

# Highland Council Inner Moray Firth Local Development Plan

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

Customer Number	01707	Name	James Macdonald	Organisation	
Agent Name amd Organisation (if applicable)					
Section	Development Allocations		Paragraph		
Reference	H4 - Kirkhill		Type	Change	Comment Late
				No	

### Comment Changes

#### Allocation of site H4 in the plan

#### Representation

Thank you for providing me with this information regarding my property on Wardlaw Road, Kirkhill. I have read the report and would like to respond with my comments and concerns regarding the decision not to include it within the development plan. This may not be the correct formal in which to express my displeasure but if possible I would like to appeal against the decision taken by the Highland Council. It was reported that my land referred to as H4 was somehow out with the village boundary. This is simply not the case, it is merely a short walk from all amenities and much closer than Achnagairn which the council seem to be recommending for development. Moreover, previous planning application were granted on Wardlaw Road which has been developed into an inclusive part of the village. It was never my intention to fully develop this whole area, this was perhaps the view of the council but certainly wasn't mine. I fully appreciate that a major development on this land whilst providing excellent and well needed housing could be constraint due to access. I would ask that this decision be review with perhaps a measured judgment taken on a reduced number of houses. This would have minimal impact on access and retain the majority of the land. I have made some comments below relating to an extract from the report and I would appreciate an opportunity to discuss this matter further with a member of the planning team H4- Preferred in MIR Site H41ies within a north western area of Kirkhill on the north side of Wardlaw Road. Following further, more detailed consideration of this site in response to objections to its allocation, it is no longer recommended for inclusion in the plan. The objections given were from local resident who clearly do not want to see housing on land close to their houses. This was always going to be the case and I do not believe that their objection had any basis or were indeed accurate. This land has been in my family's tenancy & ownership for several generations and to say that it is subject to flooding is simply untrue. It is understood that access was intended to be taken via a new housing development as a continuation of its access road 'Mansfield Park'. However no details of this potential access were provided by the landowner. I was never asked to provide plans to access my property from Mansfield Road. Access via Mansfield Road was intimated by HC and it was clearly their intention to utilise this access and the developer on Mansefield Road was instructed to leave a hammerhead on the road for exactly this purpose There appears to be a number of difficulties in taking access via Mansfield Park, in particular the loss of attractive mature trees, crossing of a narrow burn and it is likely that a proportion of garden ground would need to be purchased from nearby properties at Heatherlie and Sunnyside to allow for the creation of an access. In the absence of any information to demonstrate these issues can be 1 overcome there is no certainly that the site can be delivered. Access would necessitate the removal of 2 trees which is regrettable but not a reason to reject access, the narrow burn could be crossed with ease and should not pose any problem. The matter of loss of garden space at Heatherlie and Sunny Side is questionable and I would ask that you re-examine the actual land boundaries to determine true ownership. Garden boundaries have a tendency to conveniently "expand" over the passing of time ! The Council's Road Officer's have confirmed that access from Wardlaw Road would not be supported due to its narrow width and limited opportunities for upgrade to a suitable width including a segregated footway for pedestrians. Wardlaw Road would be required to be stopped up should development on H4 be supported. I would concur that the lower part of Wardlaw Road may be too narrow to facilitate a major building development but I would ask that this be re-assessed with a view of a much more modest build. Other concerns raised in representations are noted. It is agreed that other sites within the village and the wider Inverness Housing Market Area are less constrained and therefore have a greater likelihood of being developed within the plan period. Furthermore adequate land is supported for housing elsewhere that will meet the housing land requirement in the Inverness Housing Market Area. With regard to flood risk, whilst no part of the site is identified as being at risk of flooding on the SEPA Indicative Coastal and River Flood Map it is understood lower parts of the site are often affected by pluvial flooding. The site is also prime quality agricultural land and is understood be croft land. This is a small piece of privately owned land, it does not constitute a farm nor does it form part of any larger farm. Its loss of agricultural land would have little or no impact on the farming community in this area. I would be most gratefully if you would review my thought an advise me of the next step as I clearly and I most sincerely disagree with the current situation.

Allocated to	Kirkhill	General	General	
Customer Number	04230	Name	Lovat Highland Estates Ltd	Organisation
Agent Name amd Organisation (if applicable)	Mr George Reynolds		Reynolds Architecture Ltd	
Section	4.Development Allocations		Paragraph	4.120
Reference	Unallocated site at Mansefield Kirkhill Grid 84530		Type	Change
			Comment Late	No

Comment Changes

The above noted area and per the attached plan should be included as part of the allocation for housing / mixed use.

Representation

This site to the south west approach of Kirkhill is served by an access which can be taken directly from the existing development at Mansefield. It avoid the access issues and improvements required in order to develop out the five other designated sites i.e. road safety issues within the village at the school, road widths and issues to be resolved regarding multiple ownership. The area has a single owner and is readily available for development. The extent of the site at 5ha could well accommodate mixed use such as retail and business and would be simpler to develop out than KH4. The constraint of the overhead pylons would allow for open amenity space, road access through the site and appropriate mixed uses. The sites currently favoured have multiple issues with ownership and access requiring new link roads and improvements to existing roads which will be costly to implement resulting in significant delay to development. This site is ready for immediate development. The concern is that should this site not be allocated that with the aforementioned difficulties on other sites the continuing development of the village could be significantly delayed with sites laying dormant for many years.

Allocated to	Kirkhill	General	General	
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Customer Number  Name  Organisation

Agent Name amd Organisation (if applicable)

Section

Paragraph

Reference

Type

Comment Late

Comment Changes

reinstatement of boundaries to the north and west.Removal of proposal to include area KH5 within village boundary

Representation

Moving the northern boundary eastwards to Carse place removes approx ten established residencies and a brownfield development site[with detailed planning consent for 13 dwellings ] from the village envelope.this would seem to contradict the local development plan aim to draw boundaries 'relatively widely round existing built-up areas'.The proposal states the' country lane nature of many internal roads limit the availability of development sites' and housing expansion is directed to the north and west.Why in this direction? The zone identified as KH5 [90 homes plus business and community] is currently agricultural land outwith the village boundary [although with rather nice views over the Firth].A loop road would be created to connect with the existing Newton Park road.The same 'country lane roads' the council would seek to avoid.The potential development site at Fingask Steading has,as part of its consent obligations,to improve the access road from the community hall north west to Mains of Fingask.The necessary wayleaves to facilitate this are in place. With regard to the field opposite Tealach House and the community centre,the Local Plan makes reference to Affordable Housing and an 'ageing population'.What better location, than this area,for infill development?Less than 100 metres to the community hall, little more to the school adjacent to the playpark and with very little work or upheaval to improve the junction of St Mary's Rd with the B9164 [the main through road]. In short I consider this to be a poorly thought out proposal and should be reconsidered.

Allocated to

Customer Number  Name  Organisation

Agent Name amd Organisation (if applicable)

Section

Paragraph

Reference

Type

Comment Late

Comment Changes

Delete "village would also benefit from a new community sports facility"

Representation

A new sports facility was recently completed in Kirkhill, from my observation it is little used, in fact I have yet to see anyone playing tennis on the all weather court.

Allocated to

Customer Number	01034	Name	3A Partnership Ltd	Organisation	
Agent Name amd Organisation (if applicable)		Administrator Yvonne Macdonald		G H Johnston Building Consultants	
Section	4.Development Allocations		Paragraph		
Reference	KH4		Type	Change	Comment Late
					No

#### Comment Changes

“housing and subject to site appraisal and viability, retail, community and/or business use”

#### Representation

The IMFLDP should acknowledge the prevailing site conditions that are characterised by severe dereliction, dilapidated buildings and a significant prospect of contamination; and remedial work required to make the site suitable for redevelopment is clearly a major undertaking. The representation to the MIR sought to relieve any undue burdens – including any policy commitment that might affect the viability of a redevelopment proposal. In that regard – whilst the principle of a non-residential element is not opposed per se the PLDP states “Retail, Community and Business” in addition to housing as the primary use; the IMFLDP should not insist on all three of these uses (retail, community and business) being accommodated, but rather allow the option of one or more within one building, subject to site appraisal, restoration costs and a viable proposal for the site as a whole. In the same vein, the IMFLDP should not prescribe a housing capacity for the site that could limit the potential for reuse of the land. The priority should - in the interests of the community as a whole - to rid the land of a past use and a significant eyesore. There is developer interest in achieving that objective; but that could be thwarted by a lack of flexibility in the IMFLDP. A Geo-Environmental Preliminary Assessment is in progress. This may be produced as a relevant document, with agreement as necessary. Documents Geo-Environmental Preliminary Assessment (subject to availability)

Allocated to	Kirkhill	KH4	MacMillan’s Yard	
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Customer Number	00612	Name	Mr Ian Weir	Organisation	
Agent Name amd Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	KH5 Groam Farm East	
Reference	KH5		Type	Support	Comment Late
					No

#### Comment Changes

#### Representation

I write in support of the proposed development. My company Robert Weir & Son own the land proposed to be developed. We also own the access route into the land. This was purchased in June 2007 and has been used as a farm access onto the land. This access route could be incorporated into Newton Park to form access. We also own and have control over the land leading into the Tulloch Development at Groam Farm West which could be used as a loop road or emergency access. We are willing to develop a masterplan and brief to be agreed with the Council. I attach a copy of the Disposition plan.

Allocated to	Kirkhill	KH5	Groam Farm East	
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Customer Number	04427	Name	Ian Weir	Organisation	Robert Weir & Son
Agent Name amd Organisation (if applicable)			Mr Gary Wilson	WSD Scotland Ltd	
Section	4.Development Allocations		Paragraph		
Reference	Site KH5		Type	Support	Comment Late
				No	

Comment Changes

### Representation

We write in support of the proposed development. Our company, Robert Weir and Son own the land proposed to be developed and we can confirm the following in relation to the proposed development: 1. We own/ control the two proposed access routes, as shown on the attached plan. (attachment 1) 2.1 The Principle Access off Newton Park is shown on attachment 2 - the area coloured pink was secured by us to ensure access to the site. 2.2 The Secondary Access is via the existing Tulloch Homes development (Groam Farm West) which was previously in our ownership and over which we retained access rights to facilitate this access. 2. We are very happy to prepare a Masterplan/ Development Brief for agreement with the Council and would welcome this being adopted as Supplementary Guidance for the Development. We will engage with suitably qualified Professional Consultants to address integration of built form, circulation, green space and landscaping as well as Transport Assessment and travel routes to the primary school, community facilities and village centre. 3. We are supportive of the provision of small scale retail and/or business use and would like to work alongside the community to try and achieve their asperations.

Allocated to	Kirkhill	KH5	Groam Farm East	
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Customer Number	04145	Name	John Pepper	Organisation	
Agent Name amd Organisation (if applicable)					
Section	4.Development Allocations		Paragraph	Kirkhill 4.118	
Reference	KH5 Groam Farm East		Type	Change	Comment Late
				No	

Comment Changes

Principle access to site. (secured)?

### Representation

The principle site access is NOT secured. The proposed access is running through my land (see plan enclosed). I own 1.7 mtr of the area and without any discussion from anyone. These proposals are not correct. I am not prepared to sell, or allow any site access through my land. Any access to the proposed site should be through the existing development on site KH3.

Allocated to	Kirkhill	KH5	Groam Farm East	
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