

INVERLOCHY CASTLE LTD

STATEMENT OF FURTHER INFORMATION

HEARING 6: EXPANSION SITE MU9 TORLUNDY AND B3 LEANACHAN FOREST

The following statement sets out the response on behalf of Inverlochy Castle Limited (ICL) to the matters raised in relation to Hearing 6. Iain Michie BSc MRTPI MRICS, Partner of Montagu Evans will attend the Hearing Session on this issue and refer, where necessary to work by Raymond Quinn, URS Corporation, on infrastructure, and James Welch, Optimised Environments, on landscape and visual impacts.

ICL wishes to refer to the documents listed below in this statement. The Highland Council (THC) documents are available from the Council or linked via the Council's website at www.highland.gov.uk. Copies of the ICL documents have been sent to all parties listed as participants in this Hearing Session.

DOCUMENTS

- ICL 1 : Inverlochy Representation (A3 Brochure) : April 2005
- ICL 2 : Inverlochy Representation (A3 Brochure) : June 2006
- ICL 3 : Torlundy Village Expansion (A4 Booklet) : 2008
- ICL 4 : Public Consultation Notice and Boards (A3) : 2008
- ICL 5 : Drainage and Flood Risk (A4)
- ICL 6 : Access Proposals (A4)
- ICL 7 : Access Proposals – Summary Layout (A4)
- ICL 8 : Phase 1 Geo Environmental and Flood Risk Study : October 2009

The ICL Documents require a brief explanation :

- ICL 1, dated April 2005, was prepared in response to the initial stages of review of the local plan by THC. The report addresses land that is owned by and forms part of the Inverlochy Castle Estate. The report includes an indicative master plan and summarises the findings of technical and landscape studies.
- ICL 2, dated June 2006, was prepared in response to the Lochaber Futures Paper, as part of the consultative exercise to inform the emerging local plan. The Futures Paper acknowledged significant constraints upon development in Fort William and put forward four possible options, of which Torlundy was one, for a new settlement of up to 500 homes. ICL 2 provides a comparison of the four options, including Torlundy.
- ICL 3, dated March 2008, provides an update to the previous submissions. It supports the representation by Inverlochy Castle Limited to Highland Council in March 2008. ICL 3 responds to the draft local plan allocation that included the land owned by Inverlochy Castle Limited (ICL) and land owned by Dr Berrardelli.
- ICL 4 is a copy of a public notice and boards used in a public consultation event in June 2008. At this time the plans include both major landowners and extends to include other land in Torlundy.
- ICL 5 is a plan on the issue of drainage and flood risk.
- ICL 6 and 7 are plans that relate to access proposals.

ICL 8 is a Phase 1 Geo Environmental and Flood Risk Study for the land owned by Mr Berrardelli. A similar exercise was undertaken for ICL and is summarised in ICL 1. ICL 8 was commissioned to provide the same level of information for Mr Berrardelli's land.

SUBJECTS

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

We have no comments to add to THC's statement of further information on this subject.

2. *What, if any, provisions of the structure plan are relevant to the considerations of these proposals.*

The structure plan was approved by the then Scottish Ministers of the Scottish Executive on 23 March 2001. THC refer to the approved structure plan as "*very dated*" and that "*much of it has effectively been superceded by more recent national planning guidance and Highland Council local plan general coverage*".

We agree with THC's description of the structure plan and the interpretation of the effect of more recent Scottish Government and THC policy changes.

There are however issues, principles, and objectives in the approved structure that remain relevant to the current local plan and the consideration of these proposals. Relevant issues include:

- a growing population;
- rural depopulation;
- a need to increase the total housing stock;
- the need to encourage a diverse local economy;
- a marked lack of infrastructure that limits the development that can take place;
- advances in information technology and improved telecommunications; and
- that it is important that new development is sympathetic to the existing patterns of development.

Reflecting the local context, the principles in the structure plan are:

- supporting the viability of communities;
- developing a prosperous and vibrant local economy; and
- safeguarding and enhancing the natural and built environment.

The structure plan draws on a "*highly aspirational vision*", the realisation of which requires the setting of objectives which conform to the principles of sustainable development. These principles include:

- community empowerment and decision making;
- the quality and number of employment opportunities;
- accessibility to and quality of housing;
- the safety, enjoyment and diversity of towns and villages;
- the effectiveness and efficiency of infrastructure provision;
- accessibility to community facilities and services; and
- the efficient of energy use.

The structure plan strategy in spatial terms seeks to focus attention on Fort William, as one of five sub-regional centres in the Highlands.

THC notes in its statement of further information that structure plan Policy G2 Design for Sustainability, that contains a list of development management, would be relevant to any development proposal. We agree that matters raised in Policy G2 are relevant considerations against which proposed developments will be assessed.

The approved structure plan states (at para 2.2.1) that the availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities. The structure plan notes that housing provision must respond to the needs of the growing population with a changing age structure, and it can assist in retaining population and services in more fragile areas. The structure plan also notes that an adequate provision of housing is also a pre-requisite of economic growth.

The Housing section of the approved structure plan notes (at paragraph 2.2.2) that the housing allocations are from 1994 based Scottish Office projections (extrapolated to 2017). This illustrates the dated nature of the structure plan, especially with regard to population and household projections.

The structure plan provides a strategic framework for the allocation of land for housing in the new local plan. There are aspects of the structure plan that are dated, but, as noted above there are issues, principles, and objectives that are still relevant to the consideration of these proposals.

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

THC has identified a number of potential adverse environmental effects.

We agree that the issues raised in THC's statement are relevant and important considerations.

We also agree that the potential environmental effects are capable of mitigation through the design and development of the master plan for this proposal. Work has already been undertaken on issues relating to access, flood risk, contamination and other geotechnical and environmental constraints on the areas proposed for residential and community facilities (Documents ICL 1-8).

We support THC's comments in relation to the potential to provide local renewable energy and waste management facilities.

We agree with THC's comments that certain effects cannot be mitigated. We are aware from the consultation event in June 2008 and the representations that there are a number of objections from local residents, including the Torlundy Community Group and the Community Council. We acknowledge the concerns that are raised and would, if the allocation is retained, seek to work with the local community to address issues of detail through the master plan process. We understand however at this stage that there is strong opposition in principle to the proposal.

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

There is an existing community in Torlundy that includes the residents of Happy Valley, Tomachanch Road and around Torlundy Courtyard and North Steadings. There are established employment areas around the Forestry Commission Depot.

We consider that there is considerable potential to enhance and extend the business and community facilities in Torlundy.

THC have identified some community facilities and employment opportunities in the allocation MU9 and employment uses related to outdoor tourism in B3.

We are keen to explore the potential for the development of a serviced business centre, with offices and meeting room available for local residents within the development. We support the community facilities listed in MU9.

5. *What scope is there to accommodate different uses?*

We note and agree with THC's comments on the scope of accommodating the stated variety of uses in MU9. We agree that non-tourist related or larger scale retail should be located in Fort William.

We are receptive to considering the potential for uses, other than those listed in MU9, consistent with the scale of the proposal.

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

We do not have any direct involvement in the Leanachan Forest proposal. We would be pleased to work with THC and the Forestry Commission in the preparation of the mater plan for that area.

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

The ICL Documents include various reports that consider in some detail the physical and environmental constraints. Given the brevity of this statement these documents are referred to in response to this subject, and subjects 8 and 9.

THC's statement refers to flood risk, surface water and access issues as potential constraints. We agree that there are issues and we have commissioned engineers to undertake preliminary investigations. Reports and drawings relating to these investigations are included in the documents for this Hearing Session. THC have identified an issue water pressure and the need for developer funded network improvements.

There are no environmental designations affecting the MU9 area, the adopted local plan includes tree/woodland safeguards, agricultural land and flood risk safeguards.

The objectors have identified the impact of the development on local residents as a major concern. It is inevitable from my experience that new development proposals raise concerns about the potential impacts on local residents. There are a number of properties in Happy Valley (western edge) and Tomachanch Road that are immediately adjacent to the large areas proposed for residential and community development. The revised access arrangements will result in improved accesses, but we are aware that there are concerns about a change in the access arrangements.

We have noted, in response to subject 3 above, agreement with THC that the potential environmental effects are capable of mitigation through the approval of a master plan for this proposal.

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

We believe that the development of a master plan, involving full consultation with the existing community, is the most appropriate way in which to determine the mix and location of particular land uses.

9. *What adverse effects would arise from the development of these sites?*

We note and agree with THC's comments in relation to the mitigation of potential adverse effects.

**Montagu Evans LLP
December 2009**