionally served as a hub of commercial activity to the village and county beyond, however times have changed and centralised services have given rise to a shift in social behaviour. There is no longer the demand for a laundry in Lairg, nor some may say a garage facility. The County services have once again centralised and streamlined with the former site now being occupied by Paul Renouf, a talented and willing Blacksmith; although how long his services will remain is questionable. I have in the past, along with a business tenant, applied for CASE assistance to develop the former laundry building into a factory workshop and showroom. My tenant was enticed by the offer of a higher rate of grant to build a new state-of-the-art building, the plans for the former Laundry fell by the wayside, his state-of-the-art building is now for sale! There are industrial units lying empty all over the county with no sustainable businesses to occupy them. My future plans for the Laundry, given the current economic climate are uncertain. I would love to re-instate the site with a viable and successful business from which the area can benefit, but this is appearing less and less likely. I also have concept plans to convert the building into self-contained affordable rented accommodation....the area lacks this! The "hanger" or old Lairg Coachworks building is well situated and suited to serving the area as a general garage; I would also like to resurrect this as a viable business in the future. So in general I fail to see the advantage of "zoning specific sites; however I do agree that certain areas need to be protected from money hungry developers, whose interests could not lie further from that of the local community. I also believe that the same level of assistance, if not more, should be made available to the development of old commercial buildings as opposed to the backing of new purpose built developments which as statistics tell us are more often than not doomed to failure.

DEPOSIT DRAFT NOV 08 RESPONSE -

What you state in your response concerning B1 Former laundry appears to be reasonable and acceptable.

However the flood risk issue has never been a problem. In Jan '08 there was a build up of surface water around Lagbuie i.e. the house attached to the laundry buildings. At the time I reported this to the Highland Council as I was concerned that the blockage was beyond my boundary but they would not send men out sooner than two days time.

Due to the immanent risk of flood water entering the property I decide to rectify the problem myself. The blockage was indeed under a manhole cover in the public sewer running the length of Laundry Road. The pipe itself was blocked with lumps of solidified tar, obviously used to reinstate the manhole in the middle of the road. This had obviously been a problem from the time the manhole was fixed in place and the moment this was cleared the water ran off and has been perfect ever since.

I look forward to hearing the final outcome.

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Representee	Comment
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Inset Maps Lairg B 3 South-west of Ord Place

Donald & Isabel MacLeod Supporting Allocation

.....

Inset Maps Lairg C 1 North-West of Ferrycroft

D A Walker The L+DCI are intending to redevelop the area C1 in the near future for the benefit of the community for amenity use.

.....

P Counsell Supporting

We support the Developer's requirements to retain and integrate watercourses and do KEEP ALL natural features in C1 area.

.....

Representee	Comment
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Inset Maps Lairg LT 1 North of Milnclarin

Sutherland

We attended the last local consultation and were relieved to be informed that the Council's Roads Department considered access to LT1 from Manse Road/Back Road to be unsuitable. This has been one of our concerns. We also understand that the present access from Milnclarin limits the number of houses which could be built in this area. From our letter of 20th November 2006 you will see our concerns regarding any excavations or vibrations in the area of our services. This concerns continues as services could be damaged unknown to us by access or building investigations and excavations.

DEPOSIT DRAFT NOV08 RESPONSE -

For issue 332-

We are not in a position to tick either box as we would not like to go so far as to request an independent judgement on this issue at present. As there appears to be a risk of flooding in this area which would naturally be in the lower part we wonder of the development would be towards the north or the east on to higher ground. If it was to be the north our original fear that our services could be affected still remains.

We note that service damage during development is the responsibility of the developer. But being well aware of the problems which can arise after a scheme is completed we fear our concerns for our services would not be satisfactory addressed – for example, if a problem showed after completion of development through the weakening of a pipe or joint which was not seen at the time how could the original cause be proved?

If you could give us assurance that our services would not be disturbed by any development in this area we would consider ticking the withdraw column as the preserving of our services is now our only concern since our letter of 28th January 2008 appears to have cleared the access problem from Manse Road/Back Road supported by the Council's Roads Department.

.....

Inset Maps Lochinver G General Comment

E S Bakker

Supporting allocations H1, H2 and H3. The plans for the housing seem to be ok as far as I can see. Housing is needed in Lochinver if only there was a way of getting more employment in the area.

DEPOSIT DRAFT NOV 08 RESPONSE

I still hope that they can build houses in Lochinver H1, H2, H3 as Lochinver seems to be going down with no housing or work.

.....

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Lochinver G General Comment

Scottish Natural Heritage

10.1 Lochinver

SNH welcomes the supporting wording included in the developer requirements for the allocations in this plan area which reflect the challenges of developing successfully within this part of the NSA.

DEPOSIT DRAFT NOV 08 RESPONSE-

H2 – SNH objects to this allocation unless the housing capacity is reduced to an appropriate level and the developer requirements include that any application will need to be accompanied by a design statement that is agreed by THC in consultation with SNH (Assynt Coigach NSA).

SNH fully recognises the need for more housing in this area. However we believe that this could be developed to better recognise and protect the local character of Lochinver and the nationally important Assynt Coigach NSA. SNH has now seen the design proposals for this site and have concerns regarding several aspects of the allocation. Firstly the density of the housing proposed around the existing house at plot 3 is not in keeping with the existing dispersed settlement pattern in this part of Lochinver. In addition the density of housing proposed between plots 1 and 5 is likely to adversely impact on the visual setting and character of this part of the NSA when viewed from the lower parts of the settlement around the sea loch. These developments will form a band of housing that will, if poorly designed, break up the distinctive ridge line that encompasses the settlement, providing visual containment. SNH considers that the allocation should be reduced in this southern part of the site to a maximum of four and sited in a more dispersed layout than that shown.

Plots 6 and 6A again show a higher density of housing that in this location will adversely impact on the setting and character of the NSA. Housing, in which all units are of a similar style, in this location will not only impact on the character of the settlement as experienced on arrival but also as experienced from within the settlement. This site is on the edge of the settlement and should follow the existing dispersed pattern of housing.

All allocations should be limited to 1½ storey housing. In addition any application will need to be accompanied by a design statement which should be agreed with THC in consultation with SNH to ensure that impacts on the NSA are minimised and a mixed style of housing is achieved.

H3 – This allocation now has more details including a boundary. SNH recommends that the details of the design statement should be agreed with the Council in consultation with SNH and that a change is made under Developer Requirements to reflect this.

Regarding the extension to the SDA to the south, in the Culag area, and the relevant bullet point under Development Factors, SNH suggests that the proposed new crofts be described as “forest crofts” and that the wording under Development Factors is changed, to reflect the link to “effective woodland practice” as described at 3.4.1(d) (your ID 1086).

SNH notes that the SDA has also been significantly expanded to the east of Main Street. SNH notes that this area includes some areas of peat and would point out, that depending on the quality of the habitats in this area, Policy 13 Important Habitats, may apply here.

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Representee	Comment
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Inset Maps Lochinver G General Comment

Durrant & Maysie MacLeod On a more specific point:

- There is an existing consent for a house on an adjacent property and development of the adjoining area would involve overlooking of the housing site. This has not been referred to in the local plan. One of the attractions in living in a remote area is the benefit of privacy.
- The only item flagged up has been a minute haulage yard in a corner of our grounds
- With regard to Tourism, many industries have come and gone, Tourism is surviving and growing and one of the main industries left in the West Highlands, it is most obvious that inappropriately sited development would discourage tourists to the area, this would have a detrimental effect not only on the visual impact on arrival/exit of the village and change its character, but on its economy and ultimate survival, Lochinver was voted seventh most beautiful village in Scotland and is a very highly rated destination, the tourism offered is sustainable unlike many other economies and as such it is essential that this can be retained within the area benefiting the local community. It is therefore essential that particular care is taken to ensure that all development and local allocation ensure this.

Representee	Comment
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Inset Maps Lochinver H 2 Cnoc A Mhuillin

Scottish Natural Heritage

H.2 We welcome the requirement for a design statement but question the suitability of the site which consists of a knolly ridge on its southern side. The ridge provides a degree of visual containment to the church and cemetery and this narrow part of the sea loch. SNH strongly recommends that the ridge should remain intact and that housing should be located on the north side of the ridge with vehicle access from the north west only.

DEPOSIT DRAFT NOV 08 RESPONSE -

H2 – SNH objects to this allocation unless the housing capacity is reduced to an appropriate level and the developer requirements include that any application will need to be accompanied by a design statement that is agreed by THC in consultation with SNH (Assynt Coigach NSA).

SNH fully recognises the need for more housing in this area. However we believe that this could be developed to better recognise and protect the local character of Lochinver and the nationally important Assynt Coigach NSA. SNH has now seen the design proposals for this site and have concerns regarding several aspects of the allocation. Firstly the density of the housing proposed around the existing house at plot 3 is not in keeping with the existing dispersed settlement pattern in this part of Lochinver. In addition the density of housing proposed between plots 1 and 5 is likely to adversely impact on the visual setting and character of this part of the NSA when viewed from the lower parts of the settlement around the sea loch. These developments will form a band of housing that will, if poorly designed, break up the distinctive ridge line that encompasses the settlement, providing visual containment. SNH considers that the allocation should be reduced in this southern part of the site to a maximum of four and sited in a more dispersed layout than that shown.

Plots 6 and 6A again show a higher density of housing that in this location will adversely impact on the setting and character of the NSA. Housing, in which all units are of a similar style, in this location will not only impact on the character of the settlement as experienced on arrival but also as experienced from within the settlement. This site is on the edge of the settlement and should follow the existing dispersed pattern of housing.

All allocations should be limited to 1½ storey housing. In addition any application will need to be accompanied by a design statement which should be agreed with THC in consultation with SNH to ensure that impacts on the NSA are minimised and a mixed style of housing is achieved.

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Representee**Comment**

Inset Maps Lochinver H 2 Cnoc A Mhuillin**Durrant & Maysie MacLeod**

We show on this map the areas we do not approve of marked in shaded lines marked no (A) and (B)

On the entrance to our beautiful Highland village houses on the higher area would be extremely detrimental to the undisputed beauty of the area.

There would be room for about 2 houses on area © behind this very picturesque hillock and trees marked (B) there is a water course running through this area © which is drainage for the whole hillside.

The area we mark (D) is over the hill from our valley and our only comment is please do not ruin it either. There is only one view , once you take that away it is done forever.

We also want to retain our darkness without street light.

DEPOSIT DRAFT NOV 08 RESPONSE-

The letter re Deposit Draft of 28th November 08 notes that we need not re submit our previous notes of objections, however on the rear it asks for Grounds to be stated in full now by deadline of 23rd Jan, and that is what we have done with this update, and as our previous objections were hurriedly done and not properly presented, we request that they be updated to the notes submitted earlier this week as per attached copy.

We would like to object to the H2 zoning on the ground at Cnoc A Mullin. As correctly stated this site is in a prominent location and the first impression that the many tourists receive of the area. This is of an attractive approach to a settlement which has been developed around the head of the loch and is in harmony with the surrounding environment. The most obvious impression of this is from the water, but from the many views of Lochinver from the surrounding area the character is undoubtedly that of a coastal village with probably one of the most impressive backdrops in the country. Any development, particularly any that would intrude on this would require careful siting and design. The area is within the Assynt – Coigach NSA and such cognisance of the guidance provided by SNH should be taken into consideration in the allocation of housing land.

“any changes within NSA’s should be consistent with safeguarding their scenic interest...where irresolvable conflict arises long term conservation should take precedence.”

It would appear that the extent of this site does not take into account the existing landscape character of the area and would do little to contribute to the existing quality of the landscape of the area, but would be detrimental to the landscape setting not only of Lochinver, but also the landscape setting of the views from Lochinver and its approach.

The ground rises steeply from Lochinver and is typical of the unique Assynt landscape any land allocation should take this into consideration. We would suggest that the most northerly part of the site should be removed from H2 zoning and a smaller area allocated that could potentially be developed with minimum impact on and more importantly integrated within the landscape of the area and contribute to the existing character of Lochinver. Ensuring that the existing character of the area is retained.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Lochinver H 2 Cnoc A Mhuillin

Has there been any systematic evaluation of potential housing sites in this area to determine the most appropriate sites for new development? If so sight if this and the criteria used would be appreciated.
How would access to this area be provided both for construction traffic and for long term use of the site?

Has any consideration been given to how sustainable the development of the site would be in comparison to the development of the more sheltered H1 site. Has the carbon footprint of the development of this site been considered in relation to that of developing the site? How will services be provided? Is it intended to extend street lighting from Lochinver, up to the skyline through developing this site? This again would have an impact on the character of this area. Has any consideration been given to the guidance provided by SNH in their Landscape Capacity Study, which should provide a framework for land use allocation in this area?

Why of the H1 area has previously been considered for development is more emphasis not being placed on it. It would appear to have much less impact on the area particularly on the skyline, backdrop to Lochinver and arrival/exit to the village.

It also has greater potential for numbers of houses long term, with a built in gradient to assist services.

Bidwells
For: Assynt Estate

I refer to your letter of 2nd November 2007. As I indicated on the telephone recently, I have been awaiting further instruction from my client due to the fact the Estate is currently subject to appointment of executors. I therefore apologise for my delay in responding and trust that you will be able to incorporate the following comments within your formal consultation.

The areas identified within the deposit draft as Lochinver H1 and H2, within the ownership of my clients, remain areas within which my clients would be willing to see sympathetic housing development. We would wish to continue to see the development of housing in this area in a traditional style and pattern in keeping with the existing dispersed nature of the village.

We look forward to hearing from you further regarding progress of the draft Local Plan.

DEPOSIT DRAFT NOV 08 RESPONSE -

Regarding comment 1255 - Withdrawn (presume allocation in deposit draft of 120 units is a tyop - should it be 12 units?)

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Lochinver I 1 Culag Harbour

**Scottish Environment
Protection Agency**

Category 1

DEPOSIT DRAFT NOV 08 RESPONSE -

5.3.2 SEPA would withdraw its objection to Helmsdale MU1, Lochinver I1 and Kinlochbervie I1 provided the wording "Flood Risk Assessment will be required, built development to avoid flood risk area. Only wafer-related or harbour uses would be acceptable within flood risk areas" is inserted into the Developer Requirements.

Inset Maps Melness G General Comment

Tongue Community Council

Attachment-
Tongue, Melness & Skerry Community Council
General Issues

What agreement for building development outwith the plan map?

Melness

Land to the south-west of MU2 suitable for housing and development

Midtown and Skinnet no development allowed by landowner except for crofts to allow stock movement from crofts to common grazing

West of H1 above settlement area deemed suitable for development by land owner

Where is Caladh Sona development?

DEPOSIT DRAFT NOV 08

In Melness the area MU1 should be extended and there is anxiety regarding the area proposed as settlement development due to overcrowding.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Melness G General Comment

Melness Crofters Estate

1. The Board is concerned that Melness may be disadvantaged when seeking investment because it has only been categorised as a "Small Village", rather than a "Key Settlement", like Tongue. In particular, Melness Estate is owned by the local d n g community, who are progressing major regeneration projects in Melness (e.g. community owned wind energy project). The Board therefore considers that Melness should be formally regarded as a "Key Settlement".

The Board is concerned that the boundary that has been drawn around the centre of the community in Melness will disadvantage the small townships that have been excluded to the north and west of this centre. These townships are important, integral elements of the whole crofting community in Melness.

It appears that many of the proposals that were suggested by local people during the earlier consultation exercise have now been excluded from the plan. The Board is therefore concerned that there is now insufficient provision in the plan, particularly for ' Mixed Use' (sheltered housing, playpark, community facilities, etc.) around the former school house/ community centre, as well as for a variety of uses to the west of Midtown and Skinnet.

The Board would be grateful for your consideration of these comments.

DEPOSIT DRAFT NOV 08 RESPONSE -

1.Representation ID 387 - Regarding the "Small Village" categorisation of Melness and the criteria within Policy 17 (Commerce), the Board notes that the Council does not feel that this disadvantages Melness. The Board, however, still considers that, because Melness lies some 5 miles from Tongue across the Kyle of Tongue, and there is no public transport between the two communities, it is only fair that jobs services and amenities should be encouraged to locate in Melness as well as in Tongue. Moreover, this would help to retain younger people in Melness, which is particularly difficulty at present due to the lack of such provision in Melness. The Board suggests that Melness and Tongue (or the Kyle of Tongue) should be considered together as one "Sub-area Centre" in the settlement hierarchy.
CONFIRM OBJECTION

2.Representation ID 387 - Regarding the opportunities for development out with the SDA, the Board notes that the Council offers some flexibility in terms of a site by site assessment as proposals come forward. The Board, however, requests that the Council recognises in the Local Plan that individual developments on or near individual crofts in these smaller, peripheral townships are particularly important to help to retain younger crofters and families, as well as to maintain the unique settlement pattern.
WITHDRAW OBJECTION

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Melness H 1 West of Joseph Mackay Court, Melnes

Scottish Natural Heritage

14.1 Melness

H.1 SNH recommends that the extent of this site is reduced and that development is restricted to a linear pattern of housing following the road line rather than the formation of a cluster around Joseph Mackay Court.

DEPOSIT DRAFT NOV 08 RESPONSE-

SNH welcomes the removal of the rising ground to the east of Joseph Mackay Court (JMC) from this allocation. However, SNH maintains its strong recommendation (given this is within a NSA) that a design statement is required here to take account of landform and views and that this should be agreed by THC in consultation with SNH. It is SNH's view that there is scope only for one more unit behind those at JMC and that it should be limited in height to 1½ storeys. Further development of this allocation should be from the access point indicated at the west and should follow a linear pattern along the road, enhancing the appearance of the existing development.

Inset Maps Melness MU 1 Adjacent to the existing Caladh Sona

Melness Crofters Estate

This site appears to be in error because it is currently the community centre's car park. This 'mixed use' one should be redefined in consultation with appropriate parties, including Melness Estate.

Melness Estate strongly supports the replacement of Caladh Sona, and has offered a site for this purpose, but does not agree that it should be the car park. Please clarify why this particular site has been identified.

Regarding the zone 'MU1', this appears to be the current car park for the community centre. This appears to be an error. Land for a replacement Caladh Sona sheltered housing facility has been offered by Melness Estate, and would be more appropriately situated within the suggested wider "Mixed Use" zone around the former school house/community centre.

Melness Crofters Estate occupies the former Nurse's house as an estate office. This site is currently used as the car park for the community centre. It is also convenient for parking when using the estate office, rather than on the street.

Although Melness estate strongly supports the replacement of Caladh Sona, it is not clear why this site has been zoned for this purpose. Melness Estate has already offered the choice of site in the immediate surrounding area. Please clarify.

DEPOSIT DRAFT NOV 08 RESPONSE -

4.Representation ID 992 The Board SUPPORTS the council's decision to remove the allocation but retain within SDA and add text to development factors to support the rebuild of Caladh Sona.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Melness MU 1 West of Craggan Hotel

Tongue Community Council

MU1 is car park for community centre why is it mixed use?

David MacLennan

The settlement patter is linear all along the Melness road. The proposal does not accord with the existing pattern which should be maintained in the Kyle of Tongue designated 'scenic area'. Any development should be infill not a carbuncle on the road. Only infill fits with the strong existing settlement pattern.
 The proposed area is of some archaeological significance having foundations dating to either pre or just past clearance i.e. about 1800 or before. There have neither been recorded or excavated. There is also a 19th century artefact in the area.

In that NONE of the adjacent or contiguous properties support this change of designated use it should be rejected. Any main housing development should be west if Joseph Mackay Court as is also proposed. Although it is stated that the road would require to be brought up to standard it must be noted that access is also by the Kyle of Tongue bridge which according to council reports needs substantial refurbishment likely to involve closing as a result of corrosion.

DEPOSIT DRAFT NOV 08 RESPONSE -

In respect of Councils Response :-

- 1) I confirm a linear settlement pattern- look at maps view across Kyle and from travels and Google-earth or satellite views. I disagree with councils denial of this.
- 2) Careful siting and design should govern all development whether NSA or not. A carbuncle development would have a negative impact on Melness and the NSA.
- 3) Appropriate development of the Craggan Hotel might not be objective- housing or light commercial development would be totally objectionable.
- 4) Archaeological and historic matters have been ignored.

Inset Maps Pittentrail MU 1 Mart and adjoining land

William Thomson

I would like to suggest the Local Plan is amended to include the area coloured pink on the map thereby extending the area MU1. It would provide development close to the heart of the village on the other side of the main road opposite to existing housing and better access to MU1. The area has not had sheep pens on it and therefore there is less risk of possible ground contamination.

DEPOSIT DRAFT NOV 08 RESPONSE -

Support Allocation

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Inset Maps Pittentrail MU 1 Mart and adjoining land Scottish Environment Protection Agency	Category 2 DEPOSIT DRAFT NOV 08 RESPONSE - 5.3.3 SEPA would withdraw its objection to Pittentrail MU1 and Kinlochbervie H2 provided the allocation boundaries are modified to exclude the medium to high flood risk areas and the wording "Flood Risk Assessment will be required, built development to avoid flood risk area" is inserted into the Developer Requirements.
..... Ivy Fraser	Support Allocation.
..... D.L & M.A Butterworth	Objecting Dear Sir or Madam I am objecting in the strongest possible way about the possible building on the land proposed. We have invested a substantial amount of money in the building of our conservatory, which was built to admire the views of the wildlife and the strath to enhance the views we have also invested in binoculars and a telescope. Yes the land will need a contamination assessment, the land would also need to be lifted due to the railway line and most importantly due to the flooding that does take place. This would take away a lot more of our views. We do not want to be looking into peoples windows etc.

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Representee	Comment
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Inset Maps Point of Stoer H 1 West of the school

Scottish Natural Heritage

10.2 Point of Stoer

H.1 SNH is satisfied that this location, within the Assynt Coigach NSA, is suitable for housing, subject to suitable siting and design. SNH recommends that there should be some flexibility in housing design to reflect the variety of types and styles already existing in the area but with a degree of similarity in order to give the development a distinct design or identity. A mix of traditional and modern materials should be used. Furthermore, it is our opinion that the area, due to its location and relative containment, could accommodate up to a maximum of 12 suitably designed units from small houses to larger 1.5 storey buildings. We agree that that the existing stone wall should be retained.

DEPOSIT DRAFT NOV 08 RESPONSE-

SNH welcomes this change in the wording of the developer requirements to reflect our comments.

Inset Maps Point of Stoer H 2 South of the radio mas

Assynt Crofters Trust

We understood that Clashnessie Common Grazing Committee has been in contact with you regarding the correct boundaries of the shaded area. Otherwise the Trust, as landowner, supports the site being included. The number of units may be unrealistic, given the number of amenities, services in the area however.

Chris Dulfer

Too many units

Would get storm damage. We have enough problems and get some shelter from the hill.

DEPOSIT DRAFT NOV 08 RESPONSE-

I no longer object, but "supporting" would overtake my feelings on the matter.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Rosehall H 2 Opposite the post office (deleted)

Scottish Natural Heritage

8.5 Rosehall

H.2 SNH is concerned at the extent of this allocation in relation to its proximity to the River Cassley (part of the River Oykel SAC). An appropriate assessment of the impacts on the interest features of the River Oykel SAC will be required for this site and SNH objects until the results of the Council's appropriate assessment can be considered. SNH also strongly recommends that this area is reduced in size by at least half from the east. In addition to impacts on the SAC, it is our opinion that any development in this location should be located along the roadside north and south of the existing house and kennels. We would also recommend that the area north of H2 and on the east side of the road is removed from the SDA due to its proximity to the river and the important views from the road over the river on the approach to the settlement from the bridge to the north.

DEPOSIT DRAFT NOV 08 RESPONSE -

SNH welcomes the deletion of H2 and the redrawing of the SDA near the bridge.

SNH recommends that the SDA is pulled completely away from the river (SAC). Compensatory area within SDA could be the gaps between existing housing on the west of the A837 or adjacent to the A837 on the east side between the kennels and Invercassely House, although we note that development of this area may be restricted due to the access opposite.

SNH maintains the objection to allocation H1 at Rosehall until a satisfactory AA has been produced.

Bracewell Stirling

For: Mr Martin Lynch

Objecting to -

Paragraph Numbers: 326 and 551 of the Representations Report September 2008
Rosehall H2 Opposite the Post Office.

We object to Site H2 being removed from the Local Plan. The representations raised which resulted in the recommendation to remove H2 from the Local Plan can be addressed and resolved. We assume the Highland Council's (HC) had a desire to provide housing in small, rural settlements to keep the community alive and sustain local services such as shops and schools. Any allocation which can be developed in an appropriate way should be retained to give an option to provide for the future of the settlement. The HC policy requiring a proportion of affordable housing to be provided for rural sites of 4 houses or more now makes the H2 allocation even more important vis-à-vis the provision of social housing for the community.

We attach a copy of our Planning application submission for your information. This was lodged in September 2008 following consultation with the Planner, Bob Robertson and Richard Blain of TEC services. In our discussions pre and post application with the Planner there was no aesthetic concerns with the siting of the houses in relation to the river. There were no objections to the application from the public. Roads concerns regarding site lines were addressed. SEPA confirmed they would not object to the development with a connection to the main waste water system and that the flooding issues were addressed. We are aware that the site is affected by the

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Representee	Comment
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Inset Maps Rosehall H 2 Opposite the post office (deleted)

water supply constraints of the Bonar Bridge Water Treatment Works but planning consent for the site would add further pressure on Scottish Water to accelerate its programmed upgrade to the works which is constraining development over a wide catchment area at present.

We respond to the points raised by SNH as follows. The original H2 allocation showed the boundary taken to the edge of the river. We are sympathetic to the desire to retain access and the view to the north as one enters the village. We confirm that there is a considerable difference in level between the river bank and that part of the allocation where any houses would be sited. There is a stone dyke boundary which gives a clear 23 metre buffer between the river and the field which prevent the housing having an impact on the SAC. This provides a strong delineation to the ground associated with the river frontage. As can be seen from our planning application it is perfectly feasible to provide housing on the site whilst retaining a clear vista down the river to the north, without detrimental effect to the character of the setting. Retaining the 23 metre buffer maintains the views from the bridge to the north and allows public access to the river. The landowner has intimated that land within their control can be used to provide improved access to the river for the public.

We respond to the points raised by Lord Marks of Broughton as follows. There have been discussion with HC TEC Services regarding the proposed development of site H2 and they have no concerns regarding the adequacy of the road links. These are typical rural public roads and are adequate for the type of development proposed for this site. The development is of modest size and would be developed at a rate reflected by demand. The provision of services would be addressed in the usual manner required of any such development.

Therefore, Site H2 should be reinstated in the Local Plan with allocation boundary reduced to the stone dyke to provide a 23 metre buffer to the river bank. The allocation should stipulate improving access and amenity to the river if this is seen as desirable.

Inset Maps South Bonar Industrial Estate I 1 South Bonar Indu

Scottish Natural Heritage

8.2 South Bonar Industrial Estate

I.1 This site occupies a prominent location on the flat and low-lying floodplain of the River Oykel and falls just outside the boundary of the Dornoch Firth NSA. SNH strongly recommends that alternative sites are considered within the areas identified for business and mixed use in the neighbouring villages of Bonar Bridge and Ardgay which might provide a more sustainable location for this allocation. SNH is particularly concerned about the potential visual impact of land raising and on the possible impacts on the adjacent SAC and SPA from additional discharge from the site. An Appropriate Assessment is also likely to be required here, for the same reason as for Bonar Bridge and Ardgay above, and so SNH objects until the results of the Council's appropriate assessment can be considered.

DEPOSIT DRAFT NOV 08 RESPONSE -

SNH welcomes the reduction in extent of this allocation.

SNH maintains its objection to this allocation until a satisfactory Appropriate Assessment has been produced.

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Representee	Comment
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Inset Maps Strathy H 1 Strathy West

I Smreaton

With proviso that houses are allocated to young families in employment rather than those living on benefits.

DEPOSIT DRAFT NOV 08 RESPONSE -

This is not an objection to the plan but a wish to see young persons being housed in an area where presently there are no children and the youngest inhabitant is in her 50's.

.....

Grazings Committee

As the Grazings Committee suggested this area as suitable for housing some years ago it has already given support to the project. It would be preferred that the houses should be allocated to young families (at present the youngest person in Strathy West & East is in her 40's) alternatively the houses could be made available to retiring crofters who are giving up their holdings to younger persons. NB Employment in the area may be required before building is considered.

DEPOSIT DRAFT NOV 08 RESPONSE -

As stated before the committee has no objection to the committee has no objection to the project. It is still considered that every effort should be made to provide houses for young people of employable age in the area. At present there is only one child in the township.

.....

Inset Maps Tongue H 1 West of Varrich Place

S Plass

I object to building on site H1 as long as there is viable ground to develop inside a community there shouldn't be an exploitation of farmland or any other nature areas outside the housing perimeter. Tourism and environmental issues are of importance so why not ??? Close buildings, cars and harmonise the existing village structures? There is no need to spoil the castle area and path by building at site H1.

DEPOSIT DRAFT NOV 08 RESPONSE -

Still believe sites in the village centre should be used first to close gaps and make the most of free areas.

.....

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Representee	Comment
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Inset Maps Tongue H 1 West of Varrich Place

Scott Coghill

I am very disappointed to see you have not listened to the residents of Varrich Place who quite clearly told you that the building of houses on site H1 was unacceptable and rather ignorant. Luckily for us Lord Strathnaver came to meet with the residents to discuss and see the problem we have with site H1. He totally understood our objections when he looked at our view, though he stated that legally he had made the offer to the council of site H1 and he now realised that the site was inappropriate. He proposed the top of the field next to Varrich Place (north) was a more suitable site and he has offered this site to the council (the farmer also agrees with this). We really appreciated that he took the time to meet us and most of all that he listened !! And sensible person would. Let us now deal with the reasons you give not to use this site!!

(1) Taking the view away from passing drivers!! Using this reason not to build on this site is infuriating to us local residents (you would not want to spoil the view for passers by but damn the people that live here permanently they do not need a view !!!) Do not use this as a reason or you will have a lot of very angry people on your hands.

(2) Arable ground both fields are used exactly the same one isn't better than the other and the farmer has agreed to use the top of the field next to Varrich Place for houses. They all agree with our view and see the reason for it. So using this reason won't hold water. I can assure you that this group of residents will use every means possible to fight the building of houses on site H1. Lord Strathnaver has offered you the best site next to Varrich Place please use it and stop all the bad feeling now. We have spoken to a builder and they say the site next to Varrich Place is far more cost effective site to build on. Your talk of a tree belt is good but certainly not in front of us, but in front of us, but continuing along the main road between the row of new single storey houses and the road (shown on a diagram). H1 site (Varrich Place) more suitable as road access is already in place. Sewer at Loyal Terrace is inadequate and causes problems at present without adding to it. H1 site is flatter drier ground which would be easier and less expensive to develop. H1 site is closer to main sewer system. Tourist season already causes traffic congestion without the extras traffic volume that the new housing would bring.

DEPOSIT DRAFT NOV 08 RESPONSE

Confirm Objection - To the site to the front of Varrich Place, but are pleased to see that the site to the North has been included and hope that future housing may be built on that North site.

Ian Keith

Objecting

DEPOSIT DRAFT NOV 08 RESPONSE -

I don't want any building in front of my house.

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Representee	Comment
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Inset Maps Tongue H 1 West of Varrich Place

June Taylor

Having seen the proposal H1 - to this I would strongly object. We have one main tourist attraction in Tongue - both historical and beautiful. To put extra housing on this site would be so detrimental, that I cannot comprehend any justifiable reason why this site should be considered as suitable. If more housing than the proposal 8 (H2) is required in our village (which I very much doubt, as many of the villages have to go and live away from home to be able to find work) can I suggest that either MU1 or MU2 would be much more acceptable.

DEPOSIT DRAFT NOV 08 RESPONSE

If the modified plans are now that the area below Varrich place not be used for affordable housing, but the alternative area offered by Sutherland Estates accepted then I would withdraw my objection.

Tongue Community Council

Ronnie MacRae of HSCHT has forwarded a letter from Simon Guttridge on behalf of the residents of Varrich Place, Tongue.

Firstly, some of the residents have distanced themselves from part 1 of the letter but there objection to the siting of housing to the west of Varrich Place remains. While we fully accept this objection, we very much support the siting of low cost/rental housing in the Tongue area and would support any housing built on the area to the north of Varrich Place. We feel it is extremely important that initiatives of this kind should be supported as vigorously as the future of the area is linked with bringing new people, children to our Schools and business will hopefully follow. We are grateful to the HSCHT and Sutherland Estates support on this matter and look forward to yours.

Letter-

Dear Ms Briggs,

Ronnie MacRae of HSCHT has forwarded a letter from Simon Guttridge on behalf of the residents of Varrich Place, Tongue.

Firstly, some of the residents have distanced themselves from part 1 of the letter but their objection to the siting of housing to the west of Varrich Place remains. While we fully accept this objection, we very much support the siting of low cost/rental housing in the Tongue area and would support any housing built on the area to the Varrich Place. We feel it is extremely important that initiatives of this kind should be supported vigorously as the future of the area is linked with bringing new people, children to our schools and business will hopefully follow. We are grateful to HSCHT and Sutherlands Estates for their support in this matter and look forward to yours.

Tongue

Development to north of H1 below MU1

DEPOSIT DRAFT NOV 08 RESPONSE -

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Tongue H 1 West of Varrich Place

Email-

H1 would be supported so long as it does not jeopardise the proposed low cost housing development.

Scottish Natural Heritage

14.1 Tongue

H.1 SNH is content with the identification of area H.1, which falls within the Kyle of Tongue NSA, for housing. It is our opinion that this area could be developed without compromising the views to Ben Loyal on the approach to Tongue from the causeway from the north and west.

It is our understanding that, since this Deposit Draft Plan was drawn up, a possible extension of H.1, to the north has been identified. This would seen a natural extension to the settlement although it is also likely to affect the approach to the settlement from the north and west. Should this additional area be allocated for housing the layout and design should be of a high standard and tree planting should be incorporated. SNH recommends that a design brief is drawn up to ensure the inclusion of these requirements.

DEPOSIT DRAFT NOV 08 RESPONSE-

A design brief added to developer requirements. SNH has no further comments on this.

Barry Sutherland

Supporting Allocation

Douglas John Munro

Supporting Allocation.

Michelle Ann Mackay

Supporting Allocation.

A Stewart

Objecting

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Tongue H 1 West of Varrich Place

John and Revd Kathleen Ferguson

Summary:

We are objecting to the proposed designation of that part of the H1 site which lies below the existing houses in Varich Place, for the reasons set out below and in previous correspondence.

For the same reasons, we support the designation of that part of the H1 site which runs parallel with the main road.

We also request that the formal designation of that part of the H1 site which lies below the existing houses in Varich Place should be cancelled, and that area redesignated for community and tourism use, for the purposes set out in Section B below.

The grounds of our objection to the present inappropriate and unduly large H1 designation, and our support for the alternative partial H1 designation noted above, include the following:

A. Negative Effects of Proposed H1 Development

Loss of amenity for all the existing residents of Varich Place, and to a lesser extent for the village as a whole. There is also a loss of the potential additional amenity which could be provided by a partial redesignation within the present H1 area, as set out in Section 2 below.
 Existing Settlement Pattern: Tongue is a typical Sutherland village community, in which development has been linear, following the roads. The proposed large block of housing in site H1 is markedly at odds with that linear pattern and will substantially change the appearance of the village (see enclosed aerial photo [A1] with H1 marked). We feel strongly that any housing development within H1 should continue the existing linear development pattern of the village along that part of the H1 site next to the road down towards the causeway, continuing the line of the present Varich Place houses, and not extending below Varich Place.

Kyle of Tongue National Scenic Area: The proposed H1 housing is situated on a prominent headland, and will be a modern housing 'block' very visible from a wide part of the Kyle area that is designated and recognised as a National Scenic area. See the enclosed aerial photo [A2] with H1 marked. We support the view taken in the previous Local Plan, which confirms in Section 1.65 that 'There will be a presumption against proposals for development or land use change which would have a significant detrimental effect on the Kyle of Tongue NSA'. For an area that is highly dependent on tourism, the housing block seen by tourists and visitors to the village and the Kyle area will be an incongruous and inappropriate development which will detract from their experience.

Highland Council Planning Policy Guidance: the proposed H1 housing area below Varich Place would not 'respect the existing character of the village and would not 'adopt traditional patterns of scale and densityavoiding the creation of suburban style developments into a rural context' as required under the Highland Council Planning Policy Guidance 'Designing for Sustainable Development'(November 2006). The Policy Guide specifically requires that any development should 'locate buildings to observe, rather than contrast with, the existing settlement pattern. For example, in some locations this will involve reinforcing a linear or grid pattern, or observing the traditional relationship of building to road'. The existing pattern of development within Tongue is for lines of houses on the side of the road, not blocks of housing such as would be created by a third row of houses added to Varich Place, and the additional block area in the neighbouring field now designated as part of H1. The effect of an additional 15 houses in the H1 area would be to combine with the existing 18 houses to create a 'suburban style development' in a rural context, which would 'contrast with the existing settlement pattern', contrary to the Highland Council Planning Policy Guidance

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representtee**Comment**

Inset Maps Tongue H 1 West of Varrich Place

Housing and Employment in the area: It is not clear from the available sources what is the current position regarding employment and housing in the area, and whether there is up-to-date information available on the extent of any need for additional housing in Tongue given the available employment in the area. In this context, employment reductions and increased travel costs are problems throughout the UK, and people cannot live in houses in Tongue without reasonable access to employment. It is suggested that it would be helpful to review progress on the affordable housing development in progress at Bettyhill, which is a similar size community with more services, and which is closer to the range of accessible employment towards Thurso (so travel costs to reach that employment would generally be lower than from Tongue). It would be worth taking the experience in Bettyhill into account before designating a substantial provision for additional housing in Tongue.

B. Positive Opportunity for Partial redesignation of H1 area

Amenity Use: We feel that the area of H1 on the headland below Varich Place would be particularly suited to amenity use as a combined play area/seating/viewpoint area both for tourists and the village community. (The existing play area could be relocated to this site below the houses, freeing the existing play area site for additional housing if required, making the relocated play area more widely accessible for the village as a whole, and separating the play area from Varich Place traffic)

Additional Parking: This amenity provision would have associated parking spaces which would remove the pressure on the limited parking and turning spaces in the village itself, and would increase the likelihood of tourists staying in and returning to the village.

Tourist Access: This amenity area would provide easy access to the path up to Castle Varich, and to the village facilities, without involving additional car parking in the village.

Viewpoint Seating: The amenity area would provide viewpoint seating for both tourists and village residents, with excellent views over the Kyle and the Castle area. It would form a valuable addition to the National Scenic Area and improving visitor and parking facilities for the village as a whole

Inset Maps Tongue H 2 South of Loyal Terrace

Tongue Community Council H2 Croft to be removed (bottom of south corner) and development extended further out the common grazing in south easterly direction

DEPOSIT DRAFT NOV 09

The community council has written to you with regards to the area H2 in the Tongue Plan where our objections remain especially with regard to development on locally valuable croft land (please see submitted letters from Community Council and Grazing Committee).

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Tongue MU 1 West of the Manse

John Barlow

No development in this area so as to protect the integrity of the older buildings Manse, Church, Hotel which are essential to the history of the village. Their setting should be enhanced not threatened.
 This area was always designated an open space area and this should not change. Landscaping and hedging are all possible here. The steadings of the Old Manse are listed (B) and in any development, have to be conserved as in sites & subject to any listed building regulation. This should preclude any development as being prohibitive.

DEPOSIT DRAFT NOV 08 RESPONSE -

You can't protect and allow development the two are incompatible.

Inset Maps Tongue MU 2 North of St Andrews Church

Skene

Previously forwarded comments (including site visits by the existing planning (Brora) and Local Councillor were relevant to a proposed relocation of a fire brigade depot?
 The approx area is already fenced and we have received a copy plan (subject to further advice.)
 However we take this opportunity to reemphasise our two major concerns for your consideration.

A. If the access to the new site is onto the unlimited speed section of road adjacent to our properties (shown by cross-hatched areas at road frontage) major drainage/road water drainage already identified but unattended to (as yet) must be acknowledged and included in works to secure safe access/exit.

B. The configuration of any building would we assume, take into account the motorist sight-lines as the junction from our premises is subject to use by cars and heavy goods.
 Referring to the developer requirements - very good we've tried for 18 years due to junction and passing traffic speeds!
 Footpath/pavement? See comments re. road drainage and driving safety.

Comments in support apply to MU2 proposals and plans for lesser area already in our files. Trust this is in order and acceptable.
 PS New cemetery extension access not shown!

DEPOSIT DRAFT NOV 08 RESPONSE -

Happy to accept summary but subject to actual works now processing and speed signage erected although not ideal in positioning - community councils seeking assurances.

Our concerns remain the drainage aspects as defined A) which mean remedial works at mutual junction to reduce surface water egress!

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Representee	Comment
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Inset Maps Tongue MU 2 North of St Andrews Church

John Barlow

As you say any development has to be sympathetic to the setting of the church and its attached burial ground. Any development, including the proposed fires station, should have planning exterior controls rigidly enforced to comply with this. Your map of the area though is not entirely accurate.

DEPOSIT DRAFT NOV 08 RESPONSE -

Tongue House Designed Landscape what is this?

Scottish Natural Heritage

MU.2 A design statement should also accompany any applications here. This is already stated in relation to MU.1, and both sites are within the NSA.

DEPOSIT DRAFT NOV 08 RESPONSE -

Done, Developer Requirements now require a design statement.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Inset Maps Bettyhill MB Inset 15.1 Bettyhill

Bettyhill Community Council Bettyhill is first and foremost a settlement but this is not reflected by the boundary line in the Draft Plan. The boundary line is restricted to a small area. As a settlement, we believe that this should encompass areas in the Parish of Farr, including Kirtomy to the east, Newland, Skelpick and Strathnaver to the south, and Airdneiskich to the west.

Newlands Junction. This has been an ongoing issue, probably over twenty five years. It has involved much discussion but lacked any action. Consideration must be given to the fact that more families now live in the Newlands Area, therefore creating more traffic at the junction.

There can be no further development to the south of this junction due to the standard of the road and extremely poor visibility where it joins the A836. This issue must be resolved, as sooner or later, a terrible accident is inevitable.

DEPOSIT DRAFT NOV 08 RESPONSE -

Newlands Junction

The Newlands Junction has been an issue which has been the subject of much debate over the years but no action, it was considered that the Local Plan would give the opportunity for some action to be taken regarding the road network.

As I explained in our telephone conversation that our next meeting is not until January 27th 2009 response I can only make a "draft response" and following further debate at the meeting will be able to expand on the points.

The timing of the distribution of the Sutherland Local Plan, and the deadline for responses to be returned, was not conducive for a full and adequate discussion by Community Councils. The Christmas and Hogmanay Holidays falling in the middle of the consultation period.

Inset Maps Evelix MB Inset 1.3 Evelix

Jack Anderson This letter is to bring to your attention my support for the area I suggested to be included at Evelix, near Canmore, in my letter to you dated 12 December 2006, during the consultation process. I would develop this area to include a dwelling house with garden ground.

DEPOSIT DRAFT NOV 08 RESPONSE -

I support the inclusion of requirement of very high standards of design.

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Representee	Comment
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Inset Maps Lairg MB Inset 9.1 Lairg

P&C Properties

We bought this site (opposite fire station) in early 2007 when it was to be included in the new local plan, therefore we object to its removal. We have been working on an application for 7 houses on this site and will be submitting it this week.

DEPOSIT DRAFT NOV 08 RESPONSE -

Detailed planning permission has already been applied for on this site and we are expecting to proceed as soon as this is resolved.

Inset Maps Lochinver MB Inset 10.1 Lochinver

Albyn Housing

Generally, we consider that the Plan allocated insufficient land in the Lochinver area which is so heavily constrained by topography and geology. Given this position, we believe that consideration would be given to enlarging the settlement boundary in the area of the Culag Wood where at least there is ready access into developable ground unlike the land behind the main street which has proved economically enviable to develop.

DEPOSIT DRAFT NOV 08 RESPONSE -

Lochinver -The density changes to H3 are welcomed but I am still concerned that the Plan still fall short in addressing the lack of land for development in the Lochinver area which is uniquely constrained by topography and geology and this begs the question: Is this plan going to deliver effective land? A response to this might be to take a (perhaps more radical) look at the land south and west of the river towards the harbour which might benefit from a more in-depth analysis of all sites within the settlement boundary to look at issues of commercial relocation, the scope for development within and around the Culag Wood, alternative uses for existing buildings and the scope, if any, to examine whether the edges of the playing field offer any scope for development in the event that there could be some flexibility in the playing field location.

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Representee	Comment
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Inset Maps Melness MB Inset 14.2 Melness

Melness Crofters Estate Melness estate supports the development of this site, but would like to see other sites zoned as per the local consultation suggestions for the south of 'MU2'.

5.Representation ID 993 - The Board considers that, in particular, there is still insufficient provision within the SDA to accommodate a sports pitch/ building (item 3, above). Please also note that the SDA should be extended at Talmine Pier to include Eilean Creagach, which is included in the proposed pier redevelopment project.

DEPOSIT DRAFT NOV 08 RESPONSE - CONFIRM

3.Representation ID 387 - Regarding the community's desired extension of the SDA to the south, the Board considers that, in particular, a large site to the north of Midtown has long been identified by the community as the most practical site (the only suitably flat site on which to play football) for a sports pitch and building (ref: outline planning permission, 00/00112/OUTSU, 25/08/00). The Board therefore requests that this site is allocated in the Plan.

CONFIRM OBJECTION

Inset Maps Tongue MB Inset 14.1 Tongue

Tongue Community Council North-east of settlement area above road to the hall is prime croft land and should be removed from development area

DEPOSIT DRAFT NOV 08
The community council has written to you with regards to the area H2 in the Tongue Plan where our objections remain especially with regard to development on locally valuable croft land (please see submitted letters from Community Council and Grazing Committee).

Background Maps MB Consultation Areas & Physical Constrai

Scottish Natural Heritage Suggested additional inclusions
Various Physical Constraint Maps are missing and should be included (e.g. 400m from active quarry; 1000m from large wind turbines; and EU Shellfish and Bathing Water Directive areas).

DEPOSIT DRAFT RESPONSE NOV 08 -

Some of this has been done and comments from the Council suggest that additional constraint maps will be included in future as and when suitably robust maps become available. SNH has no further comment on this.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Background Maps MB Natural, Built & Cultural Heritage Featur	
Scottish Natural Heritage	<p>Note the discrepancy between the legend on p51 and the policy text with regard to woodland areas, this emphasises the need to look again at these titles as set out above.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>Inconsistencies between maps in the Map Booklet Note the discrepancy between the legend on p51 and the policy text with regard to woodland areas, this emphasises the need to look again at these titles as set out above.</p> <p><input type="checkbox"/> This has been done and SNH has no further comments.</p>
Background Maps PM Proposals Map	
Scottish Natural Heritage	<p>National Scenic Areas that are not marked fully Boundary lines to National Scenic Areas shown on the inset maps between pages 5 and 48 of the Map Booklet are incorrectly drawn and should be replaced with those supplied by SNH.</p> <p>Areas that need to be added to the maps as they are currently not marked at all The Flows NNR is not shown on p57 of the Map Booklet, this area is also not shown as nationally important on the 1:130 k map (the area of the NNR is greater than the area of the SSSIs/SPA/SAC in this vicinity). SNH will arrange for this information to be passed to THC in digital format.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>This has largely been done, however, there remains a mapping inconsistency between SNH and THC regarding the boundary of the Dornoch Firth NSA. The problem is particularly evident with regard to Dornoch itself where changes to the Map Inset 1.1 may be required for clarity. This has been discussed between the parties and we will continue to work together to resolve this.</p>
Scottish Natural Heritage	<p>Open Space Mapping of open space is inconsistent within the Local Plan. For example, the map for Golspie shows only two areas of open space. Several large areas of open space in the east of Golspie are not mapped and will therefore not be afforded policy protection. Another example is Kinlochbervie where the open space around a school in the east of the village is mapped but the annotated football field is not SNH strongly recommends that the open space mapping, including the identification and inclusion of playing fields, is carefully reviewed for all communities. A clear and consistent and inclusive approach to mapping of open space and its policy protection is required to ensure that this important resource is protected in the long term for the benefit of the local populations. It would also ensure that the distribution and type of open space is equitable and adequate and that large housing developments, such as that proposed at Dornoch, complement and/or augment the present open space system.</p>

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Background Maps PM Proposals Map

Earlier comments relating to SPP11 apply here.

DEPOSIT DRAFT NOV 08 RESPONSE -

More open space is indicated within Golspie, but anomalies remain:

Pittentrail – playing field – but outside SDA

Helmsdale – playing field – but outside SDA

Lairg – football ground – but outside SDA

Kinlochbervie – football field in SDA not protected as OS

SNH maintains this strong recommendation. Identified open space and playing fields in Local Plans enjoy a strong level of national policy protection through SPP11 and the notification direction under Circular 7/2007. It is therefore essential that identification is consistently applied across all settlements and that the Council considers whether a playing field is better protected by being inside an SDA as OS rather than outside an SDA and so subject generally to Policy 3.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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Draft Environmental Report ER Draft Environmental Report Ge

Scottish Environment Protection Agency

2. Assessing the Local Plan against the SEA (Section 5.7)

2.1 SEPA is generally satisfied with the assessments made, although no information is provided to ascertain how the results were reached and this would have been very helpful.

2.2 SEPA would have expected the principle of Plan objective (b), which supports growth in a planned way ensuring that Sutherland's valuable assets are conserved, and Plan objective (e) which safeguards important natural environmental assets, to have a range of positive effects against the water, air and related SEA objectives. Similarly, Plan objective (f) makes specific reference to flood avoidance and Plan objective (s) to infrastructure investment, (which could include drainage infrastructure) the principles of which are likely to have a positive effect against the water SEA objective. In addition it is not clear how Plan objective (q) and r) would have a positive impact against the SEA objectives for waste management.

2.2 In relation to identifying issues not covered by the Plan then it is noted that none of the Plan principles are likely to have any effect against the air pollution SEA objective. SEPA considers that amendments to the Plan are required to ensure potential impacts on air quality are mitigated; detailed comments on this are made in SEPA's response to the Plan.

SEA matrixes (Section 5.12)

SEPA notes the comments related to the difficulty in separating environmental effects from the socio-economic effects and the fact that environmental and socio-economic effects often conflict greatly and it is difficult to decide which should be assigned more importance in a given situation. SEPA agrees that this is indeed the case in the Plan making process but the Authority are reminded that the SEA should clearly focus on the environmental aspects of this assessment.

DEPOSIT DRAFT NOV 08 RESPONSE

SEPA is generally satisfied with the assessments now presented.

2.2□SEPA notes that the principles of the Plan objectives have been revised in light of SEPA's previous comments. This is welcome. It is still not clear, however, how Plan objective (q) and (r) would have a positive impact against the SEA objectives for waste management.

2.3□In relation to identifying issues not covered by the Plan, it is still noted that none of the Plan principles are likely to have an effect on the air pollution SEA objective. An amendment to positively protect air quality would have been welcomed; however, as air quality is not a significant issue in Sutherland the current proposal is acceptable.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
Draft Environmental Report ER Draft Environmental Report Ge Scottish Environment Protection Agency	<p>12. Other issues - Monitoring</p> <p>12.1 SEPA notes that no information is provided on the monitoring proposals which Schedule 2 of the Regulations requires.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>SEPA welcomes the proposals for monitoring outlined, especially those relating to whether the mitigation provided for effects seems to be working.</p>
<hr/> Scottish Environment Protection Agency	<p>I refer to your supplement to the Environmental Report submitted under the above Regulations in respect of the above Plan. This was received by SEPA via the Scottish Government SEA Gateway on 14 May 2008.</p> <p>SEPA notes that the supplement contains corrections of factual errors and omissions, an amplification of the reasoning behind the Councils option selection to date and the environmental assessment of options discounted at an early stage of the planning process. In relation to these issues SEPA provides some additional comments in Appendix 1.</p> <p>As the Plan is finalised, Highland Council as Responsible Authority, will require to take account of the findings of the finalised ER and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the Plan, the Responsible Authority should publish a statement setting out how this has occurred. SEPA normally expects this to be in the form of an "SEA Statement" similar to that advocated in the Scottish Government SEA templates and toolkit which is available at www.scotland.gov.uk/Publications/2006/09/13104943/13. A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.</p> <p>Should you wish to discuss this consultation, please do not hesitate to contact me on 01349 860359 or via SEPA's SEA Gateway at sea.gateway@sepa.org.uk.</p> <p><input type="checkbox"/> Assessment of Plan Allocations</p> <p>7.1 <input type="checkbox"/> SEPA welcomes the detailed methodology used to assess the individual allocations and its execution has improved in the revised ER. There are however still some inconsistencies between the assessments and mitigation outlined in the revised ER and what is actually in the Plan.</p> <p>7.2 <input type="checkbox"/> SEPA provides the following detailed comments on the assessments.</p> <p>7.2.1 <input type="checkbox"/> Question 20 (renewable energy): Previously SEPA highlighted that none of the allocations will provide or use energy from a local, renewable source and suggested that if it was an aim of the Authority for the Plan then this omission highlighted that amendments to the Plan are required to address this. SEPA welcomes the fact that an explanation of the mitigation within the Structure Plan is now provided</p>

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Representee	Comment
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accompanied by information on how it will be considered in the developing Highland Wide Local Development Plan.

7.2.2 Question 21 (flooding): The identification of allocation at risk from flooding has improved considerable.

As stated previously, based on the best available information at this stage, if part of the site is at risk from flooding SEPA considers that the only appropriate mitigation is for the site boundary to be amended to exclude the area at risk and for the Development Requirements to specifically state that a Flood Risk Assessment will be required to demonstrate that the remainder of the proposed site layout can be developed in line with the principles of Scottish Planning Policy 7. Generally this seems to have been carried out, however it is noted that the required mitigation has been omitted for Dornoch H3 and H4, and the boundaries of the sites have not been modified for Kinlochbervie H2 and Pittentrail MU1.

Boundaries have also not been modified for Helmsdale MU1, Lochinver I1 and Kinlochbervie I1, however, following discussions it is now appreciated that these allocations are required for operational reasons. SEPA is therefore satisfied that the boundaries for these sites do not require modification if it is clear that only water-related or harbour uses are acceptable within flood risk areas.

7.2.3 Question 22 (drainage): Generally SEPA is satisfied with the assessments presented, although there are a small number of inconsistencies and it is noted that SEPA's advice that re-development of brownfield sites could have a positive impact on drainage has not been considered. SEPA considers that the revised Policy 14, requiring SuDS for all development proposals, is suitable mitigation for any possible negative impacts and as stated previously additional comment in the allocation 'Development Requirements' is not required.

7.2.4 Question 23 (physical impacts on watercourses): SEPA considers the assessments presented to be a considerable improvement on the previous ER, although there are still some inconsistencies. For example:

- Dornoch allocations H3, H4 MU1 and LT - revised ER states that there will be no impact, however the Plan provides mitigation.
- Point of Stoer H1 – Revised ER identifies watercourse and suggests mitigation, however mitigation not provided in the Plan.
- Tongue H2, Lochinver H3 – Neither revised ER or Plan identifies issue, yet Plan shows watercourses dissect the site.

SEPA welcomes the amendments to the Plan where mitigation is now provided (e.g. those in Lairg) and requests that this be implemented for all allocations where there are watercourses within the site.

7.2.5 Question 24 (waste management): At the beginning of the revised ER the justification of the assessments is good, relating a positive assessment to the provision of kerbside collection and local recycling centres. There are some unexplained assessments which may be errors - for example, it is not clear why Dornoch C1 does not offer opportunities for sustainable waste management, yet all other allocations in Dornoch do, or why Edderton H1 doesn't but Edderton H2 does.

However, from Pittentrail allocations onwards no justification is provided for the assessment presented therefore SEPA has less

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Draft Environmental Report ER Draft Environmental Report Ge

confidence in what is provided. In addition from Pittentrail onwards there is inconsistency in how the impact is assessed with a positive effect sometimes record, and some times "n/a".

7.2.6□Question 25 (public water and sewerage): SEPA is generally satisfied that the assessment of allocations against this question accurately reflects the position for foul drainage, but due to a lack of comment in the table it less clear of the extent of assessment for water supply.

□SEPA notes that the ER states that all allocations (with the exception of Invershin H1, Lochinver H1 and H3, Point of Stoer H1 and H2, Tongue MU2, Strathy H1) can connect to the public sewerage system. As stated previously SEPA would have preferred that the mitigation offered by connection to the public sewer system was ensured by way of Developer Requirements throughout. However, SEPA considers that the revisions discussed to Policy 7, will now, in most cases provide adequate mitigation.

7.2.7□Question 28 (protection from prevailing wind and opportunity for solar gain): Unfortunately there are still inconsistencies on how this question has been assessed and this reduced SEPA's confidence in the results. In some cases a good explanation of the justification for a positive assessment is provided; but exactly the same justification is given for a negative assessment.

7.2.8□Question 29 (air quality): SEPA notes that all allocations, with the exception of South Bonar Bridge Industrial Estate (I1), have been assessed as not having an impact on local air quality. SEPA is satisfied with this, however, following SEPA's previous comments that all sites allocated for industrial uses may result in industrial development which could have a negative impact on air quality, it would have been useful to have seen justification in the other industrial allocations why this was not considered an issue.

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Representee	Comment
DER Chapter 01 ER Non-Technical Summary Historic Scotland	<p data-bbox="490 240 770 268">Non technical summary</p> <p data-bbox="490 304 2040 360">1. The non technical summary would be more helpful to readers if it provided an overview of the SEA process and the results of the assessment.</p> <p data-bbox="490 397 2107 453">2. Please note that the scope of SEA is not limited to flora and fauna. The relevant environmental parameters are identified in Schedule 2 to the Regulations. Introduction and Backgrou</p> <p data-bbox="490 489 987 517">DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p data-bbox="490 553 770 580">Non technical summary</p> <p data-bbox="490 617 2040 695">1. While welcoming the revisions made we consider the non-technical summary (NTS) would benefit from more information on the specific results of the assessment in terms of the identified significant impacts, mitigation and monitoring. We would also consider it beneficial if the NTS was to be a more defined, stand alone document.</p>

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DER Chapter 06 ER Predicted Environmental Baseline and Issu

**Scottish Environment
Protection Agency**

Predicting Environmental Baseline and Issues (Section 6)

A very limited baseline is provided with no real information on, amongst other issues, air quality and climate change. To allow an assessment of effects SEPA would have expected information to answer questions such as, for example, are many of the main settlements in flood risk areas, how is Sutherland being effect by climate change, is land contamination wide spread in Sutherland just now?

Notwithstanding the above, Table 6.3 provides a useful summary of the environmental problems in the area. SEPA agrees that flood risk, water quality, inappropriate waste management facilities and loss of peatland cover represent a good range of the issues which are important in the area. In future work the Authority may wish to consider an additional column in this table to identify which environmental receptors, e.g. air, the problem relates to.

Acknowledging the limitation of the data available is good practice. As there is a 'wealth of data on offer', however, it would have been helpful if slightly more had been provided in the ER or referenced to.

DEPOSIT DRAFT NOV 08 RESPONSE -

3. Predicting Environmental Baseline and Issues

3.1 SEPA previously highlighted that it considered that the baseline provided was very limited. The related comment in Appendix 2 states that "This information is supplied in the new section on monitoring"; it is presumed that this refers to section 9 of the ER entitled "Monitoring the environmental effects of the Plan". Section 9 does not include any baseline information, but highlights what monitoring will be undertaken, including of baseline conditions. While one of the reasons for collecting data is to monitor effects of implementing the Plan, it is also to inform the assessment process. SEPA is therefore disappointed that more baseline information has not considered as part of the assessment process.

3.2 Notwithstanding the above, SEPA welcomes the amendments made to Table 6.3.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
DER Chapter 07 ER Local Plan Strategic Alternatives	
Scottish Environment Protection Agency	<p>1. Alternatives</p> <p>1.1 <input type="checkbox"/> SEPA welcomes the inclusion of additional discussion on strategic options considered as part of the plan making process (section 4).</p> <p>1.2 <input type="checkbox"/> SEPA also welcomes the inclusion of the assessments carried out of the sites which did not reach the draft plan. The explanation of why they were not brought forward to the draft plan was especially interesting.</p> <p>1.3 <input type="checkbox"/> SEPA is now satisfied that alternatives have been considered adequately.</p> <p>DEPOSIT DRAFT NOV 08 RESPONSE -</p> <p>4. <input type="checkbox"/> Alternatives</p> <p>4.1 <input type="checkbox"/> SEPA is satisfied with the alternatives presented. Appendix 5 and 6, which outline the allocations which are not being brought forward into the Plan clearly demonstrates how the Plan has developed, based on environmental and other relevant considerations.</p>

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Representee	Comment
DER Chapter 08 ER The Plan's General Policies and compatibil Historic Scotland	<p>The Plan's General Policies and their compatibility with the SEA Objectives</p> <p>16. Section 8.3 sets out the assessment of the Local Plan's general policies. Again, a commentary would have assisted in making the results of the assessment accessible to the reader.</p> <p>17. There appears to be inconsistency in the way the assessment is scored. Some policies have been scored as positive, while others have been scored as neutral. I offer the following detailed comments:</p> <p>Policy 1 is considered to have a neutral effect on the historic environment (I have assumed that this is because the effects of development proposals on cultural heritage features are explicitly identified as part of decision-making);</p> <p>Policy 2 is identified as having positive effects on the historic environment, presumably because these features can be identified in the Development Factors and Developer Requirements, and therefore taken into account in proposal development. However, this is inconsistent with the assessment of Policy 1.</p> <p>It is not clear why Policy 3 is considered to have negative effects on wildlife but no effects on the historic environment or landscape, particularly in light of the identified mitigation. Land take is a potential source of impact for all three topic areas.</p> <p>Policy 4 is considered to have a strongly positive effect on the historic environment, but no definition of "unreasonable" impact is provided, so impacts on locally and/or regionally important features could occur as a result of this policy.</p> <p>Policy 5: same comments as Policy 2</p> <p>Policy 6 scores positively against the historic environment, but Policy G2 in the Structure Plan only mentions archaeology.</p> <p>Policy 16 has potential for positive impacts through appropriate conversion or re-use of traditional buildings; this policy also specifies a requirement to avoid conflict with cultural heritage interests.</p> <p>Policy 17 has the potential for negative impact if such development is taken forward in the wrong location, but this is offset by Policy 4.</p> <p>In addition, there is no mention of the importance of Policy 4 as a balancing policy, yet this is a key mitigation measure.</p> <p>Assessment of Plan Allocations</p> <p>18. I note that the site allocation process, where possible, has used avoidance as a primary mitigation measure and welcome this. I also welcome the detailed criteria set out in the SEA Checklist in Section 8.5 and note that criteria 13-17 inclusive deal with historic environment features.</p>

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DER Chapter 08 ER The Plan's General Policies and compatibil

19,Appendix 3 sets out the detailed assessment of the site allocations using the SEA checklist. The checklist is clearly set out, but suffers from a lack of explanation as to how the conclusions have been reached.

DEPOSIT DRAFT NOV 08 RESPONSE -

Local Plan Objectives and their relation to the SEA Objectives

2.□We welcome the inclusion of the “discussion and mitigation” element of this section in order to offer an explanation on how some of the scoring decisions have been reached, however we feel the report would have benefited from expanding on these issues more thoroughly.

**Scottish Environment
Protection Agency**

6. Local Plan General Policies (Section 8.3)

6.1 Again no information is included in the tables to explain how the results have been reached and this makes it difficult to gain a full understanding of the thought processes behind the assessments. However, SEPA provides the following specific comments on the individual assessments.

6.1.1 Policy 3: SEPA notes that the policy may have a negative impact against the water environment SEA objective and would therefore encourage the Responsible Authority to amend the policy to avoid this or provide appropriate mitigation.

6.1.2 Policy 6: SEPA agrees that the Policy should have positive impacts against a wide range of environmental receptors, but only if such a statement is submitted - and the current Policy does not require its submission. To ensure that the mitigation offered by the Design for Sustainability statement is always provided SEPA considers that the wording of the Policy should be revised; further comments on this are provided in SEPA's response to the Plan.

6.1.3 Policy 7: SEPA agrees that the Policy should have a positive impact against the water environment SEA objective but that this is only marginal as the Policy does not actually require development to connect to infrastructure when it is available. SEPA therefore considers that amendments to the Policy need to be made to ensure these positive effects are achieved; further details of this are provided in SEPA's response to the Plan.

6.1.4 Policy 8: SEPA agrees that the Policy should have a positive impact against the waste SEA objective. However, SEPA considers that further amendments to the wording can be made to enhance the positive effects; further details on this are provided in SEPA's response to the Plan.

6.1.5 Policy 9: As the Policy does not accurately reflect the avoidance principle advocated in Scottish Planning Policy 7 'Planning and Flooding' SEPA considers that the assessment of a '0' impact against the water environment is accurate but considers that such a policy

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Representee	Comment
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DER Chapter 08 ER The Plan's General Policies and compatibil

should deliver a positive impact. For the same reason, SEPA would not consider that the assessment of a positive impact against the Health SEA objective is accurate at present. SEPA advises that to ensure that positive impacts are gained or enhanced for the water, human health and climate change SEA objectives the Policy should be revised to more closely meet the principles of SPP7; again specific advice on this is provided in SEPA's response to the Plan.

6.1.6 Policy 10: SEPA agrees that the policy should have a positive impact against the water, air and contamination SEA objectives, however, slight modifications could be made to ensure that the Plan safeguards existing facilities. Comments on how this could be done are again provided in SEPA's response to the Plan.

6.1.6 Policy 14: SEPA is satisfied with the assessment of this Policy as positive against the sustainable housing techniques, water environmental and water abstraction SEA objectives. However, SEPA considers that further amendments can be made to enhance the positive effects; further details on this are provided in SEPA's response to the Plan.

6.1.7 Policy 15: SEPA is satisfied with the assessment of this Policy but considers that amendments can be made to ensure that it also has a positive impact on the water environment SEPA objective. Again this is detailed in SEPA's response on the Plan. Policy 16: SEPA is satisfied with the assessment of this Policy but would welcome clearer information on how the negative impacts will be mitigated.

Summary of Plans General Policies (section 8.4)

This summary is rather weak and would benefit from clarification of the significant impacts and what is being offered in the form of mitigation.

Assessment of Plan Allocations (Section 8.5 - 8.8)

SEPA welcomes the detailed methodology used to assess the individual allocations but is disappointed in its execution. Unfortunately many of the assessment seem to have been carried out inconsistently and the assessments do not accurately reflect the information actually presented in the Plan. This latter issue is especially prevalent for flood risk, where a number of assessments presented in the Appendix suggest that flood risk is not an issue yet the Plan itself identifies it is. Similarly in other assessments even when flood risk is noted as an issue no comment on mitigation is provided, even when the Plan itself offers mitigation. SEPA provides the following detailed comments on the assessments.

Question 7 (land contamination): SEPA notes that the following are identified in the Plan as having land contamination issues yet this is not reflected in the ER; Brora H4, Brora H6, Helmsdale MU1 and Bonar Bridge 11.

Question 20 (renewable energy): None of the allocations will provide or use energy from a local, renewable source. If this is an aim of the Authority for the Plan then this omission highlights that amendments to the Plan are required to address this.

Question 21 (flooding): The identification of sites at risk from flooding is poorly recorded in the ER; a greater number of sites are identified in the Plan as potentially at risk from flooding than are highlighted in the assessment. In addition, based on the Indicative River

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Representee**Comment**

DER Chapter 08 ER The Plan's General Policies and compatibil

& Coastal Flood Map (Scotland) for floods with a 1 in 200 year return period (i.e. a 1 in 200 chance of occurring in any one year, or 0.5% annual exceedance probability) SEPA considers that there are also sites which neither the ER nor the Plan identify are at risk. The ER identified eight allocations potentially at risk, namely Pittentrail MU?, Bonar Bridge 11, Rosehall H2, Invershin HI, Lairg LTI, Lochinver 12 and LTI, Kinlochewe HI and 11. In addition SEPA considers that the following are also indicatively at risk: Dornoch H3, H4, MUI, Bland LT, Brora H4, H6 and MUI, Helmsdale MU?, Ardgay B1, Lairg HI, H4, B1 and MUI, Lochinver 11, Kinlochewe H2, Tongue MU1 and MU2, and Melvich HI. Where, based on the best available information at this stage, part of the site is at risk from flooding SEPA considers that the only appropriate mitigation is for the site boundary to be amended to exclude the area at risk and for the Development Requirements to specifically state that a Flood Risk Assessment will be required to demonstrate that the remainder of the proposed site layout can be developed in line with the principles of Scottish Planning Policy 7. Specific proposed wording for this is contained in SEPA's response to the Plan. Where, based on the best available information at this stage, a whole site or most of a site is at risk SEPA considers that there are only two viable options from mitigation; that the allocation is removed from the Plan or alternatively a more detailed Flood Risk Assessment is carried out at this stage to determine whether the principle of development can be confirmed. If the detailed assessment reveals that part of the site can be developed the mitigation described above should be employed; if not the site should be removed from the Plan.

SEPA recommends that the above mitigation be implemented in line with the above comments.

8.2.4 Question 22 (drainage): In most cases it is considered that allocations will impact on ground and surface water drainage, that this impact will be negative, and that the negative impact needs to be mitigated through SuDS. SEPA accepts this assessment conclusion, although any proposal for the reuse a brownfield site which is currently developed without SuDS may have the drainage improved by redevelopment with SUDS. SEPA considers that a revised Policy 14, requiring SuDS for all development proposals, is suitable mitigation for any possible negative impacts and additional comment in the allocation 'Development Requirements' is not required. Please note that the assessment of this question does not seem to have been carried out consistently, or at least the reasons for the varying assessments are not provided.

8.2.5 Question 23 (physical impacts on watercourses): SEPA disputes the finding that only two of the allocations (Lairg H4 and Lairg LTI) are likely to have a physical impact on a watercourse. It is clear from the Plan allocation maps that numerous sites either have watercourses running through the middle of the site or have watercourses at the site boundary. These include, for example, Dornoch MU1 and H4, Bonar Bridge HI, Lochinver HI and Tongue H2.

No mitigation is currently outlined in the ER or the Plan for the potential negative impact on the water environment arising from these development sites. SEPA considers that an approach similar to that used for the Western Highlands and Islands Local Plan is acceptable. The ER for this other Highland Council Plan makes comment on minimising impact on the water environment and the Plan includes specific wording in the Developer Requirements as mitigation. Further comments on the exact wording SEPA considers as appropriate for this mitigation are outlined in SEPA's response to the Plan.

8.2.6 Question 24 (waste management): From the meeting it is understood that this question is answered based on the proximity to recycling facilities. Based on the information on recycling facilities available from the Highland Council website SEPA is satisfied with the

Representee	Comment
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DER Chapter 08 ER The Plan's General Policies and compatibil

assessments, with the exception of Stoer which seems to have neither a recycling centre nor area recycling point. Additionally, and unfortunately, the assessments are not carried out consistently; where allocations do not have access to facilities sometimes this is scored as negative and sometimes it is scored as 'n/a'. Where allocations do have access to facilities this is not always accompanied by a positive impact.

8.2.7 Question 25 (public water and sewerage): SEPA is generally satisfied that the assessment of allocations against this question accurately reflects the position for foul drainage, but due to a lack of comment in the table it less clear of the extent of assessment for water supply.

Foul drainage

Nearly all the allocations can connect to the public sewerage system, however, currently nothing in the Plan, including Policy 7, actually ensures that this mitigation takes place. To ensure that the ability to connect identified in the ER is achieved in the Plan SEPA requests that as indicated previously, Policy 7 is amended, and in addition the Developer Requirement for each relevant allocation specifies "Connection to public sewer required." There are currently two different types of allocations in the Plan which the ER assessments have identified cannot connect to public sewer; those in settlements without public infrastructure and those in settlements with public infrastructure but which are remote from the Sewered areas.

Allocations Invershin HI and Point of Stoer HI and H2 are in settlements or areas which do not have a public sewer. Due to the scale of these proposed allocations and the fact that there is not a better environmental option available SEPA is satisfied that foul drainage arising from them is unlikely to have a significant negative effect on the environment. As this is the case no additional mitigation measures are required apart from a statement to that effect in the Developer Requirement.

Allocations Lochinver H3, Scourie HI, Tongue LTI and Strathy HI are in settlements which are sewed by a public sewage system but which are remote from it. SEPA considers that the best available mitigation is either to enlarge these allocations to make connect to the public sewer economically viable or replace them with other allocations in locations where connection is currently viable.

Again further details on the above are provided in SEPA's response to the Plan. Water supply Based on the limited information provided SEPA is satisfied with the assessment made, however, it is not clear whether the ability to connect relates purely to proximity to an existing connection or whether it considers the availability of the resource. 8.2.8 Question 27 (coastal erosion): SEPA is generally satisfied with the assessment made but notes that erosion is identified in the Plan for the Brora MU1 allocation, but not in the ER. Additionally, SEPA queries whether erosion could be an issue for the Lochinver I1 and Kinlochewe I1 allocation.

8.2.9 Question 28 (protection from prevailing wind and opportunity for solar gain): SEPA is unclear how the mitigation proposed - 'sites will be designed to maximise solar gain' - will be implemented. Is this required by other Highland Council policy or guidance, for example, the Guideline on Designing for Sustainability? If not, SEPA would welcome further thought on how it will be ensured that the mitigation proposed is implemented.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representatee**Comment**

DER Chapter 08 ER The Plan's General Policies and compatibil

Please note that this question generally seems to have been answered inconsistently. For example, for the Durness HI allocation the question is answered with a 'No', that this is a negative impact but that the allocation 'makes the most of its southerly aspects.' In comparison, for Lairg LTI the question is answered with a 'No', but this has no impact (i.e. n/a) and no mitigation is provided and for allocation Brora H5 the question is answered 'Yes', this has a positive impact, and the comment made is 'potential for site design to maximise solar gain' which is essentially the same as the comment provided when the question was answered negatively.

8.2.10 Question 29 (air quality): SEPA notes that all allocations have been assessed as not having an impact on local air quality. In the main SEPA is satisfied with this, however, applying a precautionary approach those sites allocated for industrial uses may result in industrial development which could have a negative impact on air quality.

DEPOSIT DRAFT NOV 08 RESPONSE -**5. Local Plan General Policies**

5.1 SEPA welcomes the additional information provided to explain how the results have been reached and this helps for SEPA to reduce its comments on the assessment of these as follows.

5.2 Policy 6: SEPA agrees that the Policy should have positive impacts against a wide range of environmental receptors, but only if such a statement is submitted – and as highlighted previously the current Policy does not require its submission. SEPA would welcome an amendment to make clear when such a statement will be required.

5.3 Policy 7: SEPA agrees that the Policy should have a positive impact against the water environment SEA objective but considers that this could be enhanced further if amendments to the Policy were made; further details of this are provided in SEPA's response to the Plan.

5.4 Policy 9: As the Policy still does not accurately reflect the avoidance principle advocated in Scottish Planning Policy 7 'Planning and Flooding' SEPA considers that the assessment of a '0' impact against the water environment is unfortunately still accurate. SEPA still considers that such a policy should deliver a positive impact. For the same reason, and as stated previously, SEPA would not consider that the assessment of a positive impact against the Health SEA objective is accurate at present. SEPA advises that to ensure that positive impacts are gained or enhanced for the water, human health and climate change SEA objectives the Policy should be revised to more closely meet the principles of SPP7; again specific advice on this is provided in SEPA's response to the Plan.

6. Summary of Plans General Policies

6.1 SEPA welcomes the addition of a table to summaries the effects relating to the general policies; this is very helpful.

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*

Representee	Comment
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DER Appendix 3 Golspie ER MU1 Mackay House Hostel site

Jane Campbell

Objecting

Object to business or retail use of site. Either type of use would involve ingress and egress to site via Fountain Road is a quite residential street and this would be unacceptable.

Residential use in a continuation of current use of the street and is acceptable.

DER Appendix 3 Tongue ER H1 West of Varrich Place

Sutherland Estates

Supporting

**Additional information in respect of representations received to previous drafts has been appended to the original representation, indicated as DEPOSIT DRAFT NOV 08 RESPONSE*