

# Highland Council Inner Moray Firth Local Development Plan

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

Customer Number  Name  Organisation

Agent Name amd Organisation (if applicable)

Section

Paragraph

Reference

Type

Comment Late

### Comment Changes

We neither support nor object to this proposal as there is insufficient information provided to meaningfully comment.

### Representation

Thank you for the opportunity to comment on the Inner Moray Firth Proposed Local Development Plan. We note with interest the proposed development 'CT2- Contin Mains', which is immediately adjacent to our home. Whilst we acknowledge that '53 homes, business/tourism and retail' properties seems like a large number, it is a reasonably large area. Nevertheless, it is hard to comment meaningfully when there is so little detail on the proposal (ie their nature, position, layout & density etc). We therefore welcome the development of a Masterplan, as requested by the Highland Council, which is in keeping with the surroundings and allows more informed local consultation. As this proposal would increase the number of houses in Contin by a third, it is imperative that it is developed sensitively to ensure a positive contribution to the area. We welcome further opportunity to comment as the proposal develops.

Allocated to

Customer Number	01173	Name	S J Fraser	Organisation	
Agent Name amd Organisation (if applicable)					
Section	Contin		Paragraph		
Reference	Contin General		Type	Change	Comment Late
				No	

Comment Changes

Amendment to village boundary to enclose all of property ownership at "Torridon" and no safeguarding open space notation on this land.

Representation

Concerned that the modified Local Plan Boundary for Contin leaves my potential 4- House Site Development outside Contin and being in countryside, creating a major obstruction to any repeated Planning Application for this development. This rerouting, damages, if not destroys an asset. There must remain a boundary which contains all of my property and that of my neighbours. Copies of this 1 Local Plan should also go to individuals and bodies whose recommendations influence the final Local Plan My second Application would have been successful but for a reluctant chair person vote against. Both ofthe previous applications had at that times a Tree Preservation Order existing ignored by some of the planning councillors. Trees on proposed site had a maximum value of £50.00 felled. I invited the Forestry Officer to view these trees. He approved felling confirmed by the then Director of Planning. I expect the order to be rescinded by yourself and not demand of myself, or any other member ofthe public for that matter, to go, in effect cap in hand to any H.C official requesting cancellation of the order as your Department directs that I do. The proposed site development which is within my garden, you will note has over 60 residents signed support, reduced by one following a death. There is a population of 600 in Contin. My 4 House site Development, must now remain as a potential, with no unfair, or .unreasonable obstructions blocking a future applications. On this I must have your assurance. There is a Highland Council proposal to build 4 low cost accommodations at Torview, Contin. When was this project proposed? Please send location and site plans. I would be obliged if this letter is copied to MSP and Highland Councillors whose decisions decided the context of future Local Plan. My Planning Applications 01/00800/FULRC and 03/00383/FULRC stated these applications were premature in respect of Local Plan Reviews. It would be expected the then current Local Plan would have acted as directive. The new Local Plan replacement was in 2007, some years after my application with the boundaries of mine and neighbours unchanged. Why then the reference to "premature" as it did not affect my Planning Application? Letter JMF/MIR of 27th September 2012. T Stott Item 5. states my whole ground and that of my neighbours was retained within the 2007 Local Plan to preserve it as an amenity. Shortly after failure of Planning Application an attempt was made to produce a plan with boundaries along line of the present attempt. When two ground owners noted this, myself included, the attempt was dropped. There is now in process another attempt to have this section of our ground outside the village, despite the claim that to safeguard the woodland it must remain within the village local Plan, and as I must remind you again, destroying the potential of an asset.

Allocated to	Contin	General	General	
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Customer Number	01173	Name	S J Fraser	Organisation	
Agent Name amd Organisation (if applicable)					
Section	Contin Settlement (Development Area)		Paragraph		
Reference			Type	Change	Comment Late
				No	

Comment Changes

Extension to Contin settlement development area to include land at Torridon
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Representation

Thank you for your letter of 21st Dec 2013, also that of 20th Dec 2013 from Mr S Dalgarno. Could you now please place copies of pages numbered Page 1, Page 6 and Page 7 attached, before all individuals who past, present and future contribute to the final layout of the Future Local Plan.
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Allocated to	Contin	General	General	
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Customer Number	04340	Name	Mr Robbie Gordon Munro	Organisation	
Agent Name and Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	4.135/4.136/4.137/4.138/	
Reference	CT2 Contin Mains, Smithy Croft & Munro Farm		Type	Change	Comment Late No

**Comment Changes**

14 Resident Objections: a) CT2 site returned to prime agricultural land. b) CT2 site removed from excessive housing allocation. c) Contin located outside the Hinterland Boundary.

\*Note the Council have chosen to redact and edit parts of this representation following concerns raised by a third party.  
Edits are shown in **blue** and redactions indicated by (redacted).

(redacted) **Munro family and others** request Contin to be removed from Inner Moray Firth Local Development Plan. 2.Contin to be taken out of the Hinterland boundary. 3.Contin is a rural community and the housing provision is excessive and disproportionate for our small village hamlet. 4.There is no demand for new house sites in Contin. 5.Contin Village is in and has been in decline for many years i.e. Post Office shut-down, Contin Primary School closed and computer shop closed. 6.Demand for protecting prime agricultural land and green spaces. 7.Woodland Park has unsold house sites. 8.There is concern over increasing numbers of vehicles through Contin. 9.Properties are unsold and marketed for long periods usually below asking prices. 10.Contin is a farming community surrounded by quality farms and prime agricultural land. 11.Housing would destroy the identity of Contin. 12.Contin has many sites of historical and archaeological significance especially around Preas Mairi, the Beech trees of the Preas Mairi woodland walk and both Contin Mains and Munro Farms. 13.Protecting the green spaces and agricultural land at CT2 preserves the quality of the surrounding area. 14.Contin and the surrounding areas character and rural identity is threatened by the over development and over supply of housing provision. 15.We believe protecting agricultural land in rural communities such as the CT2 site in Contin is a must and if developed would be irreversible and lost forever. Protecting farm land is becoming increasing harder and this is a priority for rural communities like Contin. 16.The Smiddy has been an unoccupied retail unit for two years with no commercial demand, no demand for tourist, retail or business use. 17.Excessive speed of traffic through Contin without adequate calming measures in place. 18.Pedestrian and cycle improvement are desperately needed and the CT2 site would create a new hazard. What measures will the Highland Council consider to improve the trunk road for pedestrians and cyclists? 19.Large volumes of seasonal and holiday traffic. 20.Public and Business parking needs to be reviewed and assessed to include studies of local business use, activities and seasonal differences. 21.Improving road safety: Double yellow lines along A835 trunk road and provision of pedestrian crossings for Smiths Garage and Contin Petrol Station. 22.Contin is one of the few remaining red squirrel hotspots. The CT2 site supports local wildlife and housing would affect its inhabitants including red kites, red squirrels, deer, pheasants, owls and mice. 23.Smiths Garage currently park at Contin Mains without specified planning consent. 24.Highland Council figures for new builds for Contin, Achility, Jamestown and Tarvie area show 11 new homes constructed in last 11 years and 16 new homes in last 16 years. An average of a single property per year. Housing allocation should therefore be on a case by case basis. Provision for 53 house sites in CT2 is clearly excessive, and disproportionate to demand. Being more than half a centuries worth. CT2 Site 1.Scott Delgarno confirmed and detailed to the Police Authority that the CT2 site plan produced by the Highland Council for this IMFLDP is not a land title. Therefore conatins land belonging to many parties. 2.CT2 contains land belonging to the parties represented above. 3.All 14 parties represented here object to the CT2 site. 4.All 14 parties represented here call for the CT2 site to be omitted from the IMFLDP. 5.All residence of Smithy Croft do not consent to the allocation of Smithy Croft being used for housing provision or for access to be granted across Smithy Croft for the CT2 site. 6.The owners and tenants of Munro Farm also do not consent to the allocation of Munro Farm land for housing provision and will not permit any vehicular access across Munro farm and object to the CT2 site. 7.CT2 site should remain prime agricultural land. 8.CT2 site encompasses land belonging to The Contin Petrol Station, Smithy Croft and Munro Farm. 9.Housing provision is excessively large and greater than current up take. 10.Loss of necessary public parking in central location. 11.Elevated site in the foreground to Preas Mhairi Burial Chamber and monument would make even bungalows out of keeping with surroundings. 12.Large visual impact from Strathconon and Fairburn.

These representations are as submitted to the Highland Council and have only been changed (redacted) to exclude private contact details and invalid comments.  
The Highland Council will in due course summarise them and provide a response to those issues raised which are relevant to the development plan.

13. Includes land belonging to Smithy Croft and Munro Farm. 14. Red squirrel habitat destroyed as trees have been felled without planning permission. 15. CT2 site would create many unsold plots which will become a lastly eyesore for decades like 'Woodland Park'. 16. Highland Council Guidelines for New developments outlines a) car parking requirements, b) ingress and egress, and c) visibility. 17. CT2 site has very poor visibility and should not be considered. 18. CT2 would increase the risk to road users, pedestrians and cyclists and should be refused. 19. There are too many entrances already at this particular section of the A835 trunk road and therefore not suitable for housing. 20. Because of the bad access and pressures increasing the volume of vehicles here would be detrimental. 21. CT2 site would put pressure on local businesses and create another hazard. 22. **Allegation that** owner of Contin Mains Farm is a housing developer and desperately wants to build for personal financial gain and not for the benefit of local residents and community. 23. **Allegation that** owner has been reported for breaching of planning control. 24. **Allegation that** owner has destroyed the current tree belt at Smithy Croft and Munro Farm in an attempt to gain planning permission and housing provision and should not be supported. 25. **Allegation that** There have been many police documented incidents at Smithy Croft including the restriction of access to the A835 main road (redacted). 26. No decision should be taken on housing provision at CT2 site until the land disputes between the owners of Munro Farm, Smithy Croft and Contin Mains are concluded. 27. **Allegation that** The Contin Mains Farm owner (redacted) has begun alterations to ground levels and large scale excavations without planning permission and therefore the CT2 site should be not be included in the new plan. 28. The CT2 site is too close to Preas Mairi Burial Chamber. 29. CT2 site does not contain or have adequate provision for an alternative or emergency exit from the CT2 site for emergency vehicles. 30. CT2 site would spoil an area of outstanding natural beauty. 31. Housing in CT2 would obstruct the views from the Preas Mairi Burial Chamber and the Preas Mairi Woodland Walk. 32. In the last consultation regarding the CT2 site it stated - 'Furthermore site boundaries should reflect natural or man-made features such as field boundaries, tree belts or other landscape features.' - Yet **allegation that** the eastern boundary fence, tree belt and landscape have been destroyed by (redacted) in an attempted to gain planning. 33. There are current drainage issues affecting Smithy Croft and Munro Farm. 34. Sewage treatment and limited capacity – Environmental considerations. 35. No emergency exit or second access to site. 36. No compulsory purchase order because building homes are not compulsory. 37. Homes would block view from Preas Mairi woodland walk. 38. CT2 site would create an over supply of housing provision. 39. CT2 site would lower house prices. 40. CT2 site would increase the length of time properties are on the market. 41. Development would create more access issues with Contin Petrol Station, The Smiddy and Smiths Garage. 42. **Allegation that** Housing developers have already destroyed red squirrel habitat by felling trees. Smithy Croft Existing Smithy Croft access. **Allegation that** Red squirrel habitat has been destroyed by housing developer (redacted). **Allegation that** Trees felled in neighbouring properties without consent from owners and without planning permission. (redacted) Smithy Croft has a right of access across the Contin Petrol Station. Any development of the neighbouring farm land would affect Smithy Croft and the Contin Petrol Station. **Allegation that** Petrol Station & Smiths Garage vehicles currently obstruct access to Smithy Croft & Munro Farm. Restriction of access for oil tankers Momentum IT Solutions Ltd Negative impact on The Smiddy Loss of business car parking Contin Mains Farm and Munro Farm Prime agricultural land – Both farms have South-Westerly slopes and perfect growing conditions for commercial barley, oats and wheat. The affects to Munro Farm access & Contin Mains Farm access must be considered and make CT2 unsuitable for housing. Any future development of brownfield land at Contin Mains Steading must be confirmed first before housing and to protect farm land. Contin Mains Steading is recorded in the councils 'Historic Environment Record' and imperatively must be protected. Any development at Contin Mains Farm would have an adverse affect on traffic flow, access, visibility and access to petrol station, smiths garage and the Smiddy. CT2 site would have adverse affects to access to Smithy Croft and Munro Farm (redacted) Turning circle requirement heavy plant machinery and lorries at Contin Mains Farm. Already bad access issues between farms and Contin Petrol Station: No traffic calming. No double yellow lines required and necessary for main road A835. No public crossing/pelican crossing Poor visibility. Dangerous access road to Contin Mains Steading located on a blind bend. Smiths Garage Smiths Garage have inadequate parking and **allegation that** surplus vehicles are parked at Contin Mains Steading. **Allegation that** Smiths Garage do not have current planning consent for such commercial use at Contin Mains Steading. **Allegation that** Smiths Garage vehicles continually park on trunk road and footpath. Will the local plan identify appropriate car parking for all neighbouring businesses and residents? Tenants of West Cottage next door to Smiths Garage also require the use of Contin Mains Steading for car parking. (redacted) Highland Council Planning Application 12/04534/FUL – In the interests of road safety Smiths Garage are required to maintain clear and available parking at all times. Parking on the trunk road (A835) and public footpath is also enforceable by the police authority. **Allegation that it is** Well documented that this Smiths Garage structure causes direct harm to neighbouring homes, businesses and amenity. (redacted) The Conservation of Habitat and Species Regulation 2010 The scheduled monument is located to prominently

These representations are as submitted to the Highland Council and have only been changed (redacted) to exclude private contact details and invalid comments. The Highland Council will in due course summarise them and provide a response to those issues raised which are relevant to the development plan.

Customer Number	01173	Name	S J Fraser	Organisation	
Agent Name amd Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	4.135 - 4.138	
Reference	Settlement Development Area		Type	Change	Comment Late No

#### Comment Changes

Expansion of Settlement Development Area to include land at Torridon, Old Rogie Farm Road.

#### Representation

[redacted] Dear Mr Stott INNER MORAY FIRTH PROPOSED LOCAL DEVELOPMENT Thank you for your letter of the 23rd October 2013, with the enclosures. A correction please make to those who are relevant in designing the future Local Plan. My proposed four house site plan is within my garden, and not a piece of ground which is, or nearby my property. You request I make representations to the future Local Plan deciding body or persons. My correspondence to yourselves, over the past months has provided this, and can be presented to bodies relevant. I would wish the enclosed plan labelled 'A' and 'B' be added , while not forgetting a copy of my letter to your Mr J Stuart of 3rd June 2013. Yours truly S Fraser

Allocated to	Contin	General	General	
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Agent Name amd Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	4.135 - 4.138	
Reference	Settlement Development Area		Type	Change	Comment Late No

#### Comment Changes

Expansion of Settlement Development Area to include land at Torridon, Old Rogie Farm Road.

#### Representation

[redacted] Dear Mr Stott As I understand a committee will, or has examined all information from the various parties who are directly interested in the future Local Plan. Could you please give me names and addresses with telephone numbers of this Planning Committee. The names of the members who voted to retain the existing Local Plan boundary, and those who accepted the change of boundary as it effected my property. After this Planning Committee meets what is the next stage, and if you , or some other public servant body hold further discussions, what notification will be made, and what system employed in advertising these meetings to the public in general. What information will you give or have been giving regarding my house site project and where in writing copies please. Please let me have name, address and telephone number of the proposed Reporter. An early reply would be appreciated. Thank you. S Fraser PS/ Copy of Local Plan issued to be issued to the Planning Committee.

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Customer Number 01173 Name S J Fraser Organisation

Agent Name amd Organisation (if applicable)

Section 4.Development Allocations Paragraph 4.135 - 4.138

Reference Settlement Development Area Type Change Comment Late No

Comment Changes

Expansion of Settlement Development Area to include land at Torridon, Old Rogie Farm Road.

Representation

[redacted] INNER MORAY FIRTH DEVELOPMENT PLAN ALTERNATIVE SITES AND USES CONSULTATION Attached letter ref IMFLDP of 16th May 2013 from Scott Dalgarno, Development Plan Manager. I am surprised and alarmed to note that he will not accept Royal Mail correspondence from those like me who do not use computer facilities. Further his comment on time limited to between 16th May to 30th June 2013, has further been reduced , due to his letter being sent out on the 16th May, Notice could have been given weeks if not months in advance, your comment please. In the proposed Inner Moray Firth Plan the Department of Planning and Development, Mr T Stott Principal Planner has modified Local Plan Boundary for Contin to cut through my garden and that of two of my neighbours, without previous consultation. Apparently Highland Council has no obligation to do so. (See letter IMF/MIR of 27th September 2012. Mr T Stott). This alteration leaves my potential 4 House Site Development outside Contin and being in countryside, creating a major obstruction to any repeated Planning Application for this development . This rerouting , damages, if not destroys an asset. Not the function of the Highland Council (H.C.) There must remain a boundary which contains all of my property and that of my neighbours. I would expect your full support in ensuring this, of which proof would be the issuing to me, such a plan. Copies of this Local Plan should also go to individuals and bodies whose recommendations influence the final Local Plan. My second Application would have been successful but for a reluctant chairperson vote against. Both of the previous applications had at that times a Tree Preservation Order existing ignored by some of the planning councillors. Trees on proposed site had a maximum value of £50.00 felled. I invited the Forestry Officer to view these trees He approved felling confirmed by the then Director of Planning. I expect the order to be rescinded by yourself and not demand of myself, or any other member of the public for that matter, to go in effect cap in hand to any HC official requesting cancellation of the order as your Department directs that I do. I would ask you, indeed I think it imperative, you read through correspondence to and from Mr T Stott Development Planning Department. I find some lack of clarity over deadline date changes. I have been requested to read through an email chain to discover one deadline (See IMF/MIR of 27th September2012). Mr Stott's Department refuses still to cancel their boundary chance affecting my property and that of my neighbours despite its affect on asset potential. I repeat. This is not a right of Highland Council. Your comments please. The proposed site development which is within my garden, you will note has over 60 residents signed support, reduced by one following a death. There is a population of 600 in Contin. My 4 House site Development, must now remain as a potential, with no unfair, or unreasonable obstructions blocking a future applications. On this I must have your assurance. There is a Highland Council proposal to build 4 low cost accommodations at Torview, Contin. When was this project proposed? Please send location and site plans. I would be obliged if this letter is copied to MSP and Highland Councillors whose decisions decided the context of future Local Plan. My Planning Applications 01/00800/FULRC and 03/00383/FULRC stated these applications were premature in respect of Local Plan Reviews. It would be expected the then current Local Plan would have acted as directive. The new Local Plan replacement was in 2007, some years after my application with the boundaries of mine and my neighbours unchanged. Why then the reference to "premature" as it did not affect my Planning Application? Letter IMF/MIR of 27th September 2012. T Stott Item 5. States my whole ground and that of my neighbours was retained within the 2007 Local Plan to preserve it as an amenity. Shortly after failure of Planning Application an attempt was made to produce a plan with boundaries along line of the present attempt. When two ground owners noticed this, myself included, the attempt was dropped. There is now in process another attempt to have this section of our ground outside the village, despite the claim that to safeguard the woodland it must remain within the village Local Plan, and as I remind you again, destroying the potential of an asset. Yours Sincerely S Fraser

Allocated to Contin General General

Customer Number	01173	Name	S J Fraser	Organisation	
Agent Name amd Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	4.135 - 4.138	
Reference	Settlement Development Area		Type	Change	Comment Late
				No	

Comment Changes

Expansion of Settlement Development Area to include land at Torridon, Old Rogie Farm Road.

Representation

[redacted] I have your Department letter of 6th July 2012, with enclosures. Please answer the questions as below, new and those still unanswered to date. Maximum period Highland Council are committed to reply to correspondence from date of receipt, answer please. 1. Names of H.S.P's to whom matters relating to the future Local Plan will be sent in 2013 – answer please. 2. The relining of the Local Plan boundary through my two neighbours ground. Have you contacted them, and if so copies of correspondence please or confirmation of verbal contacts:- Please answer. 3. The Highland Council (H.C.) Planning Environment and Development Committee – are they to receive the existing Local Plan or one of your rerouting through my and neighbours property? – yes or no. If your modifications will the Committee be informed that the rerouting is at least without my permission or approval and why? – answer please. 4. The 2002 Planning Application (copy enclosed from you) has photographs included, What is purpose of these photographs. Please enquire and answer. 5. Both my applications have in their recommendations “XXXX allocations XXXX to Local Plan Review”. Please enquire as to outcome of this Review and notify me – answer please. 6. Your letter IMFLDP MIR of 17th May 2012. States a deadline for “call to sites” was extended from April 2011 to late summer 2011. Exact date of late summer 2011 deadline please. Was our Contin Committee Council Chairman Rev J Gunner informed? Copy of correspondence to him or verbal contact confirming new deadline to him please – answer please. 7. Have you given notice in any form to other Contin residents? If so names please. 8. My letter to you of 20th June 2012 – In that HC forest officer gave clearance to remove trees. I expected a cancellation of Tree Preservation Order. When will it be sent to me? Answer please. 9. Highland Council has or had a motto. What is it or what was it. answer please 10. Unless Highland Council has a remit to damage or destroy a home owners property, you cannot produce a document with a rerouted Local Plan boundary which reduces or destroys the potential of my 4 house site development. Unless you have this remit you will now re-produce a Local Plan with the boundary as exists – answer please. 11. My letter of 28th June 2012. I have I have given you detail to be included in the Main Issue Report as it effects my property. A copy of this Reports sent to me, please. You have had it delivered before your deadline date of 6th July 2012. You are now been given sufficient time to prepare the correct Local Plan with the existing boundary and the Main Issues Report with included the detail affecting my property before submission to Planning Environment and Development Committee. Will you be doing so? Answer please. A number of questions are now to be answered, made up of new and still to be responded to from previous correspondence. Please take note of the number of notices to your department to cancel your version of the new Local Plan boundary restoring to that as present, a route which is that as shown on Plan accompanying Tree Preservation Order document. There maybe yet still some additional questions unanswered which a search on my part may discover. I suggest you now to likewise if only to reduce ongoing correspondence. Yours truly S Fraser

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