

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 and Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

Entirety of site is AW and part of an original expanse of woodland. Strongly opposed. Proposed compensatory tree planting inappropriate as AW is irreplaceable considering the nature of the site and its existing and potential as part of the core area identified by the Forestry Commission. This site is better suited to woodland retention and rehabilitation. Land to the North of Dores such as at D04 are more appropriate for housing.

Representation

The Woodland Trust Scotland considers that any woodland included in Scottish Natural Heritage's Ancient Woodland Inventory (AWI) which is present on historical maps or which exhibits a significant number of ancient woodland indicators can be considered as ancient and is therefore high value for conservation and worthy of further study and is likely to pose a constraint on development. We believe that ancient woodland is amongst the most precious and biodiverse habitats in the UK and is a finite resource which should be protected. Highland Council supplementary guidance notes that woodlands and trees offer multiple benefits in terms of addressing climate change, improving the water environment, providing valuable habitats, timber industry and creating recreational opportunities. Considerations include the cumulative impact of woodland removal, and fragmentation of habitat. Both Scottish Government policy and the Highland Wide LDP policy create a presumption in favour of protecting woodland. The Highland Wide LDP in policy 57 recognises ancient woodland as (depending on the category) of regional or national importance. Both the Woodland Trust Scotland and Scottish Planning Policy at para 148 consider ancient and semi natural woodland to be an important and irreplaceable national resource and should be protected and enhanced. The Woodland Trust Scotland would like to see a clear statement that the loss of ancient woodland cannot be mitigated, and therefore warrants protection from development. Development impacts on ancient woodland in a number of ways including chemically, disturbance by human activity, fragmentation, and colonisation of non-native plants. The cumulative effect of development is more damaging to ancient woodland than individual effects which should not be considered in isolation.

Allocated to

Customer Number Name Organisation

Agent Name amd Organisation (if applicable)

Section Paragraph

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Comment Changes

The area marked on the plan is not congruent to the boundaries with adjoining ownership.

Representation

The area is significantly different to that discussed by the Community Council and HSCHT for development of housing. In addition this land is for mixed development of affordable housing with plots for self-build.

Allocated to

Customer Number Name Organisation

Agent Name amd Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

To extend the area of land to include the land East up to the B862.

Representation

The land allocation is extended to include the land east to the B862 for low density open market housing as it is crucial to the delivery of the affordable housing provision on DO1. Sympathetic planting with native trees throughout the development would lessen the impact of development within the extended allocation.

Allocated to

Customer Number Name Organisation

Agent Name and Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

Representation

Allocated to

Customer Number Name Organisation

Agent Name and Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

“ To increase the indicative capacity of the proposed allocation to circa 15-18 units, which would allow for a more sustainable and beneficial use to be made of the land being brought forward for development under this allocation, thus ensuring that the site is capable of accommodating an appropriate range of housing opportunities; to allow for the suggested landscape planting to take place out with and to the immediate north of the allocated site, on land falling within the same ownership and control as the allocated site, which would not impact upon the ability of the site to contribute towards the enhancement of the setting of the village; and, to delete any linkage between the development of the site and the provision of new playing field facilities.”

Representation

Whilst full support is given to the allocation of Site Reference DO2 for proposed residential development purposes, objection is made to the indicative capacity of 8 units, which has been set against the development of the site. This figure represents a density of only 10 units to the hectare, which is considered to be unduly low and as a consequence of which, would severely restrict the nature and form of the housing that could be brought forward in line with the terms of the allocation. Notwithstanding the fact that at paragraph 2.12 of the Proposed Plan, it is acknowledged that the capacity figures shown within the tables in Section 4 of the Plan are indicative only and that different capacities to those stated may be acceptable subject to the assessment of detailed design considerations that demonstrate the efficient use of land and a satisfactory site layout, it is submitted that the Proposed Plan should provide for a more reasonable indicative capacity for the site. Support for an increase in the indicative capacity of the site can be drawn from the terms of Scottish Planning Policy (SPP), which, at paragraph 77, advises that one of the key considerations that requires to be addressed by development plans when setting out their settlement strategies is the need to make efficient use of land and infrastructure. The need to promote the efficient use of land and infrastructure is further reinforced by the matters set out within paragraph 80 of SPP. It is respectfully submitted that the allocation of this site for only 8 units would neither make the most efficient use of the land, which is being brought forward under this allocation, nor would it make maximum sustainable use of the additional infrastructure that would require to be put in place to service the development of the site. If a more reasonable spread of potential development densities were to be applied to the site, for example densities falling within the range of 25 to 30 units per hectare, the notional capacity of the site would rise to somewhere in the range of 15 – 18 units. These figures are based upon the assumption that the net developable area of the site will be in the order of 75% of the gross site area, that is 0.6ha. Increasing the potential capacity of the site at the outset, rather than having to rely upon the statement contained within paragraph 2.12 of the Proposed Plan, as discussed above, would provide a greater degree of certainty to potential developers and would enable the site to provide for the full range of potential housing types, this being distinctly different from the form of housing which would otherwise arise as a result of a development that were restricted to 8 units. At paragraph 83 of SPP, it is made clear that through good design, it is possible to achieve higher density living environments without, amongst other things, giving rise to any loss of amenity. Consequently there is no basis upon which, subject to securing a high quality design solution for the development of the site, it can be reasonably argued that increasing the capacity of the site would give rise to any reduction in the level of amenity which is presently enjoyed within the existing residential development which bounds the site to the south. Within paragraph 4.102 of the Proposed Plan it is stated, amongst other things, that there will, in pursuit of the Placemaking agenda, be a requirement placed upon developers to deliver new woodland to augment the setting of the village. In relation to this specific requirement, it is submitted that as a matter of principle, it is not necessary to totally screen any new development on the edge of an existing settlement, and that a well designed and executed development which is visible from out with the settlement boundary can contribute more in terms of Placemaking than a poor quality development which is simply hidden from view. This issue aside, the northern boundary of the proposed allocation is not defined on the ground by any existing features and as such, this boundary of the site will be defined, in due course, by the northern extent of the development itself. On this basis, there is no reason why any new woodland planting need necessarily take place within the boundary of the site with it being submitted that the creation of an area of woodland planting immediately to the north of the allocated site would achieve the same effect as would be the case for woodland planting within the actual boundary of the site itself. The land to the north of the proposed allocation falls within the same ownership and control as the site itself and as such, there is no reason why the provision of new woodland planting to the north of the allocated site would not be suitably controlled by way of conditions attached to any planning permission granted pursuant to the development of the site. In view of the foregoing, it is respectfully submitted that for the reasons given, the capacity of Site Reference DO2 should be increased to 15 – 18 units, with it being further submitted that any required woodland planting could take place on land lying

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.

to the immediate north side of the northern boundary of the allocated site. The requirements listed in relation to the development of site DO2 include the need for discussions to take place with the community over the release of Site DO4 for sports use. Objection is made in the strongest possible terms to any suggestion a linkage exists between these two sites. It is understood that the requirement for the provision of the new playing field facility to serve the village is a direct result of the anticipated development of the existing playing field. This encroaching development is unrelated to the development of Site DO2 and as such, the onus for the provision of alternative playing field facilities should fall upon the party who is responsible for the development which impacts upon the existing playing fields. The suggestion that the delivery of the development of Site DO2 dependent upon the implementation of an unrelated development does not meet any test of reasonableness, including those relating to the use of planning conditions and the matters which can be addressed within Section 75 Agreements, and cannot be justifiably supported. Given the above, it is submitted that this matter must be deleted as a requirement related to the development of Site DO2.

Allocated to	Dores	DO2	Land north of Mill Croft	
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Customer Number Name Organisation

Agent Name and Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

“ To increase the indicative capacity of the proposed allocation to circa 15-18 units, which would allow for a more sustainable and beneficial use to be made of the land being brought forward for development under this allocation, thus ensuring that the site is capable of accommodating an appropriate range of housing opportunities; to allow for the suggested landscape planting to take place out with and to the immediate north of the allocated site, on land falling within the same ownership and control as the allocated site, which would not impact upon the ability of the site to contribute towards the enhancement of the setting of the village; and, to delete any linkage between the development of the site and the provision of new playing field facilities.”

Representation

Whilst full support is given to the allocation of Site Reference DO2 for proposed residential development purposes, objection is made to the indicative capacity of 8 units, which has been set against the development of the site. This figure represents a density of only 10 units to the hectare, which is considered to be unduly low and as a consequence of which, would severely restrict the nature and form of the housing that could be brought forward in line with the terms of the allocation. Notwithstanding the fact that at paragraph 2.12 of the Proposed Plan, it is acknowledged that the capacity figures shown within the tables in Section 4 of the Plan are indicative only and that different capacities to those stated may be acceptable subject to the assessment of detailed design considerations that demonstrate the efficient use of land and a satisfactory site layout, it is submitted that the Proposed Plan should provide for a more reasonable indicative capacity for the site. Support for an increase in the indicative capacity of the site can be drawn from the terms of Scottish Planning Policy (SPP), which, at paragraph 77, advises that one of the key considerations that requires to be addressed by development plans when setting out their settlement strategies is the need to make efficient use of land and infrastructure. The need to promote the efficient use of land and infrastructure is further reinforced by the matters set out within paragraph 80 of SPP. It is respectfully submitted that the allocation of this site for only 8 units would neither make the most efficient use of the land, which is being brought forward under this allocation, nor would it make maximum sustainable use of the additional infrastructure that would require to be put in place to service the development of the site. If a more reasonable spread of potential development densities were to be applied to the site, for example densities falling within the range of 25 to 30 units per hectare, the notional capacity of the site would rise to somewhere in the range of 15 – 18 units. These figures are based upon the assumption that the net developable area of the site will be in the order of 75% of the gross site area, that is 0.6ha. Increasing the potential capacity of the site at the outset, rather than having to rely upon the statement contained within paragraph 2.12 of the Proposed Plan, as discussed above, would provide a greater degree of certainty to potential developers and would enable the site to provide for the full range of potential housing types, this being distinctly different from the form of housing which would otherwise arise as a result of a development that were restricted to 8 units. At paragraph 83 of SPP, it is made clear that through good design, it is possible to achieve higher density living environments without, amongst other things, giving rise to any loss of amenity. Consequently there is no basis upon which, subject to securing a high quality design solution for the development of the site, it can be reasonably argued that increasing the capacity of the site would give rise to any reduction in the level of amenity which is presently enjoyed within the existing residential development which bounds the site to the south. Within paragraph 4.102 of the Proposed Plan it is stated, amongst other things, that there will, in pursuit of the Placemaking agenda, be a requirement placed upon developers to deliver new woodland to augment the setting of the village. In relation to this specific requirement, it is submitted that as a matter of principle, it is not necessary to totally screen any new development on the edge of an existing settlement, and that a well designed and executed development which is visible from out with the settlement boundary can contribute more in terms of Placemaking than a poor quality development which is simply hidden from view. This issue aside, the northern boundary of the proposed allocation is not defined on the ground by any existing features and as such, this boundary of the site will be defined, in due course, by the northern extent of the development itself. On this basis, there is no reason why any new woodland planting need necessarily take place within the boundary of the site with it being submitted that the creation of an area of woodland planting immediately to the north of the allocated site would achieve the same effect as would be the case for woodland planting within the actual boundary of the site itself. The land to the north of the proposed allocation falls within the same ownership and control as the site itself and as such, there is no reason why the provision of new woodland planting to the north of the allocated site would not be suitably controlled by way of conditions attached to any planning permission granted pursuant to the development of the site. In view of the foregoing, it is respectfully submitted that for the reasons given, the capacity of Site Reference DO2 should be increased to 15 – 18 units, with it being further submitted that any required woodland planting could take place on land lying

to the immediate north side of the northern boundary of the allocated site. The requirements listed in relation to the development of site DO2 include the need for discussions to take place with the community over the release of Site DO4 for sports use. Objection is made in the strongest possible terms to any suggestion a linkage exists between these two sites. It is understood that the requirement for the provision of the new playing field facility to serve the village is a direct result of the anticipated development of the existing playing field. This encroaching development is unrelated to the development of Site DO2 and as such, the onus for the provision of alternative playing field facilities should fall upon the party who is responsible for the development which impacts upon the existing playing fields. The suggestion that the delivery of the development of Site DO2 dependent upon the implementation of an unrelated development does not meet any test of reasonableness, including those relating to the use of planning conditions and the matters which can be addressed within Section 75 Agreements, and cannot be justifiably supported. Given the above, it is submitted that this matter must be deleted as a requirement related to the development of Site DO2.

Allocated to

Customer Number Name Organisation

Agent Name and Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

Representation

1. Have had no consultation previously. Would not have bought Drumashie Lodge 2 years ago if we had known of any development plans affecting it. Nothing indicated on Search at time of purchase. 2.Drumashie Lodge, Steading and Church are only listed buildings in village and are protected by curtilages which would impact on any development around them. 3.Any development on this steep hillside would severely affect light levels at the rear of Drumashie Lodge which lies directly below proposed development. 4. Any development on hillside would look straight down into 2 bedrooms at rear of property as well as kitchen, compromising our privacy. 5.There are already issues with levels of water in leat in wet conditions as well as water draining from hillside through Drumashie Lodge grounds. Developing the site will only exacerbate these problems with run off causing flooding in the leat and the likelihood of damp in our house. 6.Drumashie Lodge is for sale and any proposed development around it will severely impact on its sale value and make it extremely difficult to find a buyer who would willingly tolerate a prolonged period of development immediately surrounding their property. 7.The proposed new playing field DO4. The village already has a perfectly adequate playing field which is neatly screened from view - why is another thought necessary particularly when this would immediately impact on one of the most iconic views in Scotland for any visitor coming down the hill into the village.

Allocated to

Customer Number 04358 Name Sarah Hartley Organisation Dores & Essich Community Council

Agent Name amd Organisation (if applicable)

Section 4.Development Allocations Paragraph

Reference DO4 Type Change Comment Late No

Comment Changes

Changes in the wording of the section.

Representation

Uses: Community Use only as opposed to 'sports pitch' Remove the wording 'non-permanent changing facilities' replace with 'Any built development limited for community use'.

Allocated to Dores DO4 North of Playing Field

Customer Number 01061 Name Dr William Erskine Organisation

Agent Name amd Organisation (if applicable) Mr Alastair Campbell Bidwells

Section 4.Development Allocations Paragraph Paragraphs 4.101 – 4.102.

Reference Site Reference DO4, North of Playing Field. Type Change Comment Late No

Comment Changes

“ The deletion of Site of Site DO4 from the Plan based upon its inability to deliver the form of development envisaged under the terms of this land allocation. ”

Representation

Site DO4 forms a small part of an much larger area of flat and open agricultural land, which extends northwards from the village of Dores, on the west side of the B862. This land is managed and farmed under the terms of an assured long terms agricultural tenancy, which affords a high degree of protection and security for the tenant farmer. Whilst the terms of this tenancy agreement make ongoing provision for the annual hosting of the Rock Ness Festival, it would not allow for the resumption of the land for the purposes of accommodating any permanent development. Although the proposed use of the land for the provision of alternative playing field facilities is unlikely to include any significant built elements, it would result in the permanent loss of the agricultural use of the land, which would be at significant odds with the terms and purpose of the tenancy agreement. Given the matters outlined above, the ability to deliver this land for the purposes envisaged under the terms of allocation DO4 cannot under any circumstances be guaranteed and as such, the effectiveness of the allocation must be drawn seriously into question. On the basis that the village will require new playing filed facilities if the existing site to the north of the Dores Inn is redeveloped, it is respectfully submitted that an alternative to Site DO4, which is effective and can be delivered for the intended purpose, will require to be identified. Aside from the matters set out above, it is further submitted that Site DO4 is not suited for the provision of playing field facilities on the basis of the adverse landscape impacts that would arise from this form of development. As is noted above, the site forms part of a much larger area of flat, open agricultural field. Open panoramic views over Loch Ness can be gained from the north, looking over the site. The introduction of the form of fencing that is likely to be required in relation to use of the land as a playing field and the probable introduction of changing facilities, even if they are of a non-permanent nature, are considered likely to give rise to significant and adverse impacts upon the landscape quality and character of the site and the area surrounding the same. For this further reason, it is respectfully submitted that the allocation of Site DO4 should be deleted from the Plan.

Allocated to Dores DO4 North of Playing Field

Customer Number Name Organisation

Agent Name amd Organisation (if applicable)

Section Paragraph

Reference Type Comment Late

Comment Changes

“ The deletion of Site of Site DO4 from the Plan based upon its inability to deliver the form of development envisaged under the terms of this land allocation. ”

Representation

Site DO4 forms a small part of an much larger area of flat and open agricultural land, which extends northwards from the village of Dores, on the west side of the B862. This land is managed and farmed under the terms of an assured long terms agricultural tenancy, which affords a high degree of protection and security for the tenant farmer. Whilst the terms of this tenancy agreement make ongoing provision for the annual hosting of the Rock Ness Festival, it would not allow for the resumption of the land for the purposes of accommodating any permanent development. Although the proposed use of the land for the provision of alternative playing field facilities is unlikely to include any significant built elements, it would result in the permanent loss of the agricultural use of the land, which would be at significant odds with the terms and purpose of the tenancy agreement. Given the matters outlined above, the ability to deliver this land for the purposes envisaged under the terms of allocation DO4 cannot under any circumstances be guaranteed and as such, the effectiveness of the allocation must be drawn seriously into question. On the basis that the village will require new playing filed facilities if the existing site to the north of the Dores Inn is redeveloped, it is respectfully submitted that an alternative to Site DO4, which is effective and can be delivered for the intended purpose, will require to be identified. Aside from the matters set out above, it is further submitted that Site DO4 is not suited for the provision of playing field facilities on the basis of the adverse landscape impacts that would arise from this form of development. As is noted above, the site forms part of a much larger area of flat, open agricultural field. Open panoramic views over Loch Ness can be gained from the north, looking over the site. The introduction of the form of fencing that is likely to be required in relation to use of the land as a playing field and the probable introduction of changing facilities, even if they are of a non-permanent nature, are considered likely to give rise to significant and adverse impacts upon the landscape quality and character of the site and the area surrounding the same. For this further reason, it is respectfully submitted that the allocation of Site DO4 should be deleted from the Plan.

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Section Paragraph

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Comment Changes

Whole Plan for Dores needs to be challenged & massively reduced on 2 "fronts" :- 1. iconic LochNess, major tourist attraction, will be marginalised by a development on access to the Loch, totally spoil the vista, view & overall atmosphere of this key global tourist area. Risks local jobs loss, eg at the farm; Dores Inn! 2. major accident awaits! Any increase in housing will accelerate the real traffic danger along the B862, Dores - Inverness road. An average of 1.5 cars per home predicted. With cycles, hire cars, caravans, lorries even on existing density, DEATH, will happen. The road has many hidden/blind summits; at the edge of Site D02 is the cycle path for the school, & all other cyclists/walkers. The road is totally unsafe in current state for a lot more local traffic. Council be advised, if this proceeds as planned a death(s) will happen, perhaps even sooner than this unworkable plan is actioned.

Representation

Common sense, respect for LochNess, & the safety of all users of the B862 is paramount!! Without significant investment first, on the dangerous B 862, your proposed plan will, for sure, result in tragedy, traffic accidents, traffic deaths. Council will be negligent & responsible for human misery, unless the B862 is significantly upgraded to a safe road.

Allocated to
