

Highland Council Inner Moray Firth Local Development Plan

Comments received for the consultation that ended on 13th December 2013 ordered by Site

| | | | | | |
|---|---------------------------|-----------------|--------------------------------|-----------------------------------|--------------|
| Customer Number | 04437 | Name | Broadland Properties Ltd (BPL) | Organisation | |
| Agent Name and Organisation (if applicable) | | Mr Alan Ogilvie | | G H Johnston Building Consultants | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | AV3, 4 & 5 | | Type | Change | Comment Late |
| | | | | No | |

Comment Changes

1. Support the allocation of AV 3, 4 & 5 but seek extension to the developable area by including the field to the south as an additional housing allocation. 2. Change the capacity of AV3 from 63 to 40 houses. 3. Add new allocation of 5.3 ha with capacity of 60 houses for medium/ longer term development.

Representation

We act for Broadland Properties Ltd (BPL), owner of substantial land holdings on the west side of Avoch. At both the Call for Sites (Cfs) and Main Issue Report (MIR) stages BPL sought a planned expansion of the settlement to the west across Muiralehouse comprising land for housing, employment (business/ industry), community and recreation/open space uses. BPL therefore welcomes the allocations AV3, 4 and 5. However, BPL now object to the field to the south of Av 4 and 5 (part of H8 in the MIR) not being included as a housing allocation. The adopted Ross and Cromarty East Local Plan (R&CELP) states a requirement for 120 houses in Avoch in the period 2003 to 2017. However, in the period 2003 to 2013 only 8 houses were completed in the village on allocated land. This was due to a combination of market conditions, limited funding for affordable housing and lack of effectiveness or availability of some of the sites. The situation with the existing R&CELP allocated sites is as follows: - 2. West of Rosehaugh Crescent – 8 houses – not available; not retained as allocation in IMFLDP. 3. Knockmuir View – 3 houses – completed. 4. Former filling station – 3 flats – ineffective due to need to de-contaminate and now likely to be developed for a café; not retained in IMFLDP. 5. Station Hotel Car Park – 6 flats – not developed and permission renewed on three occasions; not retained in IMFLDP. 6. Memorial Field – 30 houses – permission pending conclusion of Section 75 Agreement; lack of commitment to affordable housing; retained as allocation AV2 in IMFLDP. 7. Rosehaugh East Drive – 20 houses – permission for 30 houses pending conclusion of Section 75 Agreement; retained as allocation AV1 for 30 houses in IMFLDP. 8. South West of Ormonde Terrace – 8-10 houses – 8 permitted of which 5 completed; not retained as allocation in IMFLDP. 9. Knockmuir East – 25-30 – not developed; two planning applications for phases of 11 and 16 plots pending decision; not retained as allocation in IMFLDP. The Proposed Plan only retains land from the adopted Plan with potential for half of the housing requirement of 120 on AV1 (30) and AV2 (30), both in the ownership of BPL. There is also potential for a further 17 dwellings on other sites which are now ‘windfall’ sites within the settlement boundary. We also note that the Proposed Plan seek attempts to make up the shortfall with a capacity of 63 houses indicated for AV3 on 3.2 hectares of land. While we have no objection to a higher level of development, this does not reflect the density of adjacent developed areas and is not consistent with the potential densities of Committee approved proposals or allocations for AV1 and AV2. As such, a figure of up to 40 houses seems more appropriate. In light of the above we feel that remainder of the “120 new homes” referred to in paragraph 4.124 should be accommodated on the field south of Av4 and 5. This will help provide a more balanced expansion to the village centred on land for community and recreation purposes. The allocation of AV3 and the additional housing land now sought will also help spread the cost of providing infrastructure and community and recreation uses at the scale indicated. The development of the additional area would follow on from AV3 and at 5.5 ha it has the potential to meet longer term housing needs, i.e. beyond the Plan period. The whole area can be covered by the master plan/ development brief referred to in AV3. This would require public engagement and so give the wider community an opportunity help plan the area and determine appropriate community uses and open space. The master plan will indicate the phasing at a rate and scale that respects the functioning of the expansion land, its character and the viability of the development. Active travel can be promoted to and from the school and village centre amenities via links through AV2. The master plan/development brief would also include a landscaping and structure planting framework to help improve the appearance of the approaches to the village, with an element of advanced planting. This additional land is already partially screened from view from the A832 road by the belt of trees along its north eastern boundary. Further softening of development could be achieved by the introduction of significant areas of deciduous structure planting that would visually relate the overall site to areas to the north and the Avoch Burn valley. Retaining and supplementing the existing woodland together with the introduction of new planting along the south and west boundaries will also help integrate the development into the landscape. A sketch Development Framework plan is again provided for the land in question. This suggests total housing land allocations at Muiralehouse for up to 100 houses on 8.5 ha of land. If this is

included in the final version of the Plan, BPL would not pursue the inclusion of land to the north of AV1 (MIR site H7) to help make up the shortfall of land allocated for housing.

Allocated to Avoch AV3 West of the old Manse

Customer Number 01331 Name Ms Naomi Lloyd Organisation

Agent Name amd Organisation (if applicable)

Section 4.Development Allocations Paragraph

Reference Type Change Comment Late No

Comment Changes

As per representation.

Representation

Sites AV3, AV4, AV5 This is prime agricultural land and it is shortsighted and unsustainable to build on it without making a valid case to do so that outweighs its agricultural use.

Allocated to Avoch AV3 West of the old Manse

Customer Number 04496 Name Ruth Boag Organisation

Agent Name amd Organisation (if applicable)

Section Development Allocations Paragraph

Reference AV7 Type Change Comment Late Yes

Comment Changes

Ensure sufficient attention is paid to access

Representation

I am not against development but simply want to make sure sufficient attention is paid to access routes. The road access at present into the development site is extremely poor. This applies both along Ormonde Terrace and also over the hill road (single track). I would have serious concerns for public safety if there were further development and access required without a major upgrading of access routes right back to the main road.

Allocated to Avoch AV7 South of Ormonde Terrace

| | | | | | |
|---|---------------------------|------|--------------|--------------|----|
| Customer Number | 04205 | Name | Shirley Barr | Organisation | |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | AV7 | Type | Change | Comment Late | No |

Comment Changes

The industrial estate in Avoch should not be extended.

Representation

The site is too close to residential areas which would be adversely affected by the noise and pollution caused by increased volume of heavy vehicles. The access roads are single track and not suitable for an increase in heavy vehicles. Many walkers, both local and visitors, are attracted to the area because of historic Ormonde Hill, the beautiful views and the peaceful environment.

| | | | | |
|--------------|-------|-----|--------------------------|--|
| Allocated to | Avoch | AV7 | South of Ormonde Terrace | |
|--------------|-------|-----|--------------------------|--|

| | | | | | |
|---|---------------------------|-----------------|--------------------------------|-----------------------------------|----|
| Customer Number | 04437 | Name | Broadland Properties Ltd (BPL) | Organisation | |
| Agent Name amd Organisation (if applicable) | | Mr Alan Ogilvie | | G H Johnston Building Consultants | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | AV7 | Type | Support | Comment Late | No |

Comment Changes

Representation

We act for Broadland Properties Ltd (BPL), owner of substantial land holdings on the west side of the village of Avoch. This includes land now identified for expansion of the existing industrial estate at the south end of the village. As previously advised BPL support and welcome this allocation as well as confirm the availability of the land.

| | | | | |
|--------------|-------|-----|--------------------------|--|
| Allocated to | Avoch | AV7 | South of Ormonde Terrace | |
|--------------|-------|-----|--------------------------|--|

| | | | | | |
|---|---------------------------|------------------|-------------|--------------------------|--------------|
| Customer Number | 04424 | Name | Seamus Mann | Organisation | |
| Agent Name amd Organisation (if applicable) | | Mr Martin Mackay | | Martin Mackay Solicitors | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | AV4, AV5 | | Type | Change | Comment Late |
| <div>No</div> | | | | | |

Comment Changes

Removal of allocation AV4 & AV5

Representation

The development of the land proposed under Sites AV3, AV4 and AV5 would represent a substantial loss of good agricultural land. The land is currently worked by a family partnership who are long term tenants of the land owners. To date no formal approach has been made to the tenants to discuss the removal of this land from their lease. It should be noted that Site AV5 comprises the farm steadings at Muiralehouse Farm which is the principal centre for the tenant farmers’ operations on this and two other neighbouring farms. Concern is also expressed as to the impact which development of such significant areas would have on the infrastructure of the surrounding area particularly as regards roads and schools.. The proposal to allocate Site AV5 for business use must also be questioned in that there is no identifiable need for additional land to be provided for these uses in Avoch and even if there were, the location of the proposed site for business purposes adjacent to the entrance to the village is not thought to be appropriate.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------|------|------------------|----------------|----------------|
| Customer Number | 00396 | Name | Mr William Paton | Organisation | Scottish Water |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | 4.133 Page 127 | |
| Reference | Avoch | | Type | Change | Comment Late |
| <div>No</div> | | | | | |

Comment Changes

Request amendment to the sentence including ".....and early engagement is required...." Suggested insertion to read "whilst capacity exists currently at Assynt WTW, the cumulative impact of all proposed development within the overall plan on shared treatment assets makes it necessary for early engagement to take place between Developers and Scottish Water, to ensure any additional capacity demands at Assynt WTW and Conon Bridge WTW in the future can be delivered in line with development.

Representation

As previously suggested this makes it clear that there is existing capacity and that a cumulative effect over time may require investment but does not present an issue currently.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------|-----------------|--------------------------------|-----------------------------------|--------------|
| Customer Number | 04437 | Name | Broadland Properties Ltd (BPL) | Organisation | |
| Agent Name amd Organisation (if applicable) | | Mr Alan Ogilvie | | G H Johnston Building Consultants | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | | | Type | Change | Comment Late |
| | | | | No | |

Comment Changes

Add the field south of AV4 and 5 to the Muiralehouse master plan area.

Representation

We act for Broadland Properties Ltd (BPL), owner of substantial land holdings on the west side of the village of Avoch. This includes various sites allocated for development – AV 1, 2, 3, 4, 5 and 7. At both the Call for Sites (CfS) and Main Issues Report (MIR) stages we sought inclusion of land to the west of Avoch House or North of Rosehaugh East Drive, indicated as “non-preferred” site option H7 in the MIR. The site is surrounded by woodland and therefore well contained in the landscape setting of the village. The presence of the woodland is in itself a factor that suggests very low density development similar to other previous developments on the north side of the village at Fletcher Gardens, Ladyhill View and Knockmuir View. The intention would be to avoid tree loss (including for access) and set buildings back the requisite hold back distance from individual trees suggesting very low density development of a single row of plots. The responses made by the Council and some other parties did not seem to recognise this approach to development and the other attributes of the site. In addition, it is not in a SEPA 1 in 200 year flood risk area, is not Prime quality agricultural land, there are no other heritage features and localised road access issues will be addressed through the development of AV1. However, BPL appreciates that this site is perceived by the community as being more sensitive than MIR site H8. It is also well enclosed by trees which could limit outlook and the amount of natural light afforded to future buildings. We also refer to our comments above on sites AV3, 4 and 5, including the request to allocate some more land at Muiralehouse Farm. If this additional land is included in the finalised Plan then BPL would accept that this would help provide sufficient housing land for the Plan period and into the longer term future. In this regard BPL would not pursue the allocation of land North of the Rosehaugh East Drive allocation AV1.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------|------|--------------|--------------|--------------|
| Customer Number | 04233 | Name | Craig Fraser | Organisation | |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | | |
| Reference | | | Type | Change | Comment Late |
| | | | | No | |

Comment Changes

I have had numerous complaints from residents of Braehead Avoch and Avoch and Killen Community Council that they are not being listened too regarding amendments to the plan. The field north of Braehead should be retained as community amenity land and not for residential use. Councillor Craig Fraser

Representation

I have had numerous complaints from residents of Braehead Avoch and Avoch and Killen Community Council that they are not being listened too regarding amendments to the plan. The field north of Braehead should be retained as community amenity land and not for residential use. Councillor Craig Fraser

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------|------|---------------------|--------------|--------------|
| Customer Number | 00588 | Name | Mr Michael Armitage | Organisation | |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | 124. 4.125 | |
| Reference | avoch | | Type | Support | Comment Late |
| | | | | | No |

Comment Changes

Representation

Fully concur with development recommendations for Avoch, under the consideration for more discreet building in such a beautiful conservation village. In particular support para 4.125, and specifically -quote"to the North of Avoch opportunities are limited due to prominence in the landscape,limitations of its local roadwork and by presence of amenity woodland "

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------------------|------|-----------------|----------------|-----------------------------|
| Customer Number | 03159 | Name | Mr John Handley | Organisation | John Handley Associates Ltd |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | 4.124 to 4.127 | |
| Reference | Housing Site at Knockmuir East, Avoch | | Type | Change | Comment Late No |

Comment Changes

On behalf of landowners, the Church of Scotland General Trustees and D & H Sutherland we request that the current Adopted Local Plan Housing Site Proposal 9: Knockmuir East, Avoch is maintained in the new LDP, and the section on Avoch (pages 123 to 126 of the Proposed LDP) is modified to specifically include this site as an existing housing site in the new LDP with capacity for the development of 30 units. The site should be recognised and included within the Avoch Settlement section on page 123 to 126 which lists Housing Sites and the Avoch Settlement Proposals Map on page 125 should be amended accordingly. The inclusion of the site within the new LDP and its allocation as an existing housing development opportunity would confirm the appropriate policy framework for the site reflecting its current local plan allocation and its established part of the Housing Land Supply.

Representation

On behalf of landowners, the Church of Scotland General Trustees and D & H Sutherland, we object to the failure of the Council to allocate the existing housing site at Knockmuir East, Avoch within the new LDP. The objection site is currently allocated for housing development in the adopted local plan – Proposal 9: Knockmuir East in the Ross and Cromarty East Local Plan – but was subject to a phasing restriction which prevented any development on the site taking place until after 2012. The objection site is also included within the Council’s most recent Housing Land Audit, but has been identified as being constrained due to the phasing restriction set out in the Adopted Local Plan. The principle of new housing development on the objection site has therefore been fully proven and established through its allocation in the Adopted Local Plan, and its inclusion within the Housing Land Audit. Given the phasing restriction (which was a specific requirement of the Adopted Local Plan) it is entirely appropriate, and indeed necessary, to have the site’s allocation reaffirmed in the new LDP. This approach would ensure that the new LDP maintains the fundamental presumption in favour of a plan-led system as it relates to Avoch. The current Local Plan identified a long-term spatial strategy for Avoch, including policies and proposals which related specifically to the objection site. This provided clarity for stakeholders on how planning outcomes for Avoch could be achieved, and provided a stable planning context to deliver the planned development, thus allowing coordination of stakeholders, phasing, financing and infrastructure investment over the long term. By ignoring this existing commitment and failing to allocate this existing development site, the Proposed LDP breaches this established approach to development planning. In doing so, the LDP seriously prejudices the landowners’ interests and conflicts with the long term strategy established in the 2007 Local Plan. This is an unacceptable outcome, and one that must be addressed either by the Council or the Reporter through the subsequent LDP Examination. The full ground of our objection are set out in the attached Statement of Objection. The extent of the objection site is highlighted on the location plan (Appendix 1). It is also allocated as Proposal 9: Knockmuir East in the Adopted Ross and Cromarty East Local Plan (Appendix 2 & 3) and further identified as Site Reference: AVCH9 in the most recently agreed (2010) Housing Land Audit (Appendix 4). This site has an extensive and long established planning status, and reflecting its allocation in the Adopted Local Plan, applications for full planning permission were submitted to Highland Council in December 2012 and registered in May 2013 (Application References: 13/01833/FUL and 13/01834/FUL). These applications are expected to be determined in early 2014. On behalf of our clients, we therefore request that the new LDP allocates the 2.2 hectare site to the north of Avoch as a housing development site with capacity for 30 units, along with a new access road, tree planting and landscaping. Justification for this suggested allocation is set out in the attached Statement, along with a review of the site’s planning history and a summary of its previous allocation in the Adopted Local Plan and inclusion in the Housing Land Audit.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|---------------------------|------|-------------------|----------------|--------------|
| Customer Number | 00262 | Name | Mrs Doreen Hughes | Organisation | |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 4.Development Allocations | | Paragraph | 4-124 to 4-127 | |
| Reference | Avoch | | Type | Change | Comment Late |
| | | | | | No |

Comment Changes

I would like to see the area to the East side of the village stretching eastwards from the Church of Scotland above the old railway and between that and the Knockmuir Road along toward Newton Farm. Much of this area was included in the previous Development plan but has been excluded from the new one with no reason given and some much less attractive areas included on the West side of Avoch. The east side land offers what are widely acknowledged as some of the finest views in the Black Isle and it is not hard to envisage it attracting individual quality houses designed to take advantage of this wonderful location . I feel serious consideration should be given to restoring this area to the plan thereby giving would be residents the opportunity of having a home with character rather than be stuck with the dreary clumps of little boxes which seem to be the likely result of the Proposed Plan.

Representation

I am seeking this change because I do not wish to see the opportunity missed for Avoch to get its share of one off houses.This area would if sympathetically developed would be sought after for this purpose. Fortrose and Rosemarkie have a much better balance of housing ,this should be the planning aim for Avoch.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|

| | | | | | |
|---|-----------------------------|------|-------------|--------------|--------------|
| Customer Number | 03945 | Name | peter smith | Organisation | |
| Agent Name amd Organisation (if applicable) | | | | | |
| Section | 3.Strategy for Growth Areas | | Paragraph | | |
| Reference | | | Type | Change | Comment Late |
| | | | | No | |

Comment Changes

Move the whole site to an area with good main roads not in the middle of a village where people spend there lives. The road between Mulochy and Avoch has good flat land without homes around and the land is owned by the same company that own the industrial site. Then the existing industrial site could be redeveloped, if necessary, for homes or leisure use.

Representation

At present there seems to be 4 businesses at Avoch industrial site. It is positioned at the end of 2 approach roads, both of which are single lane with passing places.The approach from Avoch fishtown is via Henrietta bridge which has a weight limit or Long road which is a series of strips of tarmac with ridges, holes, and narrow bends. Terraces Ormonde and Henrietta are narrow with some properties opening out onto the road. Some of the businesses based at the site use there premises as a dumping ground for rubbish which is not taken away but is unfortunately burned, and quite often the windows have to be closed to keep out toxic smoke and smells that envelope the area. We have seen oil in road drains and at the moment the Council grass cutting team has a boat cradle dumped on the grass verge they have to cut around. So judging by the proposal we could end up with 3 times more mess, 3 times more toxic clouds, 3 times more heavy vehicles, and the lives of the folk who live in the area, environmentally, 3 times worse off. The whole area of this end of Avoch is a beautiful place we get many visitors walking around Ormonde Hill and Hill Woods and admiring to views to the firth, to say this proposal would degenerate the area is an understatement. So if we get a larger site the whole area would lose its village feel as it would turn into another Longmans or Harbour roads.

| | | | | |
|--------------|-------|---------|---------|--|
| Allocated to | Avoch | General | General | |
|--------------|-------|---------|---------|--|