

**The Scottish Government
Directorate for Planning and Environmental Appeals**

**Mr and Mrs M G Halligan
Kintail
Seafield Gardens
Fort William
PH33 6RJ**

20th December 2009

Dear Morag Smith,

Ref: LDP – 270-1 dated 10th December 2009

Written Statement in Respect of the Highland Council West Highland and Islands Local Plan Examination Hearing – Day3 – 10:00 – 13:00

Herewith our further statement with respect to the above referenced hearing.

As part of wider discussion with the residents of Seafield Gardens, We are in receipt of a letter written to us by Dr James Douglas of Seafield Gardens. I include the text as he raises a number of issues which we also wish to raise. In addition he raises issues which he has specific knowledge of in his position as a General Practitioner here in Fort William. These issues are pertinent to the better understanding of our position. His portion is placed in italics for differentiation.

Objections to local plan to develop Crofting land behind Seafield Gardens, Fort William 20-12-09

Dear Mr Stott,

I wish to continue my objection for the reasons as enclosed and wish to make personal representation (through M G Halligan) at the planning meeting on 21-1-10 in Fort William. My principle objection is the destruction of natural upland and woodland behind my property for building and commercial development.

I note the contents of the revised plan and wish to update my objections in the context of global recession and environmental concerns since the revised plan was published.

Wild life list in the woodland and surrounding moorland:

*Red Squirrels inhabit this broadleaf woodland beyond the designated SSI area – photographic proof in location 2008 on my boundary fence. Otters in our adjacent burns at top sighted annually, Pipistrelle Bats, Owls all year, Cuckoos annually in May / June, Golden Plover migration stop over annually April/May on moorland, Woodpecker, Tree creeper, Robin, Badger set in woods further back
Rare Orchids, Hedgehogs' annual sightings, Roe Deer*

Planning objections

Fort William already has an international reputation for poor strategic planning for the visual impact on a core local industry (Tourism) ref: Lonely Planet annual report. What is proposed is nothing short of Ecological Vandalism to rare species habitat. With respect to preserving the celebrated rare habit, this should be more important than proposed building and industrial use for the land. The rare habit is part of Lochaber's core wildlife community capital and as such is a local business asset and an ecological asset for the world where we are trying to preserve such assets.

*Crofting is also of cultural importance to the West Highlands and Scotland. Why is an attempt being made to have this land decrofted by two individuals for potential enormous personal gain. Why is the historical and cultural tradition of crofting not being passed to other individuals or families if this family are unable to carry on that cultural tradition? How will **the new crofting legislation** impact on this proposal in the future? Historically crofting has been about local land use being passed on as a community asset to future generations. In the modern world we seek to have local agricultural land for local food and reduction in community carbon footprints. How does a plan for building and industrial use fit with our world obligations as a community? It may only be a small amount of land but the principle solution to global warming must be multiple small actions and this is a small community action. In terms of the proposed plan industrialisation of highland land. What is the industry or support service which is being proposed to support the current local economy? We know that previous local government and UK government plans for industrial processes have failed eg the Pulp Mill (Arjo Wiggins). Lochaber has little if any prospect of gaining from a manufacturing economy. The 'Knowledge Economy' requires an academic infrastructure which is unrealistic to propose giving to other places in Scotland outwith the Established Centres of Academic and Scientific Excellence. For example Orkney as a rural area has focused on Renewable Energy. Oban has already focused on Marine Science. There is no realistic prospect for bio technology or any such inward investment in Lochaber. Thus Lochaber must focus on its cultural traditions of music, wild landscape and crofting. Wildlife tourism, geopark and outdoor sports are also its core assets. This development would destroy a core asset of wildlife habitat, not to mention the creation of another 'Scar on the Landscape'.*

Technical Objections

Given global warming and weather instability there is a likelihood of more rain in Fort William. The current infrastructure for water drainage is already known to be inadequate and this proposal risks more flooding by concreting land and redirecting water into burns which already struggle to cope. How can this plan be justified on any flood prevention analysis?

What are the demographic predictions for the local population in Fort William which support this plan? Current predictions suggest an increase in the aging population and reduced school aged children. Who is going to live in this affordable housing and what will be their employment in this planning vision? Where is the evidence which

supports this need for more housing? How has this evidence changed or been affected by the recession? Is that previous evidence still valid?

Basing local sustainability on an economic model of development without a clear need or underlying plan is no longer an acceptable position for world citizens. Just putting up housing and industrial units in the hope of attracting people and industry in a place of national wildlife significance is counter to modern green thinking.

Highland Council have produced a plan fit for the 20 century but not the 21 century.

Yours sincerely,

Dr James Douglas MB ChB, MD, FRCPE, FRCGP, D OcMed

Luskentyre,

Seafield Gardens,

Fort William.

PH33 7RJ

The issues that we have already raised in our original objection letter with respect to stability of the land structure on the proposed development site are still extant. We note the Ryden statement which suggests that the imposition of a 'Bond' in respect of this would be unfair. Might we suggest that 'Fairness' is not a term often used by developers and it is also a term, which has no 'Legal Standing' in law should any compensation issues arise.

Ryden also claim in their statement that they understand that SNH appear content that their proposed development will not impact on their current situation with respect to the land and the adjoining SSSI. Ryden have made this assumption from a reading of the Highland Council's Statement. That is misleading as it makes no mention of any on-going assessment work which SNH are currently undertaking. To suggest development right up to the boundary of the SSSI allows for no 'Buffer Area' to account for Tree Management and it does not allow any area for overspill of flora or of hunting and foraging needs of the large number of species which inhabit the SSSI, many of which forage on a daily basis well into the area MU8.

Further it is essential that SNH carry out additional survey work in the area of MU8, especially with respect to the Lesser Butterfly Orchid and the Alt MicAongias and other Burns with regard to their constant use for cleaning and birthing purposes by Otters. Otters are sighted in and around the all of the burns within and running out of area MU8. Only a full survey will fully address their needs. We would also suggest that a buffer zone of at the very least 150 metres is demanded along each side and along the full length of these burns to allow the Otters to continue their use of them. Additionally these factors will negate any attempt to use those burns for any further drainage use, which may arise from the proposed development.

With respect to any issue to do with Decrofting. Any such matter should be suspended until the Crofting Reform (Scotland) Bill 2009 which is currently under consultation has been finalised. To quote from the Farmer's Guardian May 19, 2009,

Launching a consultation into the draft bill, Environment Minister Roseanna Cunningham demanded an end to the 'corrosive effect of absenteeism, neglect and speculation' and called for a system which allowed crofters to shape their own destiny.

She said: "Crofting offers a unique model of rural development that will help deliver sustainable economic growth in some of our most remote communities.

"The proposed Bill will help set crofting on course for a stronger, brighter future'

"These empowering changes will create a system of crofting tenure that does not languish in the past but is fit for the 21st century and is one capable of taking communities from strength to strength."

We ask you to note the term used by the Minister of 'Speculation' and consider the timing for this proposed development which could in effect be a move to attempt to 'Decroft' before the Crofting Reform (Scotland) Bill 2009 can be passed into law. No decision should be made on this particular issue until after the full consultation has been carried out.

We hope that the additional information provided in this statement will further enlighten the discussion about the proposed development for area MU8

Martin George Halligan BA(Hons) MA(Ed) PhD MCFI FIET

Anne Goodall Halligan BA(Hons) PGCE