

THE HIGHLAND COUNCIL

ROSS & CROMARTY EAST LOCAL PLAN INQUIRY

**STATEMENT OF OBSERVATIONS by the
DIRECTOR OF PLANNING and DEVELOPMENT**

ISSUE 7: Road Improvements for Additional Housing at Alcaig

1. Introduction

- 1.1 The Highland Council (THC) has undertaken to hold a Public Local Inquiry to consider objections lodged by Ferintosh Community Council [CD30/78] on the Deposit Draft Local Plan in respect of Chapter 6: Landward, paragraph 5 in respect of the need for road improvements to provide capacity for additional housing at Alcaig. The Community Council wishes to appear at the Inquiry.

- 1.2 THC will call Alan Ogilvie, Principal Planner as planning witness and Jim Yuill, Principal Engineer, Ross and Cromarty Area Roads and Community Works as the roads engineering witness.

- 1.3 THC wishes to submit the productions listed below. References to productions are shown in the text as follows, [CD1]. Quotes from productions are shown as follows, “*extract*”.

[CD1] The Highland Structure Plan: Approved Plan: The Highland Council: March 2001

[CD2] Black Isle Local Plan: Adopted Plan: Highland Regional Council: September 1985

[CD5] Black Isle Local Plan: Alteration No.2: Housing: Highland Regional Council: September 1996

[CD6] Development Plan Policy Guidelines: The Highland Council: October 2003

[CD8] Ross & Cromarty East Local Plan: Consultative Draft: The Highland Council: May 2002

[CD9] Ross & Cromarty East Local Plan: Deposit Draft: The Highland Council: October 2003

[CD10] Ross & Cromarty East Local Plan: Statement of Publicity, Consultation and representations: The Highland Council: October 2003

[CD17] SPP15: Rural Development: Scottish Executive: February 2005

[CD25] Ross & Cromarty Area Planning Committee Item: Representations on the Consultative Draft Local Plan: The Highland Council: 15 September 2003

[CD27] Ross & Cromarty Area Planning Committee Item: Objections and Representations on the Deposit Draft Local Plan: The Highland Council: 25 January 2005

[CD30] Letters of objection and representation to the Deposit Draft Local Plan

2. Background

National Planning Guidance/Advice

- 2.1 Scottish Planning Policy 15: Planning for Rural Development [CD17], at paragraph 25 covers the issue of rural accessibility. It emphasises that the key planning principle is to focus most additional housing, employment, retail, leisure and other services at accessible locations in line with sustainability objectives. However, it also acknowledges that *“Development plans should be realistic about the availability, or likely availability, of alternatives to access by car, as not all rural development locations are able to be served by public transport.”* It goes on to say that *“Planning authorities can allow development where the impact of vehicle movements on the local road network would not be significant. They should also apply appropriate standards to access roads to enable small developments to remain viable. Developer contributions, to meet access requirements, can reasonably be sought to facilitate new development.”*

Highland Structure Plan

- 2.2 The Highland Structure Plan [CD1] was approved in March 2001. The following extracts are relevant: -
- Policy G2: Design for sustainability indicates that *“Proposed developments will be assessed on the extent to which they:*
 - *are compatible with service provision (water and sewerage, drainage, roads, schools, electricity);”*
 - Policy H3: Housing in the countryside states that *“housing development will generally be within existing and planned new settlements.”*

Development Plan Policy Guidelines

- 2.3 In October 2003, following previous consultation on a draft published in May 2002, THC published Supplementary Development Plan Policy Guidelines (DPPG) on Housing in the Countryside and Affordable Housing [CD6]. DPPG1 contains a more detailed interpretation of Structure Plan Policy H3 on Housing in the Countryside. This was drafted after discussions with Scottish Executive Planning officials and defines “existing settlements” as:
- (a) those identified through the Structure Plan and local plan settlement hierarchies (based on the provision of services);
 - (b) groups of houses which have one or more of the following facilities: mains drainage or a scheme in SW’s 3-year plan; a public septic tank; street lighting; a 30 mph speed limit; a school, a doctor’s surgery, a shop, a post office, a petrol filling station, a public hall, or a pub;
 - (c) established groups which comprise cluster, linear, or other recognisable forms of building without such a facility, but which are contained within a clear visual envelope; or
 - (d) dispersed grouping with a crofting settlement pattern.
- Alcraig is defined in relation to the criteria at (b), as a larger group of houses with a public septic tank and a 30 mph speed limit.

Adopted Local Plan

- 2.4 The Black Isle Local Plan [CD3] was adopted in September 1985. The following provisions are relevant to the issues: -
- The policy at **para. 4.8** safeguards land at Alcaig indicated at Inset 15 for longer term development “*pending provision of improved drainage facilities.*”
 - **4.12** refers to the potential of the former sawmill buildings for light industrial use. The accompanying policy reflects this and potential resistance to development that causes nuisance to residents, a road hazard or drainage problems.
 - **4.14** refers to the substandard visibility of the main junction in Alcaig and the recommendation that the roads authority look at an improvement scheme.
 - **4.18** refers to a Council proposal to “*undertake drainage improvements at Alcaig after 1989 at a cost of £55,000*”.
 - **4.23** refers to the benefit of selective planting consistent with development proposals and visibility improvements in association with proposals for the former sawmill site.
- 2.5 Housing Alteration No 2 to the Black Isle Local Plan [CD5] was adopted in September 1996. Policy 5.7 applies a presumption in favour of housing proposals within the boundaries of a number of settlements designated as Small Villages (page 39). More specifically, the Small Village of Alcaig is identified at 5.7.2 (page 41). In preparing this Alteration the 1985 Plan boundaries were reviewed and extended to include the small fields north east of the main line of houses and the larger field south east of the former sawmill and B9163 road. Reference is made to the proposal for a new mains drainage system programmed for 1996/98, the B9163 road allowing “*good access*” and the need for a turning head for the main side road.

Consultative Draft Plan

- 2.6 The Consultative Draft [CD8] of the Ross and Cromarty East Local Plan was published in May 2002. The following policies in Chapter 6: Landward are relevant to representations made at the time: -
- Paragraph 3 referred to the potential for development within the defined boundaries of 31 small rural settlements listed in a table thereafter.
 - Paragraph 5 covers Alcaig with a capacity for 20 additional houses. Reference is made to “*Imperfectly draining soils. New mains drainage system programmed for 2004/06. The B9163 road allows good access, but main side road requires turning head. Suitable development land exists on backland and along southern edge of village.*”
- 2.7 The representations made and the changes agreed by THC in response are detailed in CD25. Relevant comments made are summarised as follows: -

Scottish Water [CD25/258], SEPA [CD25/157] and Ferintosh CC [CD25/172] indicated advice and concerns about foul drainage.

Ferintosh CC [CD25/172] referred to the lack of amenities within the village and

sought the setting aside of land for community use such as a play area.

Ferintosh CC [CD25/172] raised concerns about the existing road network in the area and the need for improvements at Alcaig as part of any expansion of this village.

- 2.8 THC's response and reasoning in respect of each of these comments is set out in **CD10** and **CD25**. Changes were agreed as follows: -
- ADD reference to the need to restrict new development until adequate public drainage and sewage treatment is available.
 - ADD *"Identify site for play area. Developers /applicants should contribute on a pro rata basis per each new house to the provision of the play area and road improvements required in relation to the overall development."*

Deposit Draft Local Plan

- 2.9 The Deposit Draft [**CD9**] of the Local Plan was published in November 2003. This drew objections relative to drainage requirements but these are covered in Issue 4. The objection lodged by Ferintosh CC [**CD30/78**] in respect of road access is indicated at para. 3.1 below. THC did not consider or agree Modifications in response to the objection on road access in January 2005 [**CD27**].

3. The Council's Observations

The Objection

- 3.1 The objection on the Deposit Draft Local Plan from Ferintosh CC [**CD30/78**] are as follows: -

We feel that the problem of the two very sharp bends on the main through road, within the village envelope, where there have been accidents in the past, have not been addressed. The road should be realigned to reduce the severity of the bends and improve the junction as part of any expansion of this village. This too should be made clear as an expectation within the plan. We are also very concerned that there is only an inadequate, single-track road connecting the village to the A9 to the East (B9163). 20 further houses as proposed will increase the traffic on this road significantly and increase the risk of further accidents. It is therefore essential that the road be upgraded to a double track road before building begins.

The Planning Authority's Response

- 3.2 THC as Planning Authority wishes to respond to the objections set out in paras. 3.3 to 4.1 below. These are in the Annex to the Committee report of 25 January 2005 and expanded as necessary.
- 3.3 The roads engineer advises that there is adequate capacity in the network to accommodate further development. As most traffic movements are likely to be

between the settlement and the A835(T), the existing twin track road towards Conon Bridge will be able to cope with the anticipated increase in traffic.

- 3.4 Scottish Planning Policy [CD17] advises that “*Planning authorities can allow development where the impact of vehicle movements on the local road network would not be significant.*” Successive Local Plans indicate that the capacity for further housing development depends upon the provision of a new mains drainage system, which was included in the last public version of the Scottish Water investment programme for implementation by the end of 2005. This is also complemented by advice first contained in the Adopted Local Plan Alteration [CD5] regarding the B9163 road allowing good access, although main side road requires a turning head.
- 3.5 The Comments/Constraints column in the Deposit Draft Plan refers to “*road improvements required in relation to the overall development.*” While THC considers that it is not necessary to be too specific about what is required, reference is already made to the need for a turning head on the side road to the west. However, after further discussions with the THC’s Principal Engineer, Ross and Cromarty Area Roads and Community Works, it would be appropriate to add reference to development proposals, particularly for land to the south east, being required to address visibility problems at the T-junction adjacent to the former sawmill. The Principal Engineer’s Statement confirms this advice and in the circumstances the following Modification is now proposed: -
In the third sentence of the Comments/Constraints column, DELETE “*but main side road requires turning head*” and reword the last sentence to read: “*Developers /applicants should contribute on a pro rata basis per each new house to the provision of the play area and road works required in relation to the overall development, notably a turning head on the west side road and visibility improvements at the T-junction.*”

4. Conclusion

- 4.1 **Accordingly, The Council would ask that the Reporter support the provisions of the Deposit Draft Plan with the exception of the Modification indicated at 3.5 above in respect of road improvements. Modifications relative to drainage requirements are covered in Issue 4.**