

THE HIGHLAND COUNCIL

**ROSS & CROMARTY EAST LOCAL PLAN INQUIRY
STATEMENT OF CASE of the
DIRECTOR OF PLANNING and DEVELOPMENT**

ISSUE 38: Muir of Ord - Housing

1. Introduction

- 1.1 The Highland Council (THC) has undertaken to hold a Public Local Inquiry to consider objections lodged by Mr M Ross[CD30/57] in respect of policies contained in Chapter 27 of the Deposit Draft Plan which refer to development areas and resultant pressure on community facilities in Muir of Ord; and Mr J Prentice [CD30/138] in respect of policies contained within Chapter 27 of the Deposit Draft with reference to housing site at Broomhill and Mr D Martin [CD30/174] in respect of housing land at Ardnagrask also objection lodged by C K D Galbraith on behalf of J P Johansen [CD30/119] in respect of inclusion of housing land at Chapelton Farm.
- 1.2 Objections received by Muir of Ord Community Council [CD30/105] in respect of policies contained in Chapter 27 of the Deposit Draft Plan which refer to housing development and resultant pressure on facilities are understood to be the subject of further written submissions.
- 1.3 Objections lodged by A MacLean[CD30/44], David Edge[CD30/88], Scottish Natural Heritage[CD30/197] and Isobel Gunn[CD30/197] in respect of Chapter 27 in respect of housing and expansion of Muir of Ord are either sustained on the basis of written submissions lodged in respect of the Deposit Draft Local Plan or not withdrawn. The Council's response in respect of these matters is contained in the report.[CD27]
- 1.4 THC will call Brian MacKenzie, Planning and Development Service and Jim Yuill, Principal Engineer, TECS Services as planning witnesses.
- 1.5 THC wishes to submit the following productions: -
[CD1] The Highland Structure Plan: Approved Plan: THC: March 2001
[CD4] Mid Ross Adopted Local Plan: THC: October 1990
[CD8] Ross & Cromarty East Local Plan: Consultative Draft: THC 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: 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
[CD16] SPP7: Planning for Flooding: Scottish Executive: February 2004
[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
- [THC38/1] Statement by: Sam MacNaughton, Head of Transport & Infrastructure, TEC Services, Highland Council
- [THC38/2] Statement by Jim Yuill, Principal Roads Engineer, TEC Service, THC
- [THC38/3] School Roll Capacity and Roll projections, Education Service, THC
- [THC38/4] Planning Application, 04/01153/OUTRC, Housing Development, Broomhill, Muir of Ord including Flood Risk Assessment Report, TIA & TECS consultation response.
- [THC38/5] Scottish Environment Protection Agency, response in respect of Broomhill, Flood Risk Assessment Report.

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: -
- 45** states that "*Care should be taken, particularly in smaller towns and villages, to ensure that the scale of new development is appropriate, and consideration should be given to the cumulative impact of a succession of developments over time.*"
- 46** requires development plans to "*specify how the character and setting of a settlement is to be protected, guide new development to suitable sites and in some cases provide for the phased release of land.*"
- 60 & 64** indicate that development plans should take an informed long-term view on the requirement for new housing and that the local plan should convert this into effective site-specific allocations for at least 5 years from the date of adoption. Local plans should also identify further sites to meet requirements in the medium term and to monitor their effectiveness and programming through the annual housing land audit, to maintain sufficient effective land for at least the following 5 years at all times.
- 65** advises that "*in looking to the medium and longer term, development plans should identify the triggers for the release of future phases of housing land*", including, "*for example, the provision of necessary infrastructure, increased completion rates or changes in land availability.*"
- 2.2 Scottish Planning Policy SPP7 Planning and Flooding [CD16] sets out the Scottish Executive's planning policies on Planning and Flooding. The following paragraphs are relevant.

19 states “*Landraising which permanently elevates a site above the functional flood plain of a watercourse, or elsewhere if flooding is an issue, may have a role. Proposals for landraising should:*

- *be linked to the provision and maintenance of compensatory flood water storage to replace the lost capacity of the functional flood plain;*
- *have a neutral or better effect on the probability of flooding elsewhere, including existing properties;*
- *not create a need for flood prevention measures elsewhere;*
- *not create 'islands' of new development but should adjoin developed areas outwith the functional flood plain; and*
- *be set back from the bank of the watercourse.*

In the context of this SPP the land created by landraising will no longer be part of the functional flood plain and landraising is not to be construed as a flood prevention measure.”

20 further states “*The engineering and environmental implications of landraising must be fully explored and there may be opportunities for habitat creation. An Environmental Impact Assessment may also be required. Major proposals should come forward through the development plan process (see paragraphs 38-43). From 2005, engineering operations for landraising are likely to be a controlled activity under the WEWS Act to control the risk of serious harm to the water environment.”*

- 2.3 Planning Advice Note 38: Housing Land [CD20] at paragraph 38 advises that “*Planning authorities should be able to demonstrate that their housing land allocations are feasible and realistic, offer a coherent strategy to meet short and longer-term needs in an environmentally acceptable manner, and are capable of being implemented. Plans should state the factors which could trigger a faster or slower rate of land release.”*

Highland Structure Plan

- 2.4 The Highland Structure Plan, approved in March 2001, identified the need for housing allocations for the period to 2017.

The Highland Structure Plan [CD1] was approved in March 2001. Paragraph 1.7.1 refers to the emergence from the sustainability objectives and the strategic themes the development of a number of general policies demonstrating the expectations of The Council with regard to any proposal for development. They cover a range of issues relating to sustainable development and are considered vital to the implementation of the Plan's strategic themes. More specifically, 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);*
- *impact on individual and community residential amenity;.....*
- *impact on the following resources, including pollution and discharges, particularly within designated areas: habitats, freshwater systems,landscape, cultural heritage, scenery.....;”*

Adopted Local Plan

- 2.5 The Mid Ross Local Plan [CD4] was adopted in October 1990. It allocated 5ha of land at Chapelton and 0.7 ha of land at Strome for housing

Consultative Draft Plan

- 2.6 The Consultative Draft [CD8] of the Ross and Cromarty East Local Plan, was published in May 2002. It included an allocation of development land at Strome for 2.5 ha of land, encompassing some of the land from the adopted plan previously Chapelton, also allocated was an area of additional land at Chapelton. Further areas of land were allocated at Ardnagrask, Broomhill, Tore Road and south of the Golf Course, these additional sites sought to meet the forecast housing need.
- 2.7 The representations made and the changes made by THC in response are detailed in [CD10]. Representations related, in the main to the level of housing development proposed for Muir of Ord and effect on available facilities and infrastructure, in particular the railway bridge, also questions regarding flood risk at Broomhill.

Deposit Draft Local Plan

- 2.8 The Deposit Draft [CD9] of the Local Plan was published in October 2003. All sites from the Consultative Draft were re-affirmed within the Deposit Draft Plan.
- 2.9 The following objections were submitted in respect of Chapter 38: Muir of Ord:

Muir of Ord Community Council [CD30/105]

- *great concern in the village as to the state of the existing railway bridge*
- *village requires a new sports facility, the schooling facility will require to be addressed along with a more modern policing facility*
- *development and access of the Railway Station facility should be considered with increased commuter usage and freight traffic*

Innes & Mackay [CD30/23]

- *sought inclusion of land for low density housing*

D Martin [CD30/174]

- *sought additional housing area at Ardnagrask removed from allocated expansion area*

A MacLean [CD30/44]

- *objected to housing allocations at H9 Rosecroft and H10 Strome on traffic grounds*

D Edge [CD30/88]

- *objected to further development at H9 Rosecroft and H10 Strome*

M Ross [CD30/57]

- *objected to several housing allocations on traffic grounds*
- *objected to housing at E16 Broomhill*
- *voiced concern over capacity of school*

I Gunn [CD30/310]

- *objected to allocation of expansion land at E16 Broomhill*

JP Johansen [CD30/119]

- *sought allocation of extensive land to north of village*

THC Director of Social Work [CD30/108]

- *sought allocation of land for rebuild of Urray House nursing home*

Scottish Natural Heritage [CD30/197]

- *objected to allocation of expansion land at E16 Broomhill and E17 Ardnagrask in regard to landscape impact*

J Prentice [CD30/138]

- *objected to allocation of expansion land at E16 Broomhill*

Deposit Draft with Modifications (Proposed Changes)

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

The proposed changes in relation to objections and comments are indicated:

In response to concerns regarding the impact of increased levels of development on services and infrastructure, a statement was added in regard to the need for developer contribution or provision of necessary improvements;

Page 85, Development Factors, paragraph 2

- After the final sentence ADD "***Where development proposals will impact on facilities or require the upgrade of services or infrastructure the Council shall seek provision of necessary works or contribution towards the provision or upgrading of services and infrastructure.***"

The need for improvement/redevelopment of Urray House was recognised and provision made accordingly;

Page 86, Special Uses

- ADD new Policy to Special Uses section, "***16. 0.7ha of land at Tarradale Gardens is safeguarded for redevelopment of Urray House or the ancillary provision of very sheltered housing. This may provide opportunity for development in association with H1: Urray House.***"
- Renumber following policies accordingly.

2.11 No further objections were received in respect of these changes, although an objection was received at this stage from Mr W MacDonald [CD31/448] in regard to the access point for E17 Ardnagrask, Corrie Road. Although not properly made the objection highlighted the need for a factual change at E17(18) Ardnagrask, Corrie Road (see para. 3.26 below)

3. The Council's Observations

The Objections

3.1 Mr M Ross[CD30/57]

- 1) *I wish to register my objection to some of the proposed development in the Muir of Ord area.*

At Broomhill, the lower part of this area is frequently flooded in winter. The low

ground provides an overspill area when rainstorms or snow melt swell the bum beyond the capacity of the culvert under Broomhill Road. If this site is developed, the overspill area will disappear, potentially causing damage from rising floodwater. This area would better serve the Community if it were included in the ponds; wetlands scheme.

Egress to West Road from this area would be hazardous. West Road will already be busier with traffic from Site 11, Ord Road, joining West Road at the Distillery. The proposed junction is near to the curve on West Road, and adjacent to the Church / Hall which have their Car Park across the road to the north. Frequently there are rather slow pedestrians engaged in crossing the road between these two areas, while vehicles, in particular cars and motor bikes, are often exceeding the posted 30mph limit here.

2) Tarradale Primary School is already close to capacity. Housing development should be slowed until provisions are made to increase the school intake capacity.

3) Traffic - Of the 12 sites already allocated for housing development, traffic from those sites ref. 7, 8, 9, 10 and 11 (142 -156 housing units planned) will inevitably travel via the crossroads to the east, or the T junction to the west of the rail bridge. There is already serious congestion at both approaches to the bridge due to the traffic lights there. It is reasonable to expect that most new housing occupants will travel either east towards Inverness or north towards Dingwall, creating additional traffic pressure at these junctions.

In conclusion, I suggest that development to the north and west is slowed until the question of traffic congestion at the bridge is addressed, and the school intake issue is solved before any further housing starts are granted.

3.2 **Mr John Prentice[CD30/138]**

I wish to submit this letter of objection in connection with the Draft Local Plan boundaries for Muir of Ord. My objection is in connection with building in field Ref 16 at Broomhill Farm. My concern mainly lies with the lower part of this field because of the annular flooding risk.

Please find enclosed my issues of objection.

Risk of flooding to Council Estate and private dwellings- due to the infill of marsh/flood plane. Is enlargement of culverts and drainage proposed for lochans ? -if so whose responsibility is it to redesign drainage - Developer or Council. Danger of bank erosion during flash floods when no flood plane to take the massive extra water. Contradicts new guidelines from Scottish Office - SPP7 and SPP3 -where the emphasis should be on avoidance rather than protection against flooding.

In accordance with previous Government guidelines (Scotland. Gov. UK. Consultations. Planning. Paragraph 17-32. Details on Land Raising), if development goes ahead and the flood storage area is filled and raised for building will the opposite bank be excavated to equally compensate for the annual flood? Will there be an assessment of flood risk carried out? Will the Broomhill Farm road be raised to avoid flooding? Road access via Broomhill Road very near bad comer on West Road.

Railway Bridge Congestion. There should be no further development on west side of village until bridge issue resolved.

Lack of facilities for youth of this area.

3.3 **Mr D Martin [CD30/174]**

1) As the joint owner, with Mr J F Martin, of Ardnagrask Mains Farm, Muir-of-Ord, I write this on behalf of us both. We are pleased to see that you have zoned the field in our ownership for future housing needs.

Our comment, or objection, is to where you are drawing the boundary to this area on the west. At present the west boundary is defined as the road to Ardnagrask Farm but including the existing three cottages at Ardnagrask. The Ardnagrask Cottages should be taken out of the 17 E zoned area and uncoupled from what will inevitably be a larger and longer term development with an access other than that to the cottages. We would wish that the three Ardnagrask cottages be given the status of housing in the Muir-of-Ord area so that the much needed upgrading and some development of these properties can happen independently and more immediately from the area marked 17 E.

2) We would further wish that a strip of rough ground to the west of the Ardnagrask Farm road, which sits between the Ardnagrask Cottages at the south and the new house being constructed by Mr Douglas Hardie to the north (in the wood parallel to the Corrie Road) be zoned for housing so that any development of the Ardnagrask Cottages can be spread out in that strip and not contained to the footprint of the present cottages.

I should also point out that the Ardnagrask Mains Farm Road is currently in the process of being adopted by Highland Council it having been brought up to standard recently.

In effect the new proposed west boundary would become a continuous line, at it's south west boundary, from the line of the Golf Course to join at Corrie Road where, on the north side of the road, the area marked 16 E on the draft local plan meets the Corrie Road.

3.4 **C K D Galbraith on behalf of J P Johansen [CD30/119]**

Your reference 8H for Muir of Ord, which you name, as Chapelton does not belong to our farm but to a previous owner a Mr J.Sutherland whom now resides down in the borders of Scotland (full address can be supplied if required). This is causing us a lot of stress from would be house site inquiries to date thirty-three, and when we explain this does not belong to us, the potential house site seeker does not believe us until we get angry and tell them to go away in no uncertain terms. We also believe from them that there is no access to this ground we can only derive from this that people are desperate for building sites and such is demand from people wanting to build their own home.

Our application was based on this demand and given that the farm is very poor ground for growing crops it is for most hard clay and very undulating making it difficult to cultivate but would make for good foundation for any development work.

In addition to Mr Johansens submission there was reference to previous correspondence sent to The Council in relation to allocating his farm for development. This was not received by The Council but a copy later forwarded contains further details relating to the extent of allocation sought and supporting information and has been appended to the original submission. The contents indicated below,

“We would like to offer our farm to be included into the local plan for housing — low cost / private.

The justification for this is mainly that the ground growing properties are on a scale of 4/5 as agricultural statistics. In my opinion some of the ground being developed at present is of a higher quality than Chapelton Farm and therefore would be no loss in agricultural terms.

Also your reference 18H for Muir of Ord, which you name, as Chapelton does not belong to our farm but to a previous owner a Mr J.Sutherland whom now resides down in the borders of Scotland (full address can be supplied if required). This is causing us a lot of stress from would be house site inquiries to date thirty-three, and when we explain this does not belong to us, me potential house site seeker does not believe us until we get angry and tell them to go away in no uncertain terms. We also believe from them that there is no access to this ground we can only derive from this that people are desperate for building sites and such is demand from people wanting to build their own home.

When we first moved into the farm, there had been peripheral development on and out with the farm boundaries. These since have grown in numbers to constitute settlement following the minor road to Balvaird from A862, (from the Balvaird / Urray junction where the road goes under the railway). There are some 48 houses to be seen as you drive round this road east of the farm, which in turn and at some point discharge effluent into the natural water course. The main open water course runs through and over the farm being as it is the lowest point for this area, the highest point being Mulbuie School potentially we could be looking at 100 nouses all discharging effluent past our door.

To the west boundary of the farm we have the old A9 now A862. This road makes for problems for us as we are continuously having to repair fences after car/ vehicles have gone off the road and this repair costs have to be carried financially by the farm as 9 out of 10 times it happens late at night primarily at weekends - we get up next day to find animals on the road.

This stretch of road is also very twisty which and has been in our opinion the cause of a lot of accidents. How no one has lost his or her lives is a miracle. This stretch of road also gives us concerns as there are a lot of people who walk into the village or out walking their dogs and some of what we have seen makes us wonder how up until now there has not been an accident. There is our own problems especially since diversifying into horses the number of times we have had near misses have been incredible. Again this area would benefit greatly if the farm were to be integrated into the local plan as foot / cycle paths could be incorporated in any construction work and would have the added benefit of extending the 30 M.P.H. along the length of this dangerous section of road.

Having been in the Civil Engineering and Construction industry for thirty -five years I am surprised by some of the areas where houses are built on. They are very low lying what with global warming and rising water levels these areas

must be within the boundaries of the flood plain. As Muir of Ord is not very high above sea level and also as this housing goes on we now find lochans of water lying on the lower areas of the farm where water rarely lay if ever before this housing became so great. On the west side of the main road and down as far as the distillery - it would appear that the natural underground water courses have been severely interrupted by this works along with our climate now getting wetter.

Given that the water levels are rising would it not be more prudent to build on higher ground, which the farm lends itself to as it, is much higher above sea level and also makes for good stable foundation for building.

I you were to look favourably on our proposition with the farm we would be willing to help or assist in any way we can or if you require any further information please do not hesitate to contact me at the above address or by telephone.”

3.5 Muir of Ord Community Council [CD30/105]

Chapter 3 - Population Change - Para. 3.2

Whilst having no specific objections to the Local Plan Deposit draft, a number of issues and concerns have come to my notice from Community Council meetings, and from members of the public in the Muir of Ord area. It is felt therefore that comment should be made upon these issues and concerns with reference to the Muir of Ord area to ensure they are incorporated in the next stage of the planning process. Referring to the accompanying written statement, several of the key issues in Chapter 3 have an impact on our local area. The population change in the Muir of Ord area has been significant in recent years and the proposed plans show the potential for increased housing. In recent times, the trend has been to develop low cost affordable housing in conjunction with Housing Associations. The mix of housing to be developed should be of a mixed nature to attract and house all types of potential tenants to cater for the whole population structure in the village, both young and old, families, couples and single dwellers.

Chapter 3 - Commuter Pressure - Para. 3.4

Being so close to Inverness, quite a number of the population visit Inverness each day for work, college or social purposes. The impact of Inverness has resulted in a significant increase in commuter pressure by all methods of transport, especially by road and rail. The rail commuter service has proved to be a great success, and with a proper integrated transport facility or policy for both road and rail should see an increase in commuter traffic to and from Inverness.

Chapter 3 - Access to services Para. 3.8

With the potential of an increased population comes the requirement for increased leisure facilities, schooling and policing. Muir of Ord requires a new sports facility to replace the structure burnt down some years ago along with upgrades to existing halls and other facilities. With an increasing population, the schooling facility will require to be addressed along with a more modern policing facility along with the consideration of access by the other emergency services.

Chapter 3 - Primary Sector - Para. 3.13

The employment prospects of the village are very reliant on the existing Industrial Estates which should be supported and improved. If employment can be kept within the village, it could potentially increase the prosperity of the village and the skills base. The Primary Sector should also be supported within the Plan along with preserving the Natural Heritage of the area. Tourism from the likes of the golf course and distillery along with other areas should also be encouraged and developed within the Plan.

Chapter 3 - Transport - Para. 3.23

There is great concern in the village as to the state of the existing railway bridge in the heart of the village, which is now down to a single lane and traffic lights, for which I believe will remain the same way in the short to medium term. Plans should be incorporated to ensure the eventual replacement of the bridge, whether on the existing or an alternative site by monitoring the traffic which use it, which will no doubt only increase with an increasing population. Plans should also be incorporated for the existing A832 Muir of Ord to Tore road in and around the village, which will see a potential increase in traffic with an increasing population.

Chapter 3 - Foul Drainage - Para. 3.26

Muir of Ord is currently undergoing a great deal of work towards increased and improved services for gas and water which hopefully will continue throughout the village, surrounding and hinterland areas, along with recently improved drainage and waste management facilities which it is hoped take account of the future village plans.

Chapter 4 - Strategic Theme - Para. 4.1

The Strategy and General Policies should be supported, but there should always be the facility for review and potential change on a regular basis should pressures ensue. Whilst the Strategies and Policies are sound, local factors should always be taken into account with an ever changing population and their needs.

Chapter 6 Landward Area: – General

The Landward Areas form a significant part of the Local Plan geographically and again, the potential change in population structure and their needs should be subject to review as required.

Chapter 27 Muir of Ord: - Development Factors

1. The Main Settlement of Muir of Ord has been identified in detail within the Plan. With the spread of the population within the boundaries of Muir of Ord, its surrounding areas and hinterland, consideration should also be given to the potential upgrade of existing services and facilities throughout the village and surrounding areas. To a great extent, these have been identified within the settlement plans, but the need to upgrade the infrastructure of the village and surrounding areas is essential before any further development takes place. The expansion of facilities and infrastructure such as roads, paving and street lights in the likes of the Corry and Balvaird Roads should be considered to support the existing developments along with the West Road and Hawthorn Road where developments are likely in the near future.

2. *With the potential of an increased population comes the requirement for increased leisure facilities, schooling and policing. Muir of Ord requires a new sports facility to replace the structure burnt down some years ago along with upgrades to existing halls and other facilities. With an increasing population, the schooling facility will require to be addressed along with a more modern policing facility along with the consideration of access by the other emergency services.*

Chapter 27 Muir of Ord: - Development Factors

Environmental issues should be considered at all times in order to preserve the existing Amenities and improve the attractiveness of the village, with parks and open spaces and play facilities being considered and developed alongside the plans for housing.

Chapter 27 Muir of Ord: - Special Uses - Para. 15 - Rail Yard

Development and access of the Railway Station facility should be considered with increased commuter usage and freight traffic on the railways, with proper car parking and security issues to the forefront.

Further Written Submissions

3.6 Muir of Ord Community Council [CD30/105]

Muir of Ord Community Council still has major concerns over this document, and we have highlighted these points for you below.

1. *Speed of developments*

It is becoming quite clear that developments at Broomhill ref. 16, South of Golf Course ref. 20, Chapelton ref. 18, and Tore Road ref. 19, have all seen planning enquiries coming forward. This would be over 300 houses in addition to the 300+ that have or are being built now. If this trend continues at the current speed, the total land allocation re, the local plan, will be exhausted by the end of 2005. What happens then?

2. *Infrastructure*

Muir of Ord has also major concerns over the roads network in our community. The Railway Bridge is not only an eyesore but, by the Council's own admission, needs to be replaced, and having traffic lights creates problems for the junctions on either side of the bridge. Muir of Ord although not a particularly wealthy community has a very large percentage of car ownership. Every house built adds another 1.5 cars.

We also have a large number of single track roads that need upgrading due to the number of residents they serve.

The Zebra Crossings in Muir of Ord, although welcomed initially, are now causing concern to residents. More suitable traffic management controls should be considered to cope with the ever increasing volume of traffic our community endures. Public Transport must also be considered. Although there is a regular bus service to Inverness and an adequate day service to Dingwall these are extremely expensive.

We welcome the proposed additional trains from December but are concerned over any integrated transport systems neglecting Muir of Ord once again.

The capacity of the school/pre-school must also be considered. Unlike many communities we believe that our school roll is ever increasing and we have concerns with the school's ability to cope with the speed of development, bearing in mind that part of the school is now in the old school building which is not suitable in this day and age.

3. Urray House (old folk's home):

The Community Council are aware that its renovation/replacement is being considered and we support the allocation of land, previously amenity land, around it to ensure it's future but have concerns over day care provision for the elderly. Will HC be incorporating this in any new build?

4. Police Station:

We have been hearing for many years now that the police station is not fit for present day purposes. The Muir of Ord CC, like many communities, is concerned that when issues take so long to be resolved they lose out to neighbouring larger communities. An assurance on the police station staying in our community would be welcomed.

5. Facilities/Amenities

This is an area where Muir of Ord is seriously lacking in its provision for current and future residents. Firstly this community has NO Community Centre; the school and the public hall are all that are available to residents. These are seriously overstretched and not suitable for the size of the community.

There are issues over facilities for playgroup, day care for the young and elderly, suitable meeting rooms, sports hall and youth provision. In truth, facilities are non-existent.

There are several country walks in and around the community, but no cycle paths. There is a golf club but this is at its 750 membership capacity and expensive. The Council owned football pitch/running track has no changing rooms and is not fit for purpose due possibly to its poor construction (contractor) back in the early 80's.

Regarding the Lochans network we would welcome a "Site of Local Natural Conservation Interest" status.

Again we must reiterate the provision of suitable facilities needs to be addressed in the immediate future prior to any more development.

The Council's Response

3.7 Mr M Ross[CD30/57] & Mr John Prentice[CD30/138]

1) The Broomhill allocation identifies the requirement to address common/overall drainage. The area involved does present issues in relation to drainage with a portion of the site evidently being subject to wet conditions. The need to address this is stated within the Plan and attention requires to be taken to address concerns with regard to the provision of Sustainable Urban Drainage Solutions (SUDS). The measures are aimed at managing the flow of water run-off from a site by treating it on site and so reducing the loading on conventional fixed drainage systems. In this instance this may include a detention pond to retain surface water on site.

- 3.8 SPP 3: Planning for Housing states that policy is to avoid unnecessarily increasing the number of areas that need artificial protection from flooding”. SPP 7 further states that “*new development should be in harmony with the water environment and not attempt to work against it*”.
- 3.9 The provision of measures such as a detention pond would not only have a positive effect on any proposed development but also on neighbouring properties that currently suffer from the threat of flood risk. An assessment of the likelihood of flooding will require the preparation of a flood risk assessment and/or a drainage assessment to establish and advise on prevention and alleviation measures.
- 3.10 Land raising would most likely increase the need for flood prevention measures elsewhere and may not provide a satisfactory solution for surrounding properties.
- 3.11 The submission of a planning application in respect of housing development at E16 (17) Broomhill has advanced the consideration of development at the site. The issues that have been addressed at this point of time include the preparation of a Flood Risk Assessment (FRA)[**THC38/4**] which has been submitted for appraisal of viable solutions to potential effects of 1 in 200 years flood inundation.
- 3.12 The submitted document offers the potential solution of the enlargement of existing culverts and also landraising of new development to address the flood risk issue. The raising of land would result in the loss of part of the existing floodplain, to address this compensatory storage is to be located within land under control of the developer to the west of the site.
- 3.13 The consultation response on the application, from the Scottish Environment Protection Agency [**THC38/5**] expresses concern regarding the loss of the functional flood plain and that landraising is not to be construed as a flood prevention measure in line with guidance from SPP7 “*Planning and Flooding*”.
- 3.14 SEPA’s comments also note that some consideration has been given within the Flood Risk Assessment to compensatory floodplain storage, but view that insufficient detail has been supplied and that on this basis SEPA object to the planning application and should the planning authority be minded to approve the application against SEPA’s recommendation they would have to consider their position in respect to invoking the Notification of Scottish Ministers paragraph (25) of SEPA Policy 41 "A SEPA-Planning Authority Protocol, Development at Risk of Flooding: Advice and Consultation". Specifically: "*The site in question has a risk of flooding and it follows that to allow development to proceed may place property or persons at serious risk. In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk the application must be notified to the Scottish Ministers as per the Notification of Applications Direction 1997.*"
- 3.15 SEPA, however, further state that they may remove their objection if, prior to the determination of the application full details of the compensatory storage

scheme are provided and that other matters raised in SPP7 in relation to landraising are addressed.

- 3.16 This indicates that SEPA feel that the issues in relation to flooding can be successfully addressed with the submission of further detail on flood prevention measures.
- 3.17 The issue of access is being addressed within the context of the development application. The site access is situated within an established 30mph limit area and has the benefit of clear site lines. The question of speeding is one that currently exists from traffic entering the village. Potential development would need to provide measures to address safe access to the site possibly through traffic calming.
- 3.18 In this respect the advice received from TEC Service (Roads and Community Works) [THC38/4] is that the development will be served by a single access from the West Road and that this should incorporate a roundabout. This would have the dual purpose of acting as traffic calming on West Road and also allowing safe access and egress from the development.
- 3.19 The single lane crossing of the railway bridge is working well with a minimum of congestion. Increased development levels within the village will increase pressure on this type of use of the bridge and developers will need to assess the impact of further development on the crossing.
- 3.20 The development of the larger sites in the village and increases in traffic numbers will require the preparation of a traffic impact assessment in respect of the bridge crossing and the 4-way junction on the east side of the bridge. Contributions from developers will be required to address any necessary improvements to the junction to reduce congestion at this point.
- 3.21 Consultation with the Councils TECS Service [THC38/4] on the Broomhill application has indicated that the traffic lights at the bridge are likely to cause tail backs at the junctions in future years. Forecast figures indicate that this is mainly due to general traffic growth rather than the proposed development at Broomhill. They also indicate that the development should not adversely affect the surrounding road network, except that it will add slightly to the increasing congestion that is likely to occur in the future at the Railway Bridge traffic lights.
- 3.22 Further to the position of the Muir of Ord railway bridge, this is the subject of statement from Sam McNaughton, Head of Transport & Infrastructure, TEC Services, Highland Council [THC38/1], extracted below:-

“There are proposals for further developments in the Muir of Ord area. The Muir of Ord village has a particularly difficult road network, with all traffic being focussed over a single railway bridge, joining both sides of the village. The railway bridge itself, to avoid the need for a weight limit, has been reduced to a single track carriage way, operated by traffic lights. The road networks on both sides of the railway bridge are particularly difficult, with junctions lying close to the traffic lights on both sides. On the east side of the railway bridge there is a four way junction at very difficult angles where priorities is not

entirely clear. On the west side of the bridge, there are priority junctions, which are in close proximity of each other, which may have difficulty in accommodating future levels of traffic.

The junctions on both sides of the bridge are in need of enhancement, to accommodate both existing traffic and potential future traffic which may arise out of development.

It is unlikely that the railway bridge itself will be improved to a two track standard within the immediate future. In the long term there are proposals to upgrade this bridge and an option appraisal assessment has been carried out for this project. The bridge has a watching brief and its deterioration will be monitored such that a scheme can be brought forward at the most opportune moment as and when required.

Due to the complexity of the traffic arrangements in Muir of Ord and also the difficult junction arrangements, it is suggested that a small scale micro-simulation modelling exercise be carried out of the area to test various options for the junctions. This modelling exercise will enable alternative layouts to be drawn up for the junctions on both sides of the railway bridge and assess the optimum solution to resolve the situation. This simulation modelling exercise will also take account of future development requirements and how best these can be located to maximise use and capacity of the existing road network.

The modelling will be a matter for a developer to take forward and it is recommended that this be carried out with satisfactory layouts determined and implemented in advance of any significant developments taking place in the Muir of Ord area.”

- 3.23 2) Tarradale Primary has spare capacity for an additional 75 pupils, based on the current school roll. At current house building rates the school has more than adequate capacity for beyond the Plan period. Even at a significantly higher level of house building the school has capacity to cope over the next ten years. Consultation with the Councils Education Service on development applications for housing will seek to assess the schools capacity on an ongoing basis. Any potential difficulties foreseen as a result in the increase of housing applications would require either the refusal of development or the need to seek financial contribution from developers to address the situation.
- 3.24 3) The single lane crossing of the railway bridge is working well with a minimum of congestion. Increased development levels within the village will increase pressure on this type of use of the bridge and developers will need to assess the impact of further development on the crossing (see para 3.22 above in relation to Railway Bridge and related junctions).
- 3.25 **Mr D Martin [CD30/174]**
1) The expansion area at Ardnagrask Mains Farm will be served by an access located to the north end of the site. The Ardnagrask cottages are served by a devoted access at a point where road is single track. It would be inappropriate for the Expansion area to be served to any extent by the access road to the cottages. The Council accept that the Ardnagrask cottages should be removed from the boundary of the Expansion area and the boundary of Expansion area

E17 Ardnagrask, Corrie Road be **modified** to omit Ardnagrask cottages from delineated boundary expansion and reclassified as housing. This was not reflected, in error, as a change to be incorporated in the Proposed Modifications to the Deposit Draft [CD11] and requires to be changed in the next draft of the plan.

- 3.26 In relation to the expansion site at Ardnagrask, Corrie Road the consultation brought objection from Mr W Macdonald [CD31/448] in relation to the access point to the site. Although not a properly made objection at this stage of the plan the objection indicated that the access point was located on land outwith Mr Martins ownership and that the access should be moved to adjacent property to the west. A telephone conversation with Mr Martin confirmed that this was the intended point of access. A **modification** to the Muir of Ord inset map is required in this respect.
- 3.27 2) The area of land to the north-west of the Ardnagrask cottages lies outwith the established settlement boundary. As such the land is subject to the Housing in the Countryside policy (Structure Plan Policy H3). The policy requires that housing within the hinterland of towns must demonstrate a requirement for the management of the land and related family purposes. The existing cottages may be redeveloped or replaced should they be unable to meet the requirements for modern living and where the costs of renovation are not justified on economic and environmental grounds (subject to the existing dwelling being demolished), but The Council would not support an increase of the area for development on this site or an increase in level of housing for the immediate area. The extension of the settlement boundary and subsequent additional house building would increase usage of a single track road which is not suitable for supporting increased levels of development. The adjacent allocated longer term site, which is served by a twin track road, provides adequate opportunity for development at this location.
- 3.28 C K D Galbraith on behalf of J P Johansen [CD30/119]
Chapelton Farm – The boundary of the farm was not formally identified but the extent is thought to be of over 30ha of land to the north of Muir of Ord. The land identified lies outwith the settlement boundary of Muir of Ord and currently falls within the hinterland around towns area, where development is restricted to provision for land management reasons. Development potential for the Plan period has been identified and is currently being met through various sites situated within the village. At this point in time there is no need for the allocation of further sites as the development situation of current sites indicates the effectiveness of the current land supply. Further reviews of the Plan may see the need to identify additional land outwith the existing settlement boundary, but an allocation of this extent would mean a major expansion of the village.
- 3.29 The area of land identified lies to the north of the defined settlement boundary of Muir of Ord, straddling the railway and is divided into two parcels. The area to the west runs adjacent to the A862 road, formerly the A9, extending from the north of the extent of the settlement boundary. The area to the east of the railway line extends north of the existing allocation H18 Chapelton.
- 3.30 In regard to the infrastructural requirements for development of land there are particular considerations in relation to providing suitable access. The portion of

land to the east of the railway line, would most directly require access from Balvaird Road or Ordmuir Road. Development through to Balvaird Road would require being via the existing point identified for the development at Strome, H10 of the Deposit Draft and also in the longer terming Chapelton (E18), additions top traffic for this access and would require assessment to the ability of the existing road network within the village to accommodate further substantial development. The allocations at Strome and Chapelton already have a requirement for off-site road improvements aimed at addressing issues regarding the need for traffic calming on this stretch of road.

- 3.31 Access points, further north on Balvaird Road/Ordmuir Road would be to the existing single track road where problems currently exist in relation to the volume of traffic using the road and an inability to carry out improvements within the curtilage of the adopted road. This position is outlined through advice from the Council's TECS Service (Roads and Community Works). **[THC 38/2]**
- 3.32 The land to the west of the railway line lies adjacent the A862 Dingwall road, to the north of the established settlement boundary. The existing access serving Chapelton Farm lies within the 30mph limit of the village, the access whilst adequate to serve the existing business would require the benefit of assessment on its potential to serve a large housing development. Use of this access would most likely require an improvement to the existing road layout at Chapelton Farm and result in the loss or relocation of the existing horse riding centre.
- 3.33 Access points further to the north of the site would be located outwith the existing 30mph limit Advice from the Council's TECS Service (Roads and Community Works). **[THC 38/2]** indicate that it unlikely that a suitable point of access to the A862 would be available given visibility problems along its length. To provide an adequate access would require significant realignment of the A862 road to facilitate adequate visibility requirements.
- 3.34 If access were achieved from the A862 it is feasible that a rail crossing or improvement to that existing on the northern boundary could serve the eastern areas of the site. This would be a very expensive option for the development of the land and likely not to be financially viable. An access is potentially possible to the north of the land to the west off the existing single track road which runs under the railway and joins to Balvaird Road. The junction and road would need significant improvement to serve development, also this point of access is situated well outwith the settlement and would lead to a form of development that was integrated to Muir of Ord. Overall, the land at Chapelton Farm presents significant issues in relation of providing of suitable access to the land offered for development.
- 3.35 Currently development pressure in Muir of Ord is intense, and objections raised by the Community Council are focussed of the potential impact of a high level of housing development on facilities and infrastructure of the village. The community council's view accords with the Council's policy GSP7 – Settlement Expansion and also SPP3 in regard to the cumulative impact of successive development (para 2.1 above). The areas of land suggested would be capable of accepting upwards of 200 - 300 housing units overall whilst the Deposit Draft Plan already has allocated housing land to accommodate up to 520 houses.

- 3.36 The projected requirement for Muir of Ord for the period to 2017 is in the order of 300 to 360 houses, taking into account recent demand. House construction rates have been in the mid twenties between 2000 and 2003, rising to 42 in 2004. Some 60 houses have been delivered on allocated sites of the past 3 years. Planning permission exists for a further 146 houses on allocated land. Planning applications pending account for development of a potential further 150 houses. These account for the total housing allowance in respect of compliance with GSP7 – Settlement Expansion, where the policy is aimed at constraining overdevelopment of settlements, by restricting housing development to 25% growth over a 10 year period.
- 3.37 In Muir of Ord this equates to a further 190 houses for the 10 year period from November 2003, the date of deposit of the Deposit Draft Local Plan. Current planning permissions and pending applications already exceed this figure. Other existing allocations account for further development potential of up to 192 houses. In this context the allocations contained within the current draft of the plan are more than adequate to meet the requirement for housing land over the next 10 years.
- 3.38 Muir of Ord Community Council [CD30/105]
Chapter 3 - Population Change - Para. 3.2, Recent developments have been of varying nature throughout Muir of Ord. The most recent and current developments involve both private and Housing Associations operating on separate sites. Land assembly by the separate private and public sectors means that mixed developments rarely converge other than within the application of the Affordable Housing Policy. Within the Ross and Cromarty Deposit Draft Local Plan, Policy GSP8: Affordable Housing and the accompanying Development Plan Policy Guidelines point to the securing of affordable housing from private developers. Policy dictates that within areas defined as having an affordable housing need, developers should provide an element of affordable housing. Levels of this contribution will be dictated by local circumstance and provide an area of serviced land for the construction of these or build the agreed houses as part of an integrated mix of the overall proposed scheme to then be available for subsidised sale or rent through an approved Registered Social Landlord. Such information will determine house types to be built, rather than the planning authority. The same goes for private developments accounting for the market conditions. Nevertheless, the Council would encourage a mix of tenure and house types within developments. If this is not achievable for market, investment or other reasons, developers may agree to build the contribution on another site within their control. Alternatively where this is not achievable for land supply reasons developers agree to make an equal and equivalent financial contribution to an affordable housing accumulator fund to promote the direct provision of affordable accommodation on other sites in the community. Housing Associations will maintain a waiting list system, designed to address the identified needs within any area. Development proposals by the Associations will reflect the expressed need within applications for housing and meeting the needs of the community for housing.
- 3.39 Chapter 3 - Commuter Pressure - Para. 3.4, The Council encourages the growth of travel by both bus and rail. The use of the rail service has grown in recent years and opportunities lie within new or reopened stations to improve and encourage use of the service. The Tain - Inverness commuter link is proving

relatively successful with potential to add a further halt at Conon Bridge, indicating growing usage and demand for the service.

- 3.40 Chapter 3 - Access to services Para. 3.8, It is agreed that increased leisure, education, social and emergency services provision should keep pace with development. The organisations responsible for these services are consulted in the process of preparing Local Plans and the planning authority relies on them to advise of shortfalls or where there is spare capacity for further development. In situations where the provision of services is essential to accommodating further developer it is expected that appropriate allocations would be made in the relevant investment programmes. Alternatively, the planning authority can seek developer contributions towards essential provision. There is a need to identify the need for contribution from developers where the proposals will require the upgrading of services. An addition was made in this respect to the Development Factors section, after final sentence text was inserted "*Where development proposals will impact on facilities or require the upgrade of services or infrastructure the Council shall seek provision of necessary works or contribution towards the provision or upgrading of services and infrastructure.*"
- 3.41 Chapter 3 - Primary Sector - Para. 3.13, The Plan seeks to support the provision of local employment within Muir of Ord and surrounding areas. The allocation of land suitable for business development and safeguarding of the existing opportunities throughout the industrial site aims to help maintain existing employment and encourage the establishment of new businesses. The golf course and distillery are likewise supported through the Plan by the continued allocation of these uses. The support for the primary sector and preservation of natural heritage are discussed within Chapter 3 Key Issues for Ross and Cromarty East. Policies for specific areas of Natural Heritage interest are contained within the Landward area section of the Plan. Policies supporting these areas more generally are defined as being contained within The Highland Structure Plan.
- 3.42 Chapter 3 - Transport - Para. 3.23, The Council inherited the Muir of Ord Railway Bridge upon de-trunking of the former A9 road (after the Kessock Bridge opened in 1982). Load assessment established that the bridge has insufficient capacity to safely carry heavy traffic without some form of restriction. The bridge has, therefore, been restricted to single way working controlled by traffic signals. Given its age and condition, strengthening of the bridge has had to be discounted as a practical measure. The only way to remove restriction on use, is to replace the bridge. Because of severe budget restrictions, design and construction of a new bridge and associated roadworks are not currently programmed by the Council. Options for the future replacement of the bridge are being investigated. It is recommended that development applications are subject to the provision of any necessary infrastructure improvements to supporting road network required as a result of proposals.
- 3.43 Chapter 3 - Foul Drainage - Para. 3.26, These utility services are the responsibility of the companies concerned, which do liaise with the planning authority over the servicing of future development. The Muir of Ord sewage works was developed with a measure of spare capacity to accommodate development. When the capacity of the works is reached, developers will have to meet the costs of further improvements, according to the current Scottish

Executive funding rules for Scottish Water and as indicated in General Supporting Policy GSP2 – Waste Water Treatment. Waste management improvements will be guided by the Area Waste Implementation Plan.

- 3.44 Chapter 4 - Strategic Theme - Para. 4.1 & Chapter 6 Landward Area: – General The Council's development plan programme seeks to provide all areas with a current and up to date Local Plan, which will be the subject of regular review. The provision of a biennial monitoring statement will assess the performance of the Local Plan in respect of key forecasts, the effectiveness of policies and other relevant issues. The monitoring process will ensure that, when and where the plan is no longer effective, a review will be considered.
- 3.45 Chapter 27 Muir of Ord: - Development Factors, 1. The Plan does seek to identify requirements that will need to be addressed to enable the progression of the development of allocated sites. The development application process offers the opportunity to identify the extent of improvements/provision of infrastructure required. These would then be the subject of conditions to a planning permission with the requirement to provide as part of the development.
- 3.46 2. It is agreed that increased leisure, education, social and emergency services provision should keep pace with development. The organisations responsible for these services are consulted in the process of preparing Local Plans and the planning authority relies on them to advise of shortfalls or where there is spare capacity for further development. In situations where the provision of services is essential to accommodating further developer it is expected that appropriate allocations would be made in the relevant investment programmes. Alternatively, the planning authority can seek developer contributions towards essential provision. There is a need to identify the need for contribution from developers where the proposals will require the upgrading of services. An addition was made in this respect to the Development Factors section, after final sentence text was inserted "*Where development proposals will impact on facilities or require the upgrade of services or infrastructure the Council shall seek provision of necessary works or contribution towards the provision or upgrading of services and infrastructure.*"
- 3.47 Chapter 27 Muir of Ord: - Development Factors, Policies contained within the Plan are aimed at protecting existing amenity and open space within the community. Development proposals are required to assess the need for open space and the provision of other amenity facilities. Policy guidance set out within the Development Planning Policy Guidelines: Residential Guidelines set out standards of provision anticipated within new development. The provision of open space/amenity areas may vary depending on local circumstance and contributions towards the upgrading of an existing facility may be preferred.
- 3.48 Chapter 27 Muir of Ord: - Special Uses - Para. 15 - Rail Yard, The Plan seeks through this policy to safeguard the rail yard for this potential expansion of uses.

Responses to Further Written Submissions

- 3.49 Muir of Ord Community Council [CD30/105]

1. Speed of developments.

Within the settlement there are planning permissions existing at various allocated sites:-

- H4, Station View- 12 houses (outline)
- H6, Blair of Tarradale – 8 houses (detail)
- H8, Rosecroft – 13 houses (outline)
- H11, Ord Road – 80 houses (detail)
- E20, South of Golf Course – 66 houses (outline, dependant on satisfactory layout)

Total houses with planning approval extend to 179 houses; of these 33 have already been delivered.

3.50 Applications pending on others extend to 150 houses.

- E16, Broomhill – 120 houses (outline)
- H3, Logan Way – 22 houses (detail)
- H10, Strome – 8 houses (outline)

3.51 Completed developments account for 37 houses

- H5, Black Isle Road – 24 houses
- H2, Castlehill Road – 13 houses

3.52 Residual allocations account for the potential development of between 142 and 191 dwellings;

- H1, Urray House – 6-8 houses
- H7, Former Roads Depot – 4 houses
- H8, Former Drill Hall – 2 houses
- H10, Strome – 30 – 37 houses
- H12, Market Stance – 8 houses

- E18, Ardnagrask, Corrie Rd – 22 houses
- E19, Chapelton – 30 – 45 houses
- E20, Tore Road – 40 - 65 houses

3.53 Current rates of house building have increased from an average of 23 houses per annum over the past 5 year period 1999-2003, to 42 for the year 2004 showing a significant increase over the preceding years. In respect of development of allocated sites during 2004, those completed referred to site H2 Castlehill Road for 13 units and completion of the allocation H5 Black Isle Road, 11 houses, for affordable housing.

3.54 Of the sites currently with planning permission

- H8 Ord Road has been under construction for some time and completed 19 houses in 2004 with a further 11 being delivered to May 2005, at the time of writing no further construction work was being undertaken.
- H4 Station Road is to be developed by Albyn Housing Society and will not be commenced until 2006.
- H6, Blair of Tarradale has 2 houses complete and a further 7 at various stages of construction potentially all deliverable by the end of 2005.
- H8, Rosecroft is the second phase of development of private plots and likely to be delivered over a five year period.

- Layout and final number of units at E20, South of the Golf Course has not yet been finalised, consent currently only applies in outline. Indications are that approximately 66 units will ultimately be approved
- 3.55 In light of these considerations it is likely that house completions for 2005 will decrease to previous rates. Delivery in future years may increase again to a higher rate with the further details submitted at E20, South of the Golf Course and potentially development at E20 Broomhill.
- 3.56 General Supporting Policy GSP7 – Settlement Expansion, seeks to ensure that housebuilding in the settlements of the hinterlands around towns does not exceed 25% of the number of existing dwellings in any 10 year period. The housing stock figure for Muir of Ord stands at 886, as at November 2003; this gives a potential expansion figure of 222 for the 10 year period from the date of deposit of the Deposit Draft Plan.
- 3.57 There is a need to take account of development since the Deposit Draft Plan, some 43 completions were recorded during this time. This included 11 affordable units which under the terms of GSP7 are deemed to be exempt from settlement expansion as they address accommodation issues for existing households within the community. The net figure then remaining available for expansion is 190 houses.
- 3.58 Permissions currently exist for development of a further 146 houses with outstanding applications relating to 150 further houses. This would give an excess in relation to the expansion policy of 106 houses.
- 3.59 There will be provision of affordable housing on these sites, under GSP8 Affordable Housing. In this respect, the delivery of affordable housing will see 83 units constructed for this purpose; comprising
- H9, Rosecroft – 2 houses
 - H4, Station View- 12 houses
 - H3, Logan Way – 22 houses
 - E20, South of Golf Course – 17 houses (25%)
 - E16, Broomhill – 30 houses (25%)
- 3.60 This would bring the net figure for houses with, or under consideration for, planning permission to represent an excess of 23 houses in relation to the 25% limit for settlement expansion. This makes assumptions in regard to all the above sites being brought forward for development.
- 3.61 The overall increase in pressure for development in Muir of Ord, and other rural settlements can in part be attributed to ease of commuting to Inverness and also with the effects of Structure Plan policy H3: Housing in the Countryside increasing demand in rural settlements. Muir of Ord also has the benefit of local employment opportunities within the industrial estate, which are not available to many other settlements in Ross and Cromarty.
- 3.62 In relation to the progressing of the more significant applications at E20, South of Golf Course and E16, Broomhill the submission of detailed applications will give opportunity to seek the phased delivery of housing on these sites in order to accord with the requirements of GSP7.

- 3.63 In light of the current growth in applications for housing within Muir of Ord, it is justifiable to offer some policy restraint to the development of the remaining expansion allocations by reallocating sites at E19 Chapelton and E20 Tore Road for the longer term growth of the village. Development at E18 Ardnagrask is already allocated for longer term development. Development at H10 Strome is indicated currently to be phased development; further phasing of this site will require to conform to GSP7 in relation to the monitoring of levels of house construction. Other smaller allocations will also be assessed in regard to the individual and cumulative impact of their development.
- 3.64 There is a need therefore for the addition of wording to E19, Chapelton and E20 Tore Road to identify their potential as longer term, recommend **amend** existing and inclusion of additional wording to requirements to read:-

E: Expansion

The following sites are identified for the expansion of the village: -

<i>Ref.</i>	<i>Area (ha.)</i>	<i>Location</i>	<i>Capacity</i>	<i>Requirements</i>
<i>18.</i>	<i>5</i>	<i>Ardnagrask, Corrie Road</i>	<i>22</i>	<i>Long term/low density. Subject to access and master plan/development brief.</i>
<i>19.</i>	<i>3</i>	<i>Chapelton</i>	<i>30 - 45</i>	<i>“Long term” low density including open space and planting. Developer contributions will be sought for off site road improvements.</i>
<i>20.</i>	<i>4</i>	<i>Tore Road</i>	<i>40 - 65</i>	<i>“Long term development”, Include footpath. A832 Building line setback. Affordable housing/higher density to west. Perimeter tree planting. Amenity space to south</i>

- 3.65 This comes with the provision to review the situation in regard to the adequacy of services and infrastructure in relation to levels of development that have taken place. The development of other sites within the village will be determined by their individual impact on services and infrastructure of the village.
- 3.66 There is a need for Local Plan monitoring, in line with Chapter 2, para 2.11 of the Plan, to provide regular assessment of the development situation of all settlements to ensure an even delivery of housing land over the Plan period and influence the release of Local Plan allocations over the Plan period in line with General Supporting Policy 7 – Settlement Expansion.
- 3.67 2. Infrastructure

The position on regard to the Muir of Ord railway bridge is the subject of a statement from Sam McNaughton, Head of Transport & Infrastructure, TEC Services, Highland Council [THC38/1], extracted below:-

“There are proposals for further developments in the Muir of Ord area. The Muir of Ord village has a particularly difficult road network, with all traffic being focussed over a single railway bridge, joining both sides of the village. The railway bridge itself, to avoid the need for a weight limit, has been reduced to a single track carriage way, operated by traffic lights. The road networks on

both sides of the railway bridge are particularly difficult, with junctions lying close to the traffic lights on both sides. On the east side of the railway bridge there is a four way junction at very difficult angles where priorities is not entirely clear. On the west side of the bridge, there are priority junctions, which are in close proximity of each other, which may have difficulty in accommodating future levels of traffic.

The junctions on both sides of the bridge are in need of enhancement, to accommodate both existing traffic and potential future traffic which may arise out of development.

It is unlikely that the railway bridge itself will be improved to a two track standard within the immediate future. In the long term there are proposals to upgrade this bridge and an option appraisal assessment has been carried out for this project. The bridge has a watching brief and it is deterioration will be monitored such that a scheme can be brought forward at the most opportune moment as and when required.

Due to the complexity of the traffic arrangements in Muir of Ord and also the difficult junction arrangements, it is suggested that a small scale micro-simulation modelling exercise be carried out of the area to test various options for the junctions. This modelling exercise will enable alternative layouts to be drawn up for the junctions on both sides of the railway bridge and assess the optimum solution to resolve the situation. This simulation modelling exercise will also take account of future development requirements and how best these can be located to maximise use and capacity of the existing road network.

The modelling will be a matter for a developer to take forward and it is recommended that this be carried out with satisfactory layouts determined and implemented in advance of any significant developments taking place in the Muir of Ord area.”

- 3.68 This indicates that developers will be responsible for the provision of adequate improvements to the junctions to either side of the railway bridge to accommodate increases in traffic brought about as the result of proposals for development.
- 3.69 The zebra crossings are manned during school hours to assist schoolchildren in crossing the roads to access the primary school outwith these hours they function as normal zebra crossings and are assessed on a regular basis as to their suitability. The combination of a regular bus service and commuter rail service provides a variety of transport links to employment centres at Inverness and Dingwall and gives Muir of Ord a higher level of service than many other villages and small towns with the costs of these services comparing well to the use of private transport.
- 3.70 The school roll has been relatively constant over the past few years at between 200 and 210 pupils, with the roll having declined through the 80's and 90's, reflecting national trends in household formation and lower birth rates. The stated capacity of the school is 279 pupils, giving the school significant spare capacity and is well able to cope with any potential increases to pupil numbers, although there may be a requirement to upgrade some of the accommodation for the school in future years.

- 3.71 Projections indicating a range of increases in the school roll of an additional 3 to 10 pupils per annum illustrate the ability of the school to absorb extra intake. These increases would reflect development of an additional 12 and 40 new houses per annum over the average build rate. The rate of new house build for 2004 was 42 houses representing an addition of 19 over the average build rate for the year. The development at H11 Ord Road provided 19 of these during 2004, the current cessation of building and presence of unsold properties at this site indicates that supply currently is outstripping demand. The higher level of new build is unlikely to be sustained during 2005, with house completions likely to be in the mid twenties.
- 3.72 3. Urray House (old folk's home)
The Council's Social Work Service are undertaking assessment of the final form of any redevelopment and also what form of provision will be available.
- 3.73 4. Police Station
The Council is aware that the Northern Constabulary are assessing the situation in regard to the current Police Station; although budget is available for some form of provision no decisions have as yet been made in regard to their final form.
- 3.74 5. Facilities/Amenities
The provisions of adequate Community Facilities for an expanding community are a concern to the planning authority and one which requires to be addressed when considering applications for further development within the settlement. The Council will seek contribution for the development of necessary infrastructure that is brought about as a requirement for further development. A rationalisation of The Councils existing available accommodation adjacent the library in Muir of Ord can provide rooms for use for nursery provision and community use.
- 3.75 The Lochans are currently offered policy protection through the Local Plan under the Amenity policy heading.
- 3.76 In relation to the improvement of facilities these may come about as either the result of upgrading of facilities at the school or there may be potential for an element of planning gain in relation to future applications, The Council is seeking to appoint a Planning Gains/Negotiations officer to address issues such as these throughout the Highlands. The provision of contributions towards facilities other than basic infrastructure cannot be readily addressed without a full assessment of the need created through new development. The appointment of a Planning Gains/Negotiations officer would give scope to undertake the necessary investigation to justify the requirement for planning gain in this respect.

4. Conclusion

- 4.1 There has been significant pressure in relation to housing proposals for Muir of Ord and has reached a level where there is potential conflict with policy GSP7 – Settlement Expansion. There is justification for imposing and maintaining restraint on the development of sites 18 to 20 of the Deposit Draft with modifications, till the latter years of the ten year period of the Plan. This comes with the provision to review the situation in relation to infrastructural road improvements and adequacy of facilities.

- 4.2 The provision of significant further housing land at Chapelton Farm is not required given the context of current development pressure and the adequacy and effectiveness of the current housing land supply.
- 4.3 The development of land at E16(17) Broomhill appears capable of meeting all the infrastructural requirements towards its development. The provision of further information in regard to flood prevention measures will ultimately finalise consideration of the suitability of the site for development.
- 4.4 **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, excepting the amendments highlighted in paragraphs 3.26 & 3.64 above.**