

THE HIGHLAND COUNCIL

ROSS & CROMARTY EAST LOCAL PLAN INQUIRY

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

ISSUE 15: Housing in the Countryside – Logie Quarry, Kildary

1. Introduction

- 1.1 The Highland Council (THC) has undertaken to hold a Public Local Inquiry to consider objections lodged by Mr Gordon Robertson of Balnagown Estate [CD30/163] in respect of Housing in the Countryside at Logie Quarry.
- 1.2 It is understood that Mr Gordon Robertson of Balnagown Estate [CD30/163] wishes to appear at the Inquiry.
- 1.3 THC will call Brian MacKenzie as planning witness.
- 1.4 THC wishes to submit the following productions: -
 - [CD1] The Highland Structure Plan: Approved Plan: THC: March 2001
 - [CD4] Easter Ross Local Plan: Adopted Plan: HRC: July 1992
 - [CD8] Ross & Cromarty East Local Plan: Consultative Draft: THC: May 2002
 - [CD9] Ross & Cromarty East Local Plan: Deposit Draft: THC: October 2003
 - [CD10] Ross & Cromarty East Local Plan: Statement of Publicity, Consultation and representations: THC October 2003
 - [CD11] Ross & Cromarty East Local Plan: Proposed Modifications to the Deposit Draft (Prior to Public Local Inquiry): THC February 2005
 - [CD14] SPP3: Planning for Housing: Scottish Executive: February 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
 - [CD26] Planning Development Europe & Tourism Committee Item: Representations on the Consultative Draft Local Plan: The Highland Council: 1 October 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
 - [CD31] Objections to the Proposed Changes to the Deposit Draft Local Plan
 - [THC15/1] Application for Determination of Planning Conditions, extract pages 2-4 Statement of Intent, Application form and restoration masterplan.

2. Background

National Planning Guidance/Advice

- 2.1 Scottish Planning Policy 3: Planning for Housing [CD15] sets out the Scottish Executive's planning policies on housing. The following paragraphs are relevant: -

40 states that *"The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of Scotland's towns and cities. Green belt and 'countryside around towns' policies play an important role."*

49 states that *"where possible, most housing requirements should be met within or adjacent to existing settlements. This prevents the sprawl and coalescence of settlements, makes efficient use of existing infrastructure and helps to conserve natural heritage and rural amenity"*

- 2.2 SPP15: Rural Development: Scottish Executive: February 2005 [CD14] sets out the Scottish Executive's planning policies on rural development. The following paragraphs are relevant: -

8 states that in adopting a welcoming stance to rural development the *"aim is not to see small settlements increase in size to the extent that they lose their identity, nor to suburbanise the Scottish countryside or to erode the high quality of its environment"*

14 states that *"Countryside management, the provision of recreational facilities and the development of core path networks have an important role in underpinning rural tourism"*

Highland Structure Plan

- 2.3 The Highland Structure Plan Policy G2 Design for Sustainability requires that *"Proposed developments will be assessed on the extent to which they : are compatible service provision (water and sewerage, drainage, roads, schools, electricity" and "contribute to the social and economic development of the community"*.

Policy H3 Housing in the countryside also states that *"Housing development will generally be within existing and planned new settlements"*

In respect of the development of tourist related developments Structure Plan policies T2 and T3 are relevant

"Policy T2 Tourism developments

The Council will support high quality tourism development proposals, particularly those which extend the tourism season, provide wet weather opportunities, spread economic benefits more widely, are accessible by means other than private vehicles and provide opportunities for the sustainable enjoyment and interpretation of the

area's heritage."

and

"Policy T3 Self catering tourist accommodation

Permission for tourist accommodation proposals will be granted only on the basis of the development not being used for permanent residential accommodation. This will be secured by means of an appropriate occupancy condition. As well as complying with Strategic Policy G2, proposals should not:

- ☐ *represent over-development of an area; or*
- ☐ *be located on land zoned for permanent housing in Local Plans."*

- 2.4 In relation to new settlements para 2.2.7 recognises that a new settlement should be located within the inner Moray Firth to utilise existing infrastructure, these new settlements should be planned to create balanced communities acting as local centres and would require in the order of 500 to 1,000 new houses.

Adopted Local Plan

- 2.5 The Easter Ross Local Plan [CD4] was adopted in July 1992. It allocated Logie Quarry (Pitmaduthy) under an industrial allocation, para 5.15, having regard to the existing sand and gravel operations being undertaken at the time, the policy also sought revision of programme and rehabilitation for the area: para 5.15 stating *"The Council will seek a revised programme of workings at Pitmaduthy, reducing the extent of the actively worked areas and rehabilitation of former quarries."*

Consultative Draft Plan

- 2.6 The Consultative Draft [CD8] of the Ross and Cromarty East Local Plan, was published in June 2002. Much of Logie quarry was now inactive and subject to natural regeneration but an existing consent for continued extraction was still in operation and stands till 2042. Operations at the quarry are much reduced from previous years and subject to lengthy periods of inactivity. No specific allocation was made for the site within the review of the Local Plan.

Deposit Draft Local Plan

- 2.7 The Deposit Draft [CD9] of the Local Plan was published in October 2003.
- 2.8 Objections were received from Mr Gordon Robertson of Balnagown Estate [CD30/163] and THC's response and reasoning is set out in [CD24]. These related to the inclusion of a significant area at Logie Quarry as a housing site for the development of a "model village". The Councils view was that the site was divorced to the village, with site access being situated well away from Kildary itself.

Deposit Draft with Modifications (Proposed Changes)

- 2.9 Proposed Changes to the Deposit Draft [CD11] were approved in January 2005.

The Ross and Cromarty Planning Committee approved the decision not to include the site on the basis of the recommendation. No changes were made to the Plan at this stage.

Planning History

- 2.10 The area is covered by four planning permissions granted in 1972 and 1973. The statutory review of mineral permissions listed the site as Phase II Active and has brought a submission of an application for the determination of conditions in relation to all site operations[**THC15/1**]. The accompanying statement indicates that much of the site has been restored and is fully revegetated with native species. The application indicated the intent of the operator, Caledonian Quarry Products Ltd, to continue extraction on remaining areas and carry out subsequent restoration works to that of a nature conservation afteruse.

3. The Council's Observations

The Objections

- 3.1 *I write to ask whether the following project, which is at a conceptual stage, could be included within the plan.*

At Logie Quarry we have a 150 acre site that has reached the end of its productive life. We believe that there is an opportunity to create something very special indeed. We hope that the Planning Committee will look favourably at our suggestion of using this site to create a "model village", with beautifully designed houses, in generous settings. This would be set within a landscaped framework of woodlands, lochs and interspersed with footpaths to ensure the good local access that is already established. We had considered this site as a possibility for a holiday village, but feel that a residential use would be more valuable to the raising of the profile of the area and would attract owners who would have the income to benefit other areas of Easter Ross.

Clearly there are opportunities to include other facilities such as units for local businesses and recreational buildings. We have been appraising the development of a model village built by Prince Charles in Dorset and will be in a position to bring our first plan to the Planning Department towards the end of 2004. Again our wish is to work with all parties to produce something that is "unique" or the highest quality and which will inspire others to follow suit.

The Council's Response

- 3.2 The proposal for the development of a "model village" situated within the setting of Logie Quarry does not accord with the policy framework set out within the Structure Plan and also the emerging Local Plan. The site is situated outwith the recognised settlement boundary for Kildary and as such is subject to Policy H3 Housing in the Countryside. The location does not have direct links to the existing settlement at Kildary and would in essence comprise a separate new settlement,

- fragmenting the integrated nature of Kildary. Access would not link the proposal with the existing village of Kildary with the main access currently to the site, off the A9 trunk road some 1.5km to the east, access to the site itself is some 500m further to the north on the Pitmaduthy Road. Access arrangements to the trunk road would require improvement to the junction to prove adequate, in addition there would also be a requirement for road improvements to the Pitmaduthy access road itself. There may be potential for an access to the site from the Brenachie Road to the west side of the village, which would be closer. The coniferous plantation immediately to the north of Kildary forms part of the backdrop of the village and the Council would seek to retain this, with access further north still distant from the village. Access improvements would be required to the road and also the provision of a footpath and street lighting connecting to the village.
- 3.3 In the hinterland of towns a planned approach to new housing developments is required which meets the policy's strategic aims yet also provides a degree of choice for living within smaller rural communities.
- 3.4 Accordingly, housing development opportunities within the hinterland are defined within the Local Plan, either within existing or planned new settlements. On sustainability grounds there is no provision for the development of new groups of houses, only large communities of 500 to 1000 houses with employment land or located close to existing major employment sites and transport infrastructure, e.g. in the A96 Corridor close to Dalcross.
- 3.5 The reference to the development of tourist accommodation would accord with the aims of the Structure Plan objectives in relation to Policy T2 Tourism developments and T3 Self-catering Tourist Accommodation where encouragement is given to the development of high quality proposals providing economic benefits to the area. In respect of policy T3 Self catering tourist accommodation the supporting text indicates that such proposals would require to have a minimal impact on services, roads infrastructure and the environment, Tourist development would be for non-permanent accommodation and use of the accommodation for permanent occupancy would be unacceptable. This would provide an economic input to the area through the presence of visitors throughout much of the year and also opportunities for local employment. The reuse of the quarry for this type of use would accord with Policy G2 in terms of the use of a brownfield site and also through contribution to the economic development of the community. Much of the site, however, has now revegetated and any such proposal would require sympathetic development on areas that are brownfield in nature, with leisure activities linked to the naturally regenerated areas, so as not to conflict with the aim of restoring the quarry to a natural state as outlined in the restoration masterplan [THC15/1].
- 3.6 The development of the site for housing, however, as stated, does not accord with the desire to restore the quarry to a natural state. The development of housing is likely to require the formalising of roads and other infrastructure requirements in addition defining the curtilage of residential properties.
- 3.7 The proposal does not accord with SPP3 in that housing requirements should be

met within or adjacent existing settlements to prevent the sprawl of settlements and also protect the setting of the town (para 2.1 above).

- 3.8 SPP15 Planning for Rural Development [CD17] does regard brownfield sites which are no longer “*required for their original purpose where conversion to residential use would bring about a net environmental benefit*” as having potential subject to a number of factors, proximity to services, ease of access and drainage and sewerage capacity. The site at Logie Quarry, although no longer in full use has by and large already been returned to a natural vegetative state.
- 3.9 The site may offer potential for development as a natural resource within the context of Chapter 6, Policy 68 of the Deposit Draft Local Plan [CD9] “The Council will explore the scope for the development of a Country Park in the Local Plan with land owners and SNH. Potential locations to be considered should be readily accessible from the major road network.”

4. Conclusion

- 4.1 It is clear from both the Adopted Easter Ross Local Plan and conditions related to the quarrying activity on the site that the agreed afteruse of the site was a return to a natural state with potential for development as a recreational countryside area. The proposal for the development of the site for housing goes against the content of the adopted local plan.[CD4]
- 4.2 The proposal for allocation for housing use does not accord with the provisions of the approved Structure Plan, in regard to Policy H3 Housing in the Countryside.
- 4.3 Development of the site would form housing that would not be integrated to the existing settlement at Kildary.
- 4.4 The proposal does not meet with the criteria set out in SPP 15 Planning for Rural Development[CD17] (para 2.2 above) in regard to development in the countryside.
- 4.5 **Accordingly, The Council would ask that the Reporter recommends no change to the content of the Deposit Draft with Modifications, in respect of these matters.**